

Suspensions and Exclusions Policy



Person Responsible:	V. Howe (Deputy Head), ratified by B. Elkins (Headteacher)
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Gretton School is owned and operated by Newcome Education, a subsidiary group of Cavendish Education.

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school's aspiration to provide an outstanding education for each and every one of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside all of these policies in order to ensure an awareness of the bigger picture. In particular it should be read in conjunction with the Equality Policy, the Health and Safety Policy and the Safeguarding Children and Child Protection Policy.

All of these policies have been written, not simply to meet statutory and other requirements, but to evidence the work that the whole school is undertaking to ensure the implementation of its core values.

In all the school's policies, unless the specific context requires otherwise, the word "parent" is used in terms of Section 576 of the Education Act 1996, which states that a 'parent', in relation to a child or young person, includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility

, or who has care of the child. [Department for Education guidance](#) considers a 'parent' to include:

- *all biological parents, whether they are married or not*
- *any person who, although not a biological parent, has parental responsibility for a child or young person - this could be an adoptive parent, a step-parent, guardian or other relative*
- *any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person*

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The school employs the services of the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- *Peninsula HROnline*
- *Peninsula BusinessSafe (Health and Safety)*
- *Carecheck (DBS)*
- *Educare (online CPD)*

1 SUSPENSION AND EXCLUSION DEFINITIONS

In line with the updated guidance for the maintained education sector, **School suspensions and permanent exclusions**, this document uses the terms “suspension” and “permanent exclusion”.

A suspension is a “temporary-restricted” or “temporary-up-to-45-days” (as explained below) suspension, and an exclusion is a “permanent” exclusion.

- For a student / pupil not to attend the School for a defined period of time, usually counted in full days.
- A **temporary-up-to-45-days** is one that has an end date at an accumulated 45 school days’ exclusion for the individual student / pupil in a school year, the aim of which is to allow for the conclusion of more complex investigations or other necessary activities the length of which cannot be defined, and which will be concluded within that period of an accumulated 45 days at the earliest practicable opportunity. The purpose of utilising such an exclusion is to avoid having to use multiple, shorter temporary exclusions, where this would create additional uncertainty for those involved.
- A **permanent** exclusion is the required ending of a student’s / pupil’s place at the School marked by the removal of their name from the School roll.

‘Informal’ or ‘unofficial’ suspensions: the school does not adopt the practice of ‘Informal’ or ‘unofficial’ suspensions, such as requiring a pupil / student to go home ‘to cool off’. Such suspensions do not feature in this Policy.

“Off-site directions”: the school does not adopt the practice of “off-site directions”, as referenced in the maintained sector guidance **School suspensions and permanent exclusions**.

This policy does not apply to a so-called “internal suspension”, in which a student / pupil who is attending school is temporarily restricted in where they may be or what activities they may participate in.

For clarity: the government guidance document [School suspensions and permanent exclusions](#) does not apply to independent schools.

2 THE DECISION TO SUSPEND OR EXCLUDE

Gretton School is mindful that, nationally, young people with certain characteristics (e.g. gender, ethnicity or the presence of additional needs) experience a disproportionately high rate of school suspension and exclusion, and so seeks to avoid suspension or exclusion wherever possible.

The school believes that suspensions and exclusions should be considered only as a last resort and that the decision to suspend, even for short periods, is to be taken deliberately.

Only the Headteacher or, in their absence, a member of staff acting formally as their deputy can suspend or permanently exclude a pupil / student.

A decision to exclude a pupil / student is considered only:

- In response to a serious concern or repeated significant concerns regarding breach of the school's Behaviour Management Policy
- If allowing the pupil / student to remain in School would significantly and unreasonably harm the education or welfare of the pupil / student or others in the School
- Where there is no reasonably practicable or suitable alternative

To consider suspending or excluding a pupil / student permanently is regrettable. Characteristically it is the final step in a sustained process of responding to significant matters of concern and follows a period where a wide range of other strategies, designed to stabilise and sustain the place in the school, have been tried without success.

There may be rare circumstances where, in the Headteacher's judgement, it is appropriate to consider the permanent exclusion of a pupil / student for a highly significant first or 'one off' offence.

3 FACTORS CONSIDERED BEFORE MAKING A DECISION TO EXCLUDE

Pupil / student behaviours that may trigger a suspension or exclusion rarely occur 'out of the blue'. The school endeavours to identify and engage with the early stages of a pupil's / students' changing presentation, with the aim of proactively modifying approaches to meet need.

