RUSSET HOUSE SCHOOL

# SUSPENSIONS AND PERMANENT EXCLUSIONS POLICY

## 1. Introduction

At Russet House School, we are committed to ensuring that all pupils, including those with complex learning needs and those who display behaviours that challenge, are educated in a safe, supportive, and inclusive environment. Suspensions and exclusions will only ever be used as a **last resort** when all other interventions have been exhausted and only if allowing the pupil to remain in school would seriously harm their education or welfare, or that of others.

The school has a clear Positive Behaviour Support Policy and robust implementation and monitoring procedures. All permanent staff receive behaviour training though the PRICE syllabus (2 days) and annual refreshers (1 day). Russet House follows a Positive Behaviour Support (PBS) approach and is a Trauma-Informed School following the ARC framework. Teachers and class staff are skilled at seeking and understanding the possible causes of behaviour and how to utilise proactive strategies as far as possible.

Positive Behaviour Support Plans (PBS) are reviewed with parents annually at EHCP Review meetings, and as needed throughout the year if updates are required. Regular and ongoing communication between parents and class staff ensures parental involvement in their child's behaviour support. For pupils whose behaviour poses a risk beyond that which is supported by their PBS Plan, a specific risk assessment will be conducted to manage the risk appropriately.

## 2. Aims

The aims of this policy are to:

- Help governors, staff, parents and carers to understand the exclusions process
- Ensure that the exclusion process is applied fairly, consistently, and lawfully.
- Ensure exclusions are used only after all possible interventions have been exhausted.
- Tailor the process to the individual needs of each autistic pupil, with particular attention to their communication needs and sensory profiles.
- Engage proactively with parents, carers, and external professionals to prevent exclusions and manage behaviour collaboratively.
- Ensure that all exclusions, including suspensions, comply with statutory guidance and that the safety and welfare of all pupils are prioritised.

## 3. Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education (DfE):

- **Suspension and Permanent Exclusion from Maintained Schools, Academies, and Pupil Referral Units in England, including Pupil Movement (August 2024)**.

It also follows:

- Section 51a of the Education Act 2002 (as amended by the Education Act 2011).
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.
- Part 7, Chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils.
- The Equality Act 2010.
- The Children and Families Act 2014
- The School Inspection Handbook, which defines 'off-rolling'

## 4. Definitions

- **Suspension**: When a pupil is removed from the school for a fixed period, including part-day suspensions.
- **Permanent Exclusion**: When a pupil is removed from the school permanently and taken off the school roll.
- **Off-site direction**: When a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.
- **Managed move**: When a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.

## 5. Roles and Responsibilities

### *4.1 The Headteacher*

**Deciding whether to suspend or exclude**
Only the Headteacher (or Acting Headteacher) can make the decision to suspend or permanently exclude a pupil. This decision will only be made after all other interventions have been considered and only if the pupil's behaviour seriously compromises the safety or wellbeing of themselves or others. The decision can be made in respect of behaviour inside or outside of school.

Before making a decision, the Headteacher will:

- Consider all the relevant facts and evidence, ensuring a thorough investigation of and specific incidents and/or available data.
- Where appropriate, seek to understand the pupil's perspective, with the support of staff who know the pupil well, taking into account their communication abilities.
- Explore all alternative strategies, including additional staff (which may require seeking additional funding) and alternative behaviour interventions.
- Work with external professionals, such as Speech and Language Therapists, Occupational Therapists, SCAN (CAMHS), Cheviots, and Local Authority Advisors, to explore whether any further interventions are possible.
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a Child in Care (CiC)

The Headteacher will only use permanent exclusion as a last resort.

**Informing parents/carers**
If a pupil is at risk of suspension or exclusion, the headteacher will inform the parents/carers as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour. If the headteacher decides to suspend or exclude a pupil, the parents/carers will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers 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 the parents/carers' right to make representations about the suspension or permanent exclusion to the governing board and 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 pupil, and that parents/carers have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- That parents/carers have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the pupil is of compulsory school age, the headteacher will also notify parents/carers 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 exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers 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/carers 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

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision
- The address at which the provision will take place

If the headteacher does not have 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/carers' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents/carers without delay and provide a reason for the cancellation.

**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 pupil
- Any suspension or permanent exclusion that would result in the pupil 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 that would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason 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 pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

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

If a:

- Pupil with a social worker is at risk of suspension or permanent exclusion, the headteacher will inform the social worker as early as possible
- Pupil who is a child in care (CIC) is at risk of suspension or exclusion, the headteacher will inform the VSH as early as possible (see CIC & PCIC Policy)

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

If the headteacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked after, they will inform the pupil's social worker/the VSH without delay. This will include the reason(s) for the decision, the length of the suspension or, for a permanent exclusion, the fact that it is permanent.

