

**ST. NEOT COMMUNITY PRIMARY SCHOOL**  
**Exclusion Policy**



### **Suspensions and permanent exclusions**

We work to create a safe, calm and supportive environment that brings out the best in every pupil. We do not wish to exclude any child from school, but sometimes this may be necessary to maintain this environment. The school follows the DfE Exclusions Guidance September 2023, has regard to the standard national list of reasons for exclusion and takes advice from the Local Authority.

In this policy the word 'suspension' is used to refer to what legislation calls an exclusion for a fixed period. Suspensions and permanent exclusions are both types of exclusion, and where this policy uses the word 'exclusion' this includes both suspensions (fixed-period exclusions) and permanent exclusions.

Only the headteacher (or the acting headteacher) has the power to exclude a child from school. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a school year), or permanently excluded.

A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of the headteacher to exclude a pupil must be made in line with the principles of administrative law, i.e. lawful, reasonable, fair and proportionate

### **Suspension**

A suspension means that a pupil is temporarily removed from the school for one or more periods, up to a maximum of 45 school days in an academic year. A suspension does not have to be for a continuous period and can also be for parts of the school day.

For a suspension of more than five school days, the Governing Board must arrange suitable full-time education for any pupil of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension. Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods in a row.

The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension

### **Permanent Exclusion**

A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

For permanent exclusions, the Local Authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day the permanent exclusion took place. This will be the pupil's 'home authority' in cases where the school is in a different local authority area. The school should collaborate with the Local Authority when the pupil might be eligible for free home to school travel, arranged by the Local Authority, to the place where they will be receiving education.

## **Process for exclusions**

If the headteacher excludes a child, they inform the parents or carers without delay, giving:

1. The reason(s) for the suspension or permanent exclusion;
2. The period of a suspension or, for a permanent exclusion, the fact that it is permanent;
3. The parents' right to make representations (appeal the decision) about the suspension or permanent exclusion to the Governing Board and how the pupil may be involved in this;
4. The parents' right to make a request to hold the meeting via the use of remote access and how and to whom to make this request
5. How any representations should be made;
6. Where there is a legal requirement for the Governing Board to consider the suspension or permanent exclusion, that parents or an excluded pupil have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

The headteacher informs the Local Authority of all exclusions and the Chair of Governors about any permanent exclusion; about any fixed-term exclusions beyond five school days in any one term; and any exclusion which would result in the pupil missing a public examination or national curriculum test.

Parents and carers must ensure their child is not present in a public place during the first five school days of the exclusion.

It is important that during the exclusion, pupils still receive their education. Whilst the statutory duty on the Local Authority is to arrange alternative education from the sixth day of exclusion, the school takes reasonable steps to set and mark work for the pupil during the first five days. This can include utilising any online pathways such as Google Classroom or Oak National Academy.

## **Cancellation of exclusion**

The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the Governing Board has not yet met to consider whether the pupil should be reinstated. The headteacher must notify the parents or carers, the Governing Board and the Local Authority, without delay, and provide the reason for cancellation. Any days already spent out of school as a result of any exclusion 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.

## **Role of the Governing Board**

The Governing Board itself cannot either exclude a child or extend the exclusion period made by the headteacher. The Governing Board has a duty to consider parents' representations and responsibility in considering whether excluded pupils should be reinstated.

The Governing Board has a Discipline Committee which is made up of between three and five Governors. This committee considers any exclusion appeals on behalf of the Governors.

The Governing Board 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.

If the suspension takes the pupil's total number of school days out of school above five, but less than 16 for the term and parents have made representations, the Governing Board must convene a meeting to consider the reinstatement within 50 school days of receiving notice of suspension.

If the Governing Board decides that a child should be reinstated, the headteacher must comply with this ruling. If it decides against the reinstatement of a pupil who has been permanently excluded the parents can request an independent review.

### **Reintegration**

Schools should support pupils to reintegrate successfully into school life and full-time education following a suspension (this may also be after a cancelled exclusion). The headteacher has a duty to offer the parents or carers a reintegration interview in respect of certain fixed-period exclusions.

Approved by:	Board of Governors	Date: 7 November 2023
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Last reviewed on:	7 November 2023
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Next review due by:	November 2025
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