



Triumph Learning Trust

Aspiration - Collaboration - Innovation

Suspension and Exclusion Policy

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1. Introduction

Triumph Learning Trust is committed to valuing diversity and to equality of opportunity. We aim to create and promote an environment in which pupils, parents and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities. Through this mutual respect and understanding we ensure that every child is treated fairly and justly within the realms of our Behaviour policy and system. We are proud of our high expectations in terms of behaviour, attitudes and learning. This policy identifies aspects associated with suspension and exclusion and should be read in conjunction with our Behaviour and Relationships for Learning, Safeguarding and Child protection and Teaching and Learning policies. This policy is fully in line with the Department for Education's 'Statutory Guidance on the Exclusion of pupils from maintained schools and academies' which should be read alongside this policy.

2. Responsibilities

The Trust recognises it has a statutory obligation to adopt formal policies and establish workplace procedures for dealing with Suspension and Exclusion. The Trust recognises that Suspension and Exclusion rules and procedures promote good employment relations and is committed to dealing with matters in a fair and consistent way.

The headteacher

Will immediately provide the following information, in writing, to the parents of a pupil who is to be suspended or excluded permanently:

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

Headteachers may cancel an exclusion that has not been reviewed by the Accountability Board. This practice is known as withdrawing/rescinding a suspension or permanent exclusion. If this occurs, parents, the accountability board and the local authority should be notified, and if relevant, the social worker. Parents should be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled;

The headteacher will also notify parents (in writing) and the Local Authority (LA) regardless of the length of the suspension, (if a pupil has a social worker, or if a pupil is looked-after, the headteacher must now, also without delay after their decision, notify the social worker and/or VSH, as applicable) by the end of the afternoon session on the day their child is suspended that for the first 5 school days of a suspension, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not

present in a public place during school hours without a good reason. 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 when notifying parents of a suspension /permanent exclusion:

- The start date for any provision of full-time education that has been arranged (the collection of school work / access to online learning, which has been prepared for the child and should be completed during the suspension).
- 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 required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided 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 suspension, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the accountability board and local authority

The headteacher will immediately notify the Accountability board, the Chair of Triumph Learning Trust and the local authority (LA) of:

- A permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Suspensions which would result in the pupil being suspended for more than 5 school days (or more than 10 lunchtimes) in a term
- Suspensions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay. For all other exclusions, the headteacher will notify the Accountability board and LA once a term (including if a suspension was cancelled, the circumstances and reasons for the cancellation enabling Accountability boards to have appropriate oversight).

The Accountability boards

Responsibilities regarding suspensions and exclusions are delegated to each school Accountability board. The appeal committee of the Accountability board has a duty to consider the reinstatement of an excluded pupil. For a suspension of more than 5 school days, the accountability board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion. Accountability boards must ensure that they review data to consider the level of pupil moves and the characteristics of pupils who

have been permanently excluded to ensure the sanction is only used when necessary as a last resort.

The LA

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

3. Partnership with Parents and Carers

At Triumph Learning Trust our expectations are high of ourselves, each other and our children. We strive to provide the highest quality care and education for all our children thereby giving them a strong foundation for their future learning. We create a safe and happy environment with motivating and enjoyable learning experiences that enable children to become confident and independent. We value the individual child and work alongside parents and others to meet their needs and help every child to reach their full potential.

Parents working in partnership with the school to consistently reinforce the school's expectations is an important factor in every child's success. The Trust will work in partnership with parents to ensure that expectations are clear and parents can reinforce them with their children. This includes ensuring that parents are kept informed about decisions made in response to a child's unsafe or misbehaviour so that we can work together in the best interests of pupils to ensure expectations for behaviour are made clear.

The school is responsible for communicating to pupils, parents and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct. These are:

- Behaviour and Relationships for Learning Policy;
- Anti-Bullying Policy;

4. Approaches to Suspension and Exclusion

We aim to include, not suspend or exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate or unsafe behaviour, and we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.

It is the policy of Triumph Learning Trust to use suspensions and exclusions sparingly in response to very serious breaches of the School's Behaviour policy and procedures, the detail of which are made explicit to all pupils and parents.

- When suspension or exclusion is used as a sanction it is within the context of the guidelines listed and in line with the Department for Education's Statutory Guidance on the Exclusion of pupils from maintained schools and academies.
- The Government supports Headteachers in using fixed term suspensions as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, 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 in the school

- The decision to suspend or exclude a pupil must be lawful, reasonable and fair
- Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent suspensions or exclusion. In this situation, schools should consider a multi-agency assessment that goes beyond the pupil's educational needs
- Schools should have a strategy for reintegrating pupils that return to school following a fixed period suspension, and for managing their future behavioural needs.
- All children have a right to an education. Schools should take reasonable steps to set and mark work for pupils during the first five school days of suspension, and alternative provision must be arranged from the sixth day.
- A suspension in the first instance will usually be for no more than five days. If the pupil incurs additional suspensions these could be for longer duration at the discretion of the Headteacher. The total number of suspension days in any one academic year, should not exceed 45 days.
- During suspension, parents, child and the school will work closely together to agree a plan leading to modification of the child's behaviour, and a return to school.
- Should the child not respond to the suspension, a permanent exclusion may need to be considered
- Referral to a specialist provision or a managed move may also be appropriate in some cases. These decisions will be taken on a case to case basis, ideally with full communication with the parents/carers.-

