

ST. ANNE'S CATHOLIC HIGH SCHOOL FOR GIRLS



SUSPENSIONS POLICY

Statutory

Autumn 2022

Next Review: Summer 2023

Quality of Education Committee

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MISSION STATEMENT

St. Anne's Catholic High School for Girls will offer a positive presence in Enfield with a comprehensive curriculum, equipping students with the ability to meet the challenges of the 21st Century confidently and with high spiritual and moral standards,

We recognise that students, parents, staff and governors make up the school's community which will continually self-evaluate to improve itself effectively and efficiently in all aspects of its growth.

We are a fully inclusive, Catholic girl's secondary school meeting high academic standards, promoting spirituality, pastoral care and the Catholic community.

We recognise in all our relationships the dignity and value of each person showing one another mutual acceptance and respect.

'Act justly, love tenderly, walk humbly with your God.'

Aims

All parties involved in suspensions, including Headteacher, parents, governing bodies and Independent Review Panels, must have regard to the statutory guidance. This policy outlines the key principles, roles and responsibilities around suspensions to ensure that all proceedings are conducted in line with statutory guidance.

Legislation and Guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and student referral units \(PRUs\) in England](#).

It is based on the following legislation, which outlines schools' powers to exclude students:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Student Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded students
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Students\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Students\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

Definitions

Suspension – when a student is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – when a student is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

Off-site provision– when a governing board of a maintained school requires a student to attend another education setting temporarily, to improve their behaviour.

Parent – any person who has parental responsibility and any person who has care of the child.

Managed move – when a student is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

Suspensions and Permanent Exclusions

Good behaviour is essential to ensure that all students can benefit from the opportunities provided by the school and that all students feel safe within school.

As a result, there are two types of exclusion: suspension and permanent exclusion which will be used as a sanction when warranted within the Behaviour for Learning Policy.

Suspensions can only be for a breach of a school's behaviour policy, which must be published on the school's website and proactively shared with students and parents. It is important that all students understand the school's expectations of behaviour and the consequences for non-compliance.

Incidents that can lead to suspension and permanent exclusion include:

- Violence of any kind.
- Abusive language to any member of staff (including on social media).
- Racist, sexist or homophobic language.
- Harassment or bullying, including on social media.
- Any incident that poses a risk to the health and safety of others in or outside of school.
- Anti-social behaviour: graffiti, vandalism.
- Damage to property or theft of items.
- Any incidents outside of school where the student is wearing school uniform or is identifiable as a St. Anne's student.
- Any incidents that happen outside of school that are brought in to school and disrupt learning or health & safety.
- Persistent disruptive behaviour.

Any incident that is a crime such as violence, theft, drugs, arson or carrying weapons, is likely to result in permanent exclusion. Any decision regarding any behaviour will always be at the discretion of the Head teacher who has the right to take appropriate action based on the balance of probabilities and taking into account all the information provided at the time surrounding an incident.

Permanent exclusions may be in response to persistent breaches of the behaviour policy or for a one-off serious breach of the behaviour policy, and where allowing the student to remain in school will be detrimental to the education and welfare of the student and/or others.

The law does not allow for 'converting' a suspension into a permanent exclusion. In exceptional circumstances, such as cases involving a serious breach of the behaviour policy where additional evidence (including mitigating evidence) is required before making a decision, the school may issue a suspension pending investigation. Following investigation, the school may issue a further separate suspension to begin immediately after the first suspension ends or a separate permanent exclusion to begin immediately after the end of the suspension.

Roles and responsibilities

The Headteacher's Role in Suspensions

Only the Headteacher may exclude a student, and only for disciplinary reasons.

The Headteacher should ensure that the school's behaviour policy is regularly reviewed, considering the views of stakeholders including students' parents, staff, and governors, and published on the school website. Schools must also ensure that students understand the expectations within the behaviour policy and the potential consequences for non-compliance. This goes beyond publishing the policy on the website and should include proactive work with students to secure their understanding.

Where an excluded student has SEND, the school must demonstrate that they have met the requirements of the SEND Code of Practice. This includes relevant assessments to determine whether disruptive behaviour could be caused by underlying unmet needs, and a range of provision and support put in place to meet any need. If a student has an Education, Health and Care Plan (EHCP) and they are at risk of permanent exclusion, the school should request an emergency EHCP review.

Where any student has received multiple suspensions or is approaching the legal limit of 15 school days in a term or 45 school days of suspension in an academic year, the Headteacher should consider whether suspension is providing an effective sanction.

Permanent exclusion should only be used as a last resort either where a single incident is so serious there is no alternative available or in the case of multiple incidents where all alternatives have been considered and all strategies to change behaviour have failed. It must be demonstrated that allowing the student to remain in school would seriously harm the education or welfare of the student or others in the academy.

