

Suspension and Exclusion Policy

March 2023



The Stour Academy Trust

Introduction

This document is a statement of aims, principles and strategies for the school.

DfE guidelines have been taken into consideration in the formulation of this policy. To establish the general ethos of the school, it should be read in conjunction with the Behaviour Policy. KCC guidelines have also been taken into account when producing this policy (which is due to be updated by KCC).

Rationale

This document provides a framework for an orderly environment in which children can both learn and develop. It is important to us that children in the school are able to learn in an environment where the expectation of pupil behaviour is high, providing all pupils with the opportunity to learn unhindered.

The school will manage and promote pupils personal, social, health and emotional education alongside the aims set out below:

Aims

- To promote the inclusion of all pupils in the learning process by developing teaching strategies that avoid the need for exclusion or suspension in any form.
- Ensuring every child has the right to learn unhindered.
- To follow the statutory requirements as set out by law, for all children to access education.

Principles

The establishment of a sound, positive and caring ethos is an essential prerequisite for learning. It depends upon pupils taking responsibility for their own learning and behaviour, together with the establishment of trusting relationships and a process of cooperative team work, all established through a restorative justice approach to behaviour. The school welcomes and encourages the involvement of parents, carers the LA, Directors and others in the community in supporting the school's aims.

Responsibilities

All members of the community of the school – teaching and non-teaching staff, parents, pupils and Directors, work towards the school's aims by:

- Ensuring every child has the right to learn unhindered. Class teachers have the responsibility to effectively manage the behaviour of pupils in their class (See Teachers Standards document) to ensure that individual children do not disrupt the learning of others.
- Communicating positively and consistently our high expectations of pupil behaviour, ensuring all adults in the school act as an exemplary role model to our children in how they speak and demonstrate respect to others.
- Providing a well-ordered environment in which all are fully aware of behavioural expectations.
- Ensuring all lessons are planned and adapted meet the needs of all pupils.
- Treating all children and adults as individuals and respecting their rights, values and beliefs.

- To all implement a restorative justice approach to behaviour.
- Fostering and promoting good relationships and a sense of belonging to the school community.
- Offering equal opportunities in all aspects of school life and recognising the importance of different cultures.
- Encouraging, praising and positively reinforcing good relationships, behaviours and work.
- Rejecting all bullying or harassment in any form.
- Helping to develop strategies to eliminate undesirable behaviour both within and outside the classroom and applying these consistently.
- Caring for and taking pride in the physical environment of the school.
- Working as a team, supporting and encouraging each other.

Internal Exclusion

Internal exclusion is when a pupil is excluded from the rest of the school and must work away from their class for a fixed amount of time. This will be in a different area within the school with a senior leader. An internal exclusion is a discretionary measure, where a pupil's behaviour is escalating and more serious measures need to be taken but there are not yet grounds for an external suspension. Typically, a child receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them to avoid their behaviour escalating to a point where a suspension is necessary (examples: behaviour chart to address specific behaviours causing a problem; support from the adults within the school, Individual Behaviour Support Plan etc)

Suspension

Parents will be notified of the reason for the suspension. Before the child is re-admitted to school, a meeting between the parents and the school will be arranged. The purpose of the meeting will be to discuss strategies, any adaptations to the child's provision and a way forward to ensure that the offending behaviour is not repeated through a restorative justice conversation.

A written record of the discussion, and commitments to the agreed plan, by both the parents and the school, will be made. One copy will be kept in the school's record and one sent to the parent.

Directors Involvement

When a child is excluded from a school, the Directors of the Trust would be involved as follows:

There are two types of exclusion:

- Suspension, which can range from half a day to a maximum of 45 school days in a school year. (A child can also be suspended for lunchtimes.)
- Permanent.

Length of suspension

Suspension for less than 5 school days

If any exclusion is for less than 5 school days the Board of Directors should review any representation made by parents / carers, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Suspension for more than 5 school days but less than 16 in a term

If any exclusion is for more than 5 school days (running concurrently) parents/carers can make representations to the Trust Board of Directors to review the exclusion. The Board of Directors must consider and decide within 50 school days of receiving the notice of suspension whether the suspended pupil should be reinstated. In the absence of any representations from the parents, the Board of Directors is not required to meet and cannot direct the reinstatement of the pupil.

The Board of Directors must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher if:

- it is a permanent exclusion;
- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term; or
- it would result in the pupil missing a public examination or national curriculum test.

Permanent exclusion

When exclusion is permanent, the Board of Directors Panel must meet to review the exclusion. Parents / carers and an LA representative must be invited to review the meeting.

Even if the parents/carers did not attend the Board of Directors Panel meeting, they have the right to appeal to an [Independent Appeal Panel](#) if the Board of Directors uphold the decision to exclude.

The Board of Directors will meet to review the decision to exclude a child within the statutory timescales.

Parents/carers are entitled to take a friend or legal representative to the meeting and the child should be encouraged to attend.

A representative of the LA will normally be present at the meeting.

Board of Directors Panel – What happens?

The meeting will be chaired by one of the Directors and will be as informal as possible.

The school (represented by either Headteacher or SENCO) will explain the reason(s) for the exclusion and all participants will have the opportunity to ask questions

Parents/carers, or their representative will be asked to make a statement and may be asked questions.

The LA representative will provide impartial advice to all parties during the meeting.

After the meeting the Directors will make a decision, which they will confirm in writing giving their reasons within one school day. The Directors can either uphold the exclusion or direct reinstatement.

Permanent exclusion

When a child is permanently excluded, the LA is responsible for the child's education from the 6th school day.

Independent Review Panel

If the Board of Directors uphold the decision to exclude a child permanently, the parents/carers have the right of appeal to an Independent Review Panel.

Should I appeal to the Independent Review Panel (IRP)?

The Education Act 2002 (as amended by the Education Act 2011), requires all Local Authorities (LAs) and Academies to make arrangements for enabling parents to apply for a review of the decision of a Governing Body of an Academy not to reinstate a pupil who has been permanently excluded from a school maintained by a LA or Academy.

The appeal must receive notification in writing/by email advising that you wish to appeal.

This must be done within 15 school days of the date you received the Governors' decision letter.

The appeal letter must set out the reasons for applying for a review and, if relevant, state how you consider your child's SEN are relevant to the exclusion.

IMPORTANT: Whether or not your child has recognised special educational needs, you have a right to require that the Local Authority / Academy appoint a SEN expert to attend the review.

Should you wish for a SEN expert to attend the review hearing, you must clearly state this at the time you apply for a review of the Governors' decision.

Sign and date the letter, and forward to:

Clerk to Independent Review Panel
Governance & Law
Room 1.99
Sessions House
County Hall, Maidstone
ME14 1XQ

Email: appeals@kent.gov.uk

Tel: 01622 694297

We do act on behalf of some voluntary aided, foundation, academies and free schools, however in the first instance you should contact the clerk to the directors by email to clerk@stouracademytrust.org.uk or through the school office directly.

What powers does the Independent Review Panel have?

The IRP can decide to:

- uphold the exclusion i.e. refuse your application; or
- recommend that the governing body / proprietor reconsiders their decision; or
- quash the decision and direct that the governing body / proprietor considers the exclusion again.

For further details please refer to: [A Parent's Guide To Applying For A Review By Independent Review Panel from KCC](#)