In cases of consideration of any suspension or exclusion, the Headteacher will appropriately consult within the school and (if relevant) beyond before making any decisions. This consultation may include school and governance colleagues and relevant external professionals or agencies. Particular attention is given where there are specific vulnerabilities (such as a child who is looked after by a Local Authority or is in some other way in a disadvantaged category) that mean a suspension or exclusion will have a more significant impact upon the pupil / student and their family.

Whilst every effort will always be made to minimise suspensions or exclusions and to sustain every school place, where a pupil's / students' needs change such that there is a prospect that their place in the School may or has become less appropriate, this will be addressed jointly with the pupil / student, parents and (if relevant) the Local Authority and other appropriate professionals or agencies.

If it is concluded by the school that a place cannot be sustained, where reasonably practicable this should be managed in a planned and constructive way.

Unless there is an immediate and/or significant risk to the safety or education of others in the School or of the pupil / student concerned, before deciding whether to consider the suspension or permanent exclusion of a pupil / student, the Headteacher will reasonably endeavour to:

- ensure that an appropriate fact-finding exercise has been carried out

- consider the evidence available to establish the facts, including taking account of the school's behaviour management and equality and diversity policies, and, where applicable, the Race Relations Act 1976 as amended and the Disability Discrimination Act 1995 as amended
- consider a pupil's / student's EHCP (if applicable) and the way in which any of the needs outlined therein may have impacted the matter of concern
- allow the pupil / student the opportunity to give their version of events through their preferred method of communication, with support in line with their needs if necessary
- check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment; it should be noted that, while provocation may sometimes result in an amended consequence, it will not necessarily do so
- as appropriate, consult others, where possible avoiding detailed consultation with anyone who may later have a role in reviewing the decision
- take into account both the best interests of the pupil / student concerned and the best interests of other members of the school community and the school community as a whole

If satisfied that on the balance of probabilities the matter(s) of concern did happen, after due and careful process the Headteacher may decide to suspend the student / pupil "temporarily-defined" or "temporarily-up-to-45-days".

The school is obliged to consider whether to inform the police where a criminal offence appears to have potentially taken place, and has regard to [When to call the police](#), non-statutory guidance from the National Police Chiefs' Council.

The Headteacher need not postpone taking a decision on a suspension or exclusion solely because a police investigation is underway and/or any criminal proceedings may be brought. In such circumstances, the Headteacher will need to take a decision on the evidence available to them at the time. Where the evidence is limited by a police investigation or criminal proceedings, the Headteacher should consider any additional steps they may need to take to ensure that the decision to exclude is fair.

Where appropriate, the School considers whether to inform other agencies eg Children's Services, the Local Authority etc. If a pupil / student has a social worker, or is looked-after, the Headteacher notifies the social worker without delay after their decision.

Where the incident has safeguarding implications, the school follows its Safeguarding Policy.

4 LENGTH AND CHARACTER OF FIXED PERIOD SUSPENSIONS

Whilst suspensions or exclusions are a last resort at our school, regulations allow the Headteacher to exclude a pupil / student permanently or suspend them for one or more fixed periods not exceeding 45 school days in any one school year.

Individual suspensions are for the shortest time appropriate in the judgement of the Headteacher.

After a cumulative 45 days of suspension in any one school year, the School is required to either permanently exclude the pupil / student involved or readmit them.

Suspensions and Exclusions Policy



It is unusual for the school to issue a fixed period suspension for longer than one or two days. A fixed period suspension is not a punitive action but rather is a formal marker of concern to the pupil / student and those with responsibility for them, and an opportunity for the pupil / student to reflect constructively upon and learn from their situation.

In cases of more than a day's suspension, where practicable, work is set and marked. It is the parent's responsibility to ensure that work sent home is completed and returned to school.

The Headteacher may, at their complete discretion, issue a "partial suspension", for example by excluding a pupil / student from some or all regular aspects of school but allowing them to attend for public examinations under regulated circumstances, or by making certain "internal suspension" arrangements. Any such "partial suspension", with its detailed information, is recorded clearly as such in the school's Suspension and Exclusion Log.

The Headteacher may, at their complete discretion, attach conditions to a pupil's / student's return to school.

Following a suspension, the student / pupil, who may be accompanied by a parent, has a reintegration meeting with a member of the Senior Leadership Team prior to returning to lessons.

A pupil / student who receives a succession of fixed period suspensions can reasonably expect to have their place at the school reviewed.

Any suspension of a pupil / student, even for short periods of time, is formally recorded in the school's Suspension and Exclusion Log.