Guidelines list the following as unacceptable behaviour warranting suspension or exclusion from School, stating that in some cases it would be appropriate for the Headteacher to consider permanent exclusion:

- A physical assault against a pupil or adult resulting in significant harm Verbal abuse/threatening behaviour
- Any assault with a weapon or other implement against an adult or child
- A deliberate assault on another child
- Persistent disruptive behaviour
- Disruptive incidents preceded by other disruptive events when the School has attempted to gain compliance through other sanctions
- Selling and distributing drugs or alcohol within the School
- A sexual assault or sexual misconduct
- Persistent racial abuse

- Persistent bullying including physical abuse
- Persistent bullying including verbal abuse
- Persistent cyber-bullying
- Significant damage to school belongings
- Theft
- Bringing fireworks/explosives, drugs or knives to school
- Inappropriate, illegal or dangerous behaviour outside of school, on the way to and from school and whilst in school uniform
- Inappropriate, illegal or dangerous behaviour outside of school which brings the school and Trust in to disrepute,
- Malicious allegations against other pupils or school staff which have been proven to be untrue

Before a decision to suspend or exclude a pupil, the following action will usually have taken place:

The Headteacher, senior leaders, class teacher and any other adult concerned will provide clear identification with the pupil of the unacceptable/ offending behaviour.

- If necessary appropriate sanctions short of suspension/exclusion in an effort to discourage re-occurrence of such behaviour will have been established e.g. internal exclusions.
- A risk assessment, Personal Intervention Plan (PIP) Individual Support Plan (ISP) will be established and implemented. It is usual for a child to be placed on the SEND register for SEMH needs if suspension/exclusion for behaviour is being considered as this is showcasing high, possibly unmet need.
- Notification to parents of concerns and the sanctions implemented will have taken place.
- Upon re-offence, discussion with the pupil regarding the sanction of suspension/exclusion will occur as appropriate to the child's age and a meeting with parents/guardians will be set up discuss the sanction of suspension/exclusion.
- School will consider which type of suspension or exclusion is appropriate (internal, fixed term or permanent) depending on the severity of the behaviour, the needs of the child, the safety of other children and strategies and sanctions which have been previously tried.

If a suspension or exclusion is implemented, the suspension or exclusion will be reported to the CEO (on behalf of the Trust Board) as stipulated in the Department for Education's Statutory Guidance on the Exclusion of pupils from maintained schools and academies.

5. Types of Suspension/Exclusion

Internal Exclusion:

Internal exclusion is when a pupil is excluded from the rest of the school and must work away from their class/peers for a fixed amount of time. This will be in a different classroom or with a member of the Senior Leadership Team.

An internal exclusion is a discretionary measure, where a pupil's behaviour is escalating and more serious measures need to be taken but there are not yet grounds for an external / fixed-term exclusion or this is not considered appropriate due to the age, home circumstances of special educational needs of the child. Typically, a child receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them to avoid their behaviour escalating to a point where a fixed term exclusion is necessary (examples: behaviour chart to address specific behaviours causing a problem; support from a nominated member of staff e.g. the inclusion leader, a teaching assistant or a learning mentor)

Fixed-Term Suspension:

A fixed term suspension is when a child is suspended from school and must remain home for a fixed amount of time.

This should be for the shortest time necessary to ensure minimal disruption to the child's education, whilst mindful of the seriousness of the breach of policy. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or excluded permanently. A fixed period suspension does not have to be for a continuous period. Fixed term suspensions will not exceed five days unless alternative provision is arranged to educate the child. It is usual practice for a fixed term suspension to increase in days if they are regarding the same behaviours e.g. 1 day, 2 days, 5 days.

Permanent Exclusion:

A permanent exclusion is when a child is permanently excluded from school and not allowed to return. This is a very serious decision and the Headteacher will consult with Senior Leaders and the CEO of the Trust as soon as possible in such a case.

6. Returning from a suspension

Following a suspension, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate. The school must support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction. They should design a reintegration strategy that offers the pupil a fresh start; helps them understand the impact of their behaviour on themselves and others; teaches them to how meet the high expectations of behaviour in line with the school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

The following measures may be implemented when a pupil returns from a suspension:

- Planned, supervised removal from classroom
- Additional Learning mentor support or LSA
- Movement breaks
- Assessment

- Managed move (with agreement of the parent)
- Use of off-site provision
- Agreeing a behaviour contract
- Putting a pupil 'on report'

7. Reasons for Exclusion

Reasons for exclusion:

- Serious breach of the school's rules or policies;
- Serious risk of harm to the education or welfare of the pupil or others in the school.
- Significant harm or injury of another person (child or adult)
- Significant damage to school property
- Repeated bullying/racism
- Significant illegal activity

This can either be a very serious incident or the repetition of several slightly less serious incidents.

