

Suspension and permanent exclusion policy

Crisp Vocational Provision



Crisp Vocational Provision Ltd
Building futures for tomorrow

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Last reviewed on:	November 2024	
Next review due by:	November 2025	

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1. Aims

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

Our provision aims to:

- Ensure that the exclusions process is applied fairly and consistently
- Help staff, parents/carers and students understand the exclusions process
- Ensure that students in provision are safe and happy
- Prevent students from becoming NEET (not in education, employment or training)
- Ensure all suspensions and permanent exclusions are carried out lawfully

A note on off-rolling

OFSTED defines off-rolling as;

‘Off-rolling is the practice of removing a pupil from the school roll without using a permanent exclusion, when the removal is primarily in the best interests of the school, rather than the best interests of the pupil. This includes pressuring a parent to remove their child from the school roll.’

Accordingly, we will not suspend or exclude a student unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a student has special educational needs and/or a disability (SEND) that the provision feels unable to support, or
- Due to a student’s poor academic performance, or
- Because the student hasn’t met a specific condition, such as attending a reintegration meeting

If any student is suspended or excluded on the above grounds, this will also be considered as ‘off-rolling’.

2. 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 - from September 2023](#).

It is based on the following legislation, which outlines provisions’ powers to exclude students:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil 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 pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

3. Definitions

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

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

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

4. Roles and responsibilities

4.1 The headteacher

Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a student from provision on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of provision. The headteacher will only use permanent exclusion as a last resort.

A decision to suspend a student will be taken only:

- In accordance with the provision's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a student that their current behaviour is putting them at risk of permanent exclusion

Where suspensions have become a regular occurrence, the headteacher will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

A decision to exclude a student will be taken only:

- In response to serious or persistent breaches of the provision's behaviour policy, **and**
- If allowing the student to remain in provision would seriously harm the education or welfare of others

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 exclusion 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)
- Consider whether all alternative solutions have been explored, such as:
 - For suspensions, detentions or other sanctions provided for in the behaviour policy

The headteacher will consider the views of the student, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Students who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/carer or social worker.

The headteacher will not reach their decision until they have heard from the student, and will inform the student of how their views were taken into account when making the decision.

Informing parents/carers

If a student 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 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/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

If the student 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 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 commissioner

The headteacher will notify the commissioner of all suspensions and permanent exclusions relating to their students 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

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

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** is at risk of suspension or 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
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any meeting 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.

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 achievable and accessible work is set and marked for the student. Online pathways such as SENECA may be used for this or a work pack may be emailed to the parent/carer. 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.

8. Returning from a suspension

8.1 Reintegration strategy

Following suspension, or cancelled suspension or exclusion, the provision will put in place a strategy to help the student reintegrate successfully into provision life.

Where necessary, the provision 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 provision life for the student:

- Maintaining regular contact during the suspension and welcoming the student back to provision
- Daily contact in provision with a member of staff from the engagement team
- Regular reviews with the student and parents/carers to praise progress being made and raise and address any concerns at an early stage
- Informing the student, parents/carers 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 the reintegration process in collaboration with the student, parents/carers, and other relevant parties.

8.2 Reintegration meetings

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

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

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

The provision expects all returning students and their parents/carers to attend their reintegration meeting, but students who do not attend will not be prevented from returning to the classroom.

10. Monitoring arrangements

This policy will be reviewed **annually**.

11. Links with other policies

This policy is linked to our:

- Behaviour policy