5a Potential permanent exclusion of a pupil / student with an EHCP	5b Potential permanent exclusion of a pupil / student without an EHCP
<p>In the event of an incident (or a series of incidents) occurring that may potentially trigger a permanent exclusion for a pupil / student wholly or partly funded by a Local Authority via an EHCP (Education, Health and Care Plan), the Headteacher will call an EAR (Emergency Annual Review), if necessary suspending the pupil / student "temporarily-up-to-45-days" pending the outcome of the EAR.</p> <p>The aim of this approach is to formally consider the matter within a multi-professional setting and to ensure due exploration of strategies that could still stabilise and sustain the school place.</p> <p>The school will immediately notify in writing the Group Compliance Director of Cavendish</p>	<p>In the event of an incident (or a series of incidents) occurring that may trigger a permanent exclusion for a pupil / student without an EHCP (Education, Health and Care Plan), if necessary suspending the pupil / student "temporarily-up-to-45-days" pending the outcome of this process, on the earliest mutually convenient occasion the Headteacher will ask the parents and the pupil / student to discuss the matter(s) of concern and the continuation or otherwise of the pupil's / student's place in the School, ensuring that the family's views have been properly heard when the place is reviewed.</p> <p>The aim of this approach is to formally consider the matter in a collaborative way and to ensure full</p>

Education of the intention to call any such EAR. The school will actively keep the **Group Compliance Director** aware of the development of the case, but the **Group Compliance Director** will not take part in any decision-making in the matter.

The school will approach the EAR with openness and will be receptive to consider the views of relevant parties.

At the end of the EAR, after due consideration of the views shared, the School will clearly communicate whether they can or cannot meet needs, which will be recorded clearly in the meeting notes. The ideal scenario is that a unanimous decision is reached in the EAR regarding the best way forward.

The Headteacher may arrange for a student a “managed move” between schools within the Cavendish Education family of schools, with the agreement of the parents, both schools and, in the case of an LA-funded student, the relevant Local Authority, but not a “managed move” to a school outside the Cavendish Education family of schools.

Following the EAR, the responsibility for decision-making over the pupil’s school place at the school will sit with the relevant Local Authority.

If the LA concludes that the pupil / student requires a new placement, the school will support that decision and will assist the family and LA in facilitating the move.

During the interim period, whilst a new placement is found by the LA, the school may decide to:

- allow the student / pupil to return to school temporarily (but only if a safe and workable plan can be agreed with relevant parties).
- work with parents and other agencies to implement temporary arrangements whereby the pupil / student does not attend the school campus but remains on

exploration of any strategies that could still stabilise and sustain the school place.

The school will immediately notify in writing the **Group Compliance Director** of Cavendish Education of the intention to call any such permanent exclusion. The school will actively keep the **Group Compliance Director** aware of the development of the case, but the **Group Compliance Director** will not take part in any decision-making in the matter.

Importantly, no decision is made at this stage.

Following this meeting, if any further fact-finding exercises are needed, they are undertaken; the meeting with parents and the pupil / student may be reconvened if appropriate.

The Headteacher considers the facts of the matter and the representations that have been made, consulting and otherwise taking advice as appropriate.

The Headteacher will notify the parents of the decision, which may be one of:

- exoneration and immediate return to school
- return to school under certain conditions following temporary exclusion, with right of appeal for an exclusion of more than 15 school days
- permanent exclusion with right of appeal

A permanent exclusion is not finalised until any invoked appeal process has been completed.

The Headteacher may arrange for a student a “managed move” between schools within the Cavendish Education family of schools, with the agreement of the parents and both schools, but not a “managed move” to a school outside the Cavendish Education family of schools.

<p>roll (eg alternative provision, remote learning or elective home education).</p> <ul style="list-style-type: none">● end the placement, meaning the pupil / student’s educational provision will become the responsibility of the LA in this interim period. <p>Whichever option is chosen, care is taken to consider all relevant factors, particularly those surrounding safeguarding.</p> <p>If the LA decides that the student / pupil should return to the school and that a new placement is not required, the “temporary-up-to-45-days” suspension will end. The School will decide whether to conclude the “temporary-up-to-45-days” suspension by supporting a return to School for the student / pupil or if this is incompatible with the Headteacher’s assessment of the school’s capacity to maintain the school place and the views shared at the EAR, the “temporary-up-to-45-days” suspension will be concluded and a permanent exclusion will be implemented.</p>	
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6 PROCEDURES FOR REVIEW AND APPEAL

Parents of an excluded pupil / student have the right to appeal a permanent exclusion or a fixed period suspension in excess of 15 school days. The parents must request the appeal, by writing to the Group Directors of Cavendish Education at the school’s address, within three calendar days of receipt of notification of the suspension or exclusion.