Any permanent exclusion will be at the decision of the Headteacher, usually in consultation with other members of the senior leadership team (particularly if they were involved in investigating the incident) and with consultation with the CEO.

A decision to suspend/exclude a pupil, either internally, for a fixed period or permanently is seen as a last resort by the school. The physical and emotional health of our children and staff is our primary concern, and we therefore accept, that in some serious situations, suspension/exclusion may be necessary, if all other strategies have been exhausted.

Suspension/Exclusion may be the result of persistently poor behaviour or a serious single incident.

Persistent or cumulative problems:

Internal and fixed-term suspension may be used in response to a persistent poor behaviour which breaches school rules and policies. In the most serious cases where the problem persists and there is no improvement, a permanent exclusion may be necessary.

These would be imposed only when the school had already offered and implemented a range of support and behaviour management strategies. These could be joint action plans with parents, child and school, behaviour intervention with member of SLT or SENDCo, target setting, home/school communication book etc.

The length of a suspension will depend upon a number of factors, such as the severity of the incident, and the likely impact on the child's learning and ability to succeed on returning to school. Such decisions will be made in the best interests of the child (and the other pupils and staff), whilst also mindful of the need to maintain order and reinforce the rules and expectations of the school in a clear and consistent way.

Single incident:

Internal and fixed-term suspension may be used in response to a very serious breach of school rules and policies or a disciplinary offence. In the most serious cases where the problem persists and there is no improvement a permanent exclusion may be necessary.

In such cases the Headteacher or a designated senior leader will investigate the incident and consider all evidence to support the allegation, taking account of the school's policies. The pupil will be encouraged to give his/her version of events and the Headteacher will check whether the incident may have been provoked, for example by bullying or racial harassment.

The Trust will be informed of all suspensions or exclusions on a termly basis; and additional consultation may also take place about key incidents with the CEO.

If the Headteacher decides to suspend or exclude a pupil will:

- Ensure that there is sufficient recorded evidence to support the decision;
- Explain the decision to the pupil if the pupil is in the state of mind to listen to the decision
- Contact the parents, explain the decision and ask that the child be collected;
- Send a letter via email to the parents confirming the reasons for the exclusion, whether it is a suspension or permanent exclusion;
- Ensure the length of the suspension is communicated clearly via the letter and any terms or conditions agreed for the pupil's return;
- In cases of more than a day's suspension, ensure that appropriate work is set and that arrangements are in place for it to be marked;
- Plan how to address the pupil's needs and integration back into their class on his/her return;
- Plan a re-integration meeting with parents and pupil on their return to be conducted by a senior member of staff and consider a phased reintegration if necessary. This meeting should be before the pupil starts back after the fixed term suspension. This will often happen on the morning of the first day back.

8. Learning during a Suspension

When a pupil is suspended for more than one day, work should be set by the school within a reasonable time-scale and this should be returned to the school when the suspension is over. If a child is suspended at the end of a school day, then it may not be possible to arrange for work to be set until the following morning. A pupil can be suspended for up to 5 continuous days on a fixed term basis. On the sixth continuous day, the school is responsible for providing education for the pupil, which could be at another local school, a specialist provision or by providing home education.

9. Behaviour outside of school

The Headteacher has the power to discipline pupils (including internal, fixed term and permanent suspensions/exclusions) for misbehaving outside of the school premises when the pupil is:

- Taking part in any school-organised or school-related activity
- Travelling to or from school
- Wearing school uniform (this includes PE kit)
- Posing a threat to the orderly running of the school
- Posing a threat to another pupil or member of the public (this includes inappropriate use of the internet and cyber bullying outside of school).
- Posing a threat to the reputation of the school

The level of discipline will be appropriate to the inappropriate behaviour displayed and is also dependent on the level of harm caused. This could include internal, fixed or permanent suspension/exclusion from school.

Pupils' behaviour outside school on school business e.g. on school trips, at sports events, is subject to the school's behaviour policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in school; and additionally, this includes any serious breach of policy which could 'bring the school into disrepute

10. An independent review

If parents apply for an independent review, Triumph Learning Trust will arrange for an independent panel to review the decision of the accountability board not to reinstate a permanently excluded pupil. Applications for an independent review must be made within 15 school days of notice being given to the parents by the committee of the Accountability board of its decision to not reinstate a pupil. A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school Accountability category and 2 members will come from the headteacher category.

- A member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member/director of Triumph Learning Trust or Accountability board of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years

- Are an employee of Triumph Learning Trust or the Accountability board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with Triumph Learning Trust, Accountability board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years

A clerk will be appointed to the panel. The independent panel will decide one of the following:

- Uphold the Accountability board's decision
- Recommend that the Accountability board reconsiders reinstatement
- Quash the Accountability board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)
- The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

The Independent Appeals Panel does not have the power to compel the school to rescind its decision and readmit a pupil who has been permanently excluded. Instead, it can make recommendations that the school exclusion decision is reconsidered if the challenge brought is successful.