



Herne Bay Junior School

Suspension and Permanent Exclusion Policy

Policy Agreed: February 2024

Review Date: February 2027

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our school aims to:

- Ensure that pupils in school are safe and happy
- Ensure that the suspension and permanent exclusions process is applied fairly and consistently to all cases
- Help governors, staff, parents/carers and pupils understand the suspension and permanent exclusions process
- Ensure all suspensions and permanent exclusions are carried out lawfully

This policy informs the school's use of suspension and or permanent exclusion. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

- 1) The first is to ensure the safety, mental health and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed;
- 2) The second is to realise the aim of reducing the need to use suspension/ permanent exclusion as a sanction.

Introduction

The decision to suspend/permanently exclude a pupil will be taken if allowing the pupil to remain in school would seriously harm the education, safety or welfare of the pupil or others in the school.

Suspension and permanent exclusion are extreme sanctions and are only administered by the Headteacher (or, in the absence of the Headteacher, the Head of School who is acting in that role). Suspension/Permanent Exclusion may be used for any of the following, all of which constitute examples of unacceptable and unsafe conduct, and are infringements of the school's Relational Policy:

- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Bullying: Repeated targeted behaviours towards another pupil
- Serious threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Intended indecent behaviour
- Extreme damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Serious theft
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson
- Extreme verbal abuse to staff

- Extreme verbal abuse to pupils
- Extreme unacceptable behaviour which has previously been reported and for which school sanctions and other interventions/ provision have not been successful in modifying the pupil's behaviour

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that suspension/permanent exclusion is an appropriate sanction.

Suspension procedure

- Most suspensions are of a fixed term nature and are of short duration (usually between one and three days).
- The DCSF regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.
- The Governors have established arrangements to review fixed term suspensions which would lead to a pupil being suspended for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.
- The Governors have established arrangements to review promptly all permanent exclusions from the school and all fixed term suspensions that would lead to a pupil being suspended for over 15 days in a school term or missing a public examination. (In relation to procedural matters pertaining to the composition and operation of the Governors' Appeals Committee, the Governing Body has agreed to adopt the procedural guidelines from the LA).
- Following suspension/ permanent exclusion, parents/carers are contacted immediately where possible. A letter will be sent by post or by hand giving details of the suspension/exclusion and the date the suspension/exclusion ends. Parents/carers have a right to make representations to the Governing Body and the LA (Local Authority) as directed in the letter.
- A reintegration meeting will be held following the expiry of the fixed term suspension and this will involve the Headteacher/ Head of School/ member of the Leadership Team and other staff where appropriate.
- If the fixed term suspension is greater than five days or an accumulation of suspensions exceed five days, a Personalised Support Plan will be drawn up, if not already in place. This needs to be agreed with the school, pupil and parents/carers.
- During the course of a fixed term suspension where the pupil is to be at home, parents/carers are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility, as parents/carers/guardians.
- Work will be provided by the school and will have to be collected by the parents/carers.

Permanent Exclusion

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

- 1) The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a PSP including a wide range of strategies, which have been used without success. School will have sought support from external services provided by the Local Authority such as the Specialist Teaching and Learning Service as well as possible support and recommendations from an Educational Psychologist and Speech and Language Therapist. It is an acknowledgement that all available

strategies have been exhausted and is used as a last resort. This would include persistent and extreme behaviours such as persistent bullying (which would include racist or homophobic bullying) or repeated possession and or use of an illegal drug on school premises.

- 2) The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon *
- Arson

The school will consider police involvement for any of the above offences.

* Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him."

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline, safety and well-being of the school.

General factors the school considers before making a decision to suspend or permanently exclude

Suspension/ permanent exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to suspend or permanently exclude the Headteacher/Head of School will:

- Ensure appropriate investigations have been carried out
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.
- Consider all the evidence available to support the allegations taking into account the Relational Policy, a pupil's individual PSP, Equal Opportunity and Race Equality Policies.
- Allow the pupil to give her/his version of events if they are regulated and able to speak

If the Headteacher/Head of School is satisfied that on the balance of probabilities the pupil did what he or she is alleged to have done, suspension/ permanent exclusion will be the outcome.

Exercise of discretion

In reaching a decision, the Headteacher/Head of School will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Headteacher/Head of School will consider:

a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Relational Policy and

b) the effect that the pupil remaining in the school would have on the education, safety and welfare of others in the school.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' Appeal Committee, when it meets to consider the Headteacher's/Head of School's decision to exclude. This Committee will require the Headteacher/Head of School to explain the reasons for the decision and will look at appropriate evidence, such as the pupil's School record, witness statements (CPOMs) and the strategies used by the school to support the pupil prior to exclusion e.g. PSP.

Alternatives to Permanent Exclusion

The school works closely with other schools to undertake managed moves where such a course of action would be of benefit both to the pupil and the two schools concerned. However, the threat of a permanent exclusion will never be used as the means to coerce parents/carers to move their child to another school.

Lunchtime Exclusion

Pupils' whose behaviour at lunchtime is persistently unsafe or of a bullying nature, may be excluded from the school premises for the duration of the lunchtime period. This will be treated as fixed term suspension and parents will have the same right to gain information and to appeal. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.

Behaviour Outside School

Pupils' behaviour outside School, for example school trips and away school sports fixtures is subject to the Relational Policy. Poor choices in these circumstances will be dealt with as if they had taken place in school.

If pupils' behaviour in the immediate vicinity of the school or on a journey to and from school is poor and meets the school criteria for suspension/permanent exclusion then the Headteacher/Head of School may decide to suspend/permanently exclude.

For behaviour outside school where a child can be identified as a pupil at Herne Bay Junior School, the school will not sanction but make every endeavour to ensure the pupil is educated to make better choices and decisions. Parents'/carers will be informed if appropriate.

Drug Related Exclusions

In making a decision on whether or not to permanently exclude for a drug-related offence the Headteacher/Head of School will also seek advice from the LA's Drugs Education Advisor. The decision will depend on the precise circumstances of the case and the evidence available. In some cases, fixed term suspension or support for the pupil and family will be more appropriate than permanent exclusion.

Pupils with extenuating circumstances**Special Educational Needs and Disabled pupils, Looked After Children, especially vulnerable children (Social Services involvement)**

The school will take account of any extenuating circumstances when considering whether or not to suspend/ permanently exclude a pupil.

We have a legal duty under the Disability Discrimination Act 1995, as amended, not to discriminate against disabled pupils by suspending/ permanently excluding them from school for behaviour related to their disability. The Headteacher/Head of School ensures that reasonable steps are taken by the school to respond to a pupil's circumstances so the pupil is not treated less favourably.

Steps the school takes are:

- Developing strategies to support the child and to help them manage their behaviour
- Use external advice in managing the behaviour
- Inform all staff of strategies to help manage such behaviour
- Develop a Personal Support Plan to all involved including the pupil

We take reasonable steps to adjust our practice to meet specific needs to avoid the necessity for suspension/ permanent exclusion as far as possible. However, it may be justified in certain situations particularly if it affects the safety of others in the school.