Before deciding whether to suspend or exclude a student, the Headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the suspension were provoked
- Allow the student to give their version of events
- Consider whether the student has special educational needs (SEN)
- Consider whether the student is especially vulnerable (e.g. the student has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site provision or managed moves

Duty to Inform Parents

If a student is at risk of suspension or permanent exclusion the Headteacher will inform the parents as early as possible, in order to work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place to improve the behaviour.

If the Headteacher decides to suspend or exclude a student, the parents will be informed of the period of the suspension or permanent exclusion and the reason(s) for it, without delay.

The parents will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the student may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a student, and that parents (or the student if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend

The Headteacher will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an suspension (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged, the following information will be included, if possible:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information the student needs in order to identify the person they should report to on the first day

If the Headteacher does not have the all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

Informing the Governing Board

The Headteacher will, without delay, notify the governing board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a student
- Any suspension or permanent exclusion which would result in the student being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the student missing a National Curriculum test or public exam

The Headteacher will notify the governing board once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

Informing the local authority (LA)

The Headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the student lives outside the LA in which the school is located, the Headteacher will also, without delay, inform the students 'home authority' of the permanent exclusion and the reason(s) for it.

Informing the student's social worker and/or virtual school head (VSH)

If a:

- Student with a social worker is at risk of suspension or permanent exclusion, the Headteacher will inform the social worker as early as possible
- Student who is a looked-after child (LAC) is at risk of suspension or permanent exclusion, the Headteacher will inform the VSH as early as possible

This is in order to work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place to improve the behaviour.

If the Headteacher decides to suspend or permanently exclude a student with a social worker / a student who is looked after, they will inform the student's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the student
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent

- The suspension or permanent exclusion affects the student's ability to sit a National Curriculum test or public exam (where relevant)

The social worker / VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the student's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the student's welfare are taken into account.

Cancelling suspensions and permanent exclusions

The Headteacher may cancel a suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents, governing board and LA will be notified without delay
- Where relevant, any social worker and VSH will notified without delay
- Parents will be offered the opportunity to meet with the Headteacher to discuss the cancellation
- As referred to above, the Headteacher will report to the governing board once per term on the number of cancellations
- The student will be allowed back in school

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a suspension, if the student is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the student. Online pathways such as Microsoft Teams or Academy 21 may be used for this. If the student has a special educational need or disability, the Headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the student is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the student, including the use of online pathways.

The Governing Body

Panel Hearings

All evidence and panel paperwork must be distributed to all parties at least five working days before the hearing. In exceptional circumstances and at the discretion of the Chair, new evidence may be introduced at the hearing however all parties must be given reasonable time to review it.

No party should be in the presence of the panel unless the other party is also present. Both the school and parents/carers should enter and leave the panel meeting at the same time and must not have any private discussion with the panel before the meeting or until after the panel have reached a formal decision.

Monitoring and analysing suspensions and exclusions data

The governing board will challenge and evaluate the data on the school's use of suspension, permanent exclusion, off-site direction to alternative provision and managed moves.

The governing board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where students receive repeat suspensions
- Interventions in place to support students at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded students, and why this is taking place
- Whether the placements of students directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that students are benefiting from it
- The cost implications of directing students off-site

The Local Authority (LA)

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the permanent exclusion.

For students who are LAC or have social workers, the LA and the school will work together arrange suitable full-time education to begin from the first day of the permanent exclusion.

Considering the reinstatement of a student

The governing body will consider and decide on the reinstatement of a suspended or permanently excluded student within 15 school days of receiving the notice of the suspension or permanent exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the student's total number of days out of school to more than 15 in a term; or
- It would result in a student missing a public exam or National Curriculum test

Where the student has been suspended for more than 5 days, but less than 16 days, in a single term, and the parents make representations to the board, the governing body will consider and decide the reinstatement of a suspended student within 50 school days of receiving notice of the suspension. The board may also consider and decide on reinstatement if the parents do not make representations.

Where a suspension or permanent exclusion would result in a student missing a public exam or National Curriculum test, the governing body will, as far as reasonably

practicable, consider and decide on the reinstatement of the student before the date of the exam or test. If this is not practicable, the chair of the governing board (or the vice-chair, if necessary) may consider the suspension or permanent exclusion and decide whether or not to reinstate the student.

Where the student has been suspended, and the suspension does not bring the student's total number of days of suspension or permanent exclusion to more than 5 in a term, the governing body;

- Must consider any representations made by parents
- Must arrange the meeting to consider the representations within a reasonable amount of time
- Can consider reinstatement in the absence of representations from parents

The following parties will be invited to a meeting of the governing board and allowed to make representations or share information:

- Parents, or the student if they are 18 or over (and, where requested, a representative or friend)
- The student, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The Headteacher
- The student's social worker, if they have one
- The VSH, if the student is looked after
- A representative of the local authority

The governing body will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The governing body can either:

- Decline to reinstate the student, or
- Direct the reinstatement of the student immediately, or on a particular date

In reaching a decision, the governing body will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the Headteacher followed their legal duties
- The welfare and safeguarding of the student and their peers
- Any evidence that was presented to the governing board

They will decide whether or not a fact is true 'on the balance of probabilities.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the student's educational record, and copies of relevant papers will be kept with this record.

The governing body will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents, or the student, if they are 18 or older
- The Headteacher
- The student's social worker, if they have one
- The VSH, if the student is looked after
- The local authority
- The student's home authority, if it differs from the school's

Where an exclusion is permanent and the governing body has decided not to reinstate the student, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the student's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded student has recognised SEN, parents have a right to require the LA to appoint an SEN expert to advise the review panel
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

Independent Review Panel

If a permanent exclusion is upheld, parents/carers must be informed of their right to seek an independent review of the panel's decision and the deadline for seeking such a review. They also have the right to request the attendance of a SEND expert at the Independent Review Panel meeting. The request for an independent review panel must be submitted within fifteen school days from receiving the review panel's decision.

St. Anne's will engage the services of an external clerking agency to arrange and clerk the Independent Review Panel. The independent review is normally attended by the Headteacher and Chair of the original governor panel. The Clerk of the governor panel may attend but plays no formal part in proceedings. On occasion it may be considered appropriate for the school to have legal representation.

The Independent Review Panel cannot direct a governing body to re-instate a student. It may:

- a) uphold the permanent exclusion;
- b) recommend that the original panel reconsider its decision; or
- c) quash the original panel's decision and direct the panel to reconsider its decision.

In the latter case, the Independent Review Panel will then usually order that the school must make a payment to the Local Authority of £4,000 if it does not offer to reinstate the student.

School registers

A student's name will be removed from the school admission register if:

- 15 school days have passed since the parents were notified of [the governing board's/name of committee of the governing board's] decision to not reinstate the student and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made within 15 school days, the governing board will wait until that review has concluded before removing a student's name from the register.

While the student's name remains on the school's admission register, the student's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded student and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded students are not attending alternative provision, code E (absent) will be used.

Making a return to the LA

Where a student's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The student's full name
- The full name and address of any parent with whom the student normally resides
- At least 1 telephone number at which any parent with whom the student normally resides can be contacted in an emergency

- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the student will attend, including the name of that school and the first date when the student attended or is due to attend there, if the parents have told the school the student is moving to another school
- Details of the student's new address, including the new address, the name of the parent(s) the student is going to live there with, and the date when the student is going to start living there, if the parents have informed the school that the student is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the student's name.

Returning from a suspension

Following suspension, the school will put in place a strategy to help the student reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the student has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life

- Maintaining regular contact during the suspension or off-site direction and welcoming the student back to school
- Daily contact in school
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the student and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the student, parents and staff of potential external support

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout.

Reintegration meetings

The school will explain the reintegration strategy to the student in a reintegration meeting before or on the student's return to school. During the meeting the school will communicate to the student that they are getting a fresh start and that they are a valued member of the school community.

The student, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents in the event that they cannot or do not attend.

The school expects all returning student and their parents to attend their reintegration meeting, but students who do not attend will not be prevented from

returning to the classroom.

Safeguarding

Where the Safeguarding team are concerned about the welfare of a student a home visit will be conducted.

Home visits may also be conducted to drop off or collect work for a child when they are completing school work at home e.g following a suspension.

Home visits may also be conducted to try and establish that a child is safe if an attempt to contact parents and carers when they have not elicited a response and/or we have any welfare or safeguarding concerns for the student.

Links with other policies

This policy links to the following policies:

- Positive Behaviour for learning policy
- SEN policy and information report
- Attendance and Punctuality policy
- Home Visit Policy and Procedure.

Modification history

Version	Date	Description	Revision Author
0.1	July 2018	Reviewed and updated to ensure it continues to reflect current guidance	D. Delaney
0.2	July 2019	Reviewed and updated to ensure it continues to reflect current guidance	D. Delaney
0.3	July 2020	Updated to reflect change to the named member of staff with responsibility for the policy	D. Delaney
0.4	July 2021	Reviewed and updated to ensure it continues to reflect current guidance	D. Delaney

0.5	July 2022	Reviewed and updated to ensure it continues to reflect current guidance	D. Delaney
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