The social worker/VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion so that they can provide advice on how the pupil'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 so that the pupil's welfare is taken into account.

**Cancelling suspensions and permanent exclusions**
The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the governing board. Where there is a cancellation the parents/carers, governing board, LA and where relevant, any social worker and VSH will be notified without delay. The notification must provide the reason for the cancellation.

Parents/carers will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay and the pupil will be allowed back in school without delay. Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year. A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect. The governing board's duty to hold a meeting and consider reinstatement ceases

**Providing education during the first 5 days of a suspension or permanent exclusion**
During the first 5 days of a suspension the headteacher will take steps to ensure that parents/carers are provided with home learning activities (physical and online) and a weekly video call to ensure continuity of education.

If the pupil is looked after or if they have a social worker, the school will take reasonable steps to collaborate these agencies to find a suitable education provision.

**4.2 The Governing Body**

The Governing Body is responsible for reviewing exclusions in cases where a pupil has been suspended for more than five days or permanently excluded. They will consider any representations made by parents and determine whether to reinstate the pupil or uphold the exclusion.

Within 14 days of receiving a request, the governing board will provide the LA and the secretary of state and with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the governing body will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

**Monitoring and analysing suspensions and exclusions data**
The governing board will review, challenge and evaluate the data on the school's use of suspension, exclusion and managed moves.

The governing body will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils 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 that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place

**4.3 The Local Authority**

For permanent exclusions, the Local Authority (LA) is responsible for ensuring that suitable full-time education is arranged for the pupil no later than the sixth school day after the exclusion. The Local Authority will work with the school to ensure that vulnerable pupils, such as those with a social worker or in care, receive appropriate support from the first day of the exclusion.

## 6. Considering the Reinstatement of a Pupil

The Governing Body will consider and decide on the reinstatement of a pupil within 15 school days of receiving notice of the suspension or exclusion if:

- The exclusion is permanent.
- The suspension would bring the pupil's total number of excluded days to more than 15 in a term.
- The suspension would result in the pupil missing a public exam or National Curriculum test.

In other cases, the Governing Body will consider representations from parents and carers, but is not required to arrange a meeting and it cannot direct the headteacher to reinstate the pupil.

The governing board will try to arrange meetings 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. Governing board meetings can be held remotely at the request of parents/carers.

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

- Parents/carers
- The headteacher
- The pupil's social worker, if they have on
- The VSH, if the pupil is looked after

The Governing Board can either

- Decline to reinstate the pupil
- Direct the reinstatement of the pupil immediately
- Direct the reinstatement of the pupil on a particular date

In reaching a decision the governing board 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 pupil 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'.

The clerk will be present when the decision is made.

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 pupil's educational record, and copies of relevant papers will be kept with this record. All stakeholders will be notified in writing of the decision, along with reasons for its decision, without delay.

## 7. Independent Review

Parents and carers can request an independent review if the Governing Body upholds a permanent exclusion. This review will be arranged by the Local Authority and must be requested within 15 school days of the decision.

**8. School Registers**

A pupil's name will only be removed from the school admissions register if 15 school days have passed since the Governing Body's decision to uphold a permanent exclusion, and no independent review request has been made, or if parents confirm in writing that they will not apply for an independent review. Where an application for an independent review has been made the governing board will wait until that review has concluded before removing a pupil's name from the register. While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately.

**9. Returning from a Suspension**

After a suspension, the school will hold a reintegration meeting with the pupil and their parents or carers to support the pupil's smooth return to school. The meeting will develop a reintegration plan that includes any additional support the pupil may require.

**10. Remote Access to Meetings**

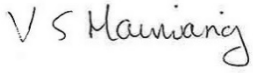
Parents or carers can request that Governing Body or independent review panel meetings be held remotely. The school will ensure that all necessary technology and support are provided to allow fair and transparent meetings.

**11. Monitoring Arrangements**

The school will regularly collect data on attendance, exclusions and suspensions, as well as behaviour data. This data will be reviewed to identify any patterns or issues that require addressing, particularly regarding SEND needs and provision.

**12. Safeguarding and Child-on-Child Abuse**

In cases where an exclusion involves safeguarding concerns, such as child-on-child abuse, the school will involve the Designated Safeguarding Lead (DSL) to ensure that appropriate safeguarding measures are in place. The exclusion process will be managed in line with the school's safeguarding policies and procedures, including risk assessments, referrals to external agencies where appropriate, and ensuring the safety and welfare of all pupils involved. Multi-agency support may also be provided to ensure a coordinated approach to safeguarding and behaviour management.

Agreed at Governing Body Meeting 26.09.24
Updated and agreed by Governors 13.11.2025

Signed: Sian Mainwaring, Chair of Governors