Regardless of whether an appeal is invoked, Group Directors of Cavendish Education operate arrangements to review promptly all permanent exclusions from the school, and all fixed period suspension that would lead to a pupil / student being suspended for over 15 days in a school term, or missing a public examination.

They consider whether or not to reinstate the pupil / student is appropriate, whether the Headteacher’s decision to suspend or exclude the pupil / student was justified or whether to adjust any conditions attached to the return of a pupil / student to the school.

7 ADMISSIONS REGISTER PROCEDURE FOLLOWING PERMANENT EXCLUSION

In the case of a permanent exclusion the pupil / student remains on the school roll until:

- an invoked appeal is determined

- the time limit for an appeal has expired without an appeal being brought or
- the parent has informed the school that no appeal is to be brought

8 BEHAVIOUR OUTSIDE SCHOOL

Pupils' / students' behaviour outside school while under the authority of the school (eg on school business, school trips, "away" School sports events, or work experience placements) is subject to the school's Behaviour Management Policy. Behaviour in these circumstances is dealt with as if it had taken place in school.

For behaviour outside school but not on school business, the Headteacher may suspend or exclude a pupil / student if there is a link between that behaviour and maintaining good order and discipline among the pupil / student body as a whole or parts thereof. This is a matter of judgement for the Headteacher.

Pupils' / students' behaviour in the immediate vicinity of the school or on a journey to or from school, or behaviour anywhere which is capable of bringing the school into disrepute, can be grounds for suspension or exclusion.

9 DISABLED PUPILS / STUDENTS

The school is mindful of its duty under the [Disability Discrimination Act 1995](#) not to discriminate against disabled **pupils / students** by suspending or excluding them because of their disability.

This applies to permanent exclusions and fixed period suspensions. The definition of disability under the Act covers **pupils / students** with certain physical, sensory, intellectual or mental impairments.

Discrimination means treating disabled **pupils / students** less favourably than other **pupils / students** without justification. It also means failing to take reasonable steps to ensure that disabled **pupils / students** are not placed at a substantial disadvantage compared to their non-disabled peers.

What constitutes a reasonable step will depend on the circumstances of each case.

10 PROCEDURE FOR CONSIDERING EXCLUDING A PUPIL / STUDENT

10a Informing parents about a "temporary-restricted" and "temporary-up-to-45-days" exclusion

Whenever the **Headteacher** temporarily suspends a **pupil / student**, the parent is notified at the earliest opportunity, usually by telephone by the **Headteacher** or a member of staff acting on their behalf, followed up by an emailed letter from the **Headteacher** or their Deputy as soon as possible and within one working day.

See the suspension and exclusion letters template below.

10b Forming the Exclusion Appeal Panel

The **Headteacher** informs the **Group** Directors of Cavendish Education of all exclusions at the earliest opportunity within one school day.

All serious sanctions are reported to the **Group** Directors of Cavendish Education on a termly basis as part of the school's governance arrangements.

Suspension and exclusion reports include:

- the **pupil's / student's** name
- the length of the suspension
- the reason for the suspension or exclusion
- the pupil's age, gender and ethnicity
- whether the **pupil / student** has an EHCP, together with a summary of its details, or is being assessed for one
- a brief behaviour management history

11 EXPECTATIONS OF PARENTS AND STUDENT / PUPIL DURING TEMPORARY-RESTRICTED OR TEMPORARY-UP-TO-45-DAYS SUSPENSIONS

In line with the government document [School discipline and exclusions](#), parents have a duty to ensure that their child is not present in a public place in school hours during a "temporary-restricted" or "temporary-up-to-45-days" suspension, unless there is reasonable justification for this.

Parents are advised that they may receive a penalty notice from the Local Authority if their child is present in a public place during school hours during the exclusion. If so, it will be for the parent to show reasonable justification.

The school will set work for the **pupil / student** to be completed on the days specified in the suspension notification. In order to support the **pupil's / student's** engagement, the school asks that the work set is completed by the **pupil / student** and returned promptly to the relevant member of staff for marking.

12 REVIEW OF IMPLEMENTATION

The implementation of this Policy is reviewed annually by the school's Senior Leadership Team in consultation with staff and a report is made to the Governance Body.

The school may submit to Cavendish Education proposals for amendments to this Policy.

Suspensions and Exclusions Policy



4

(add more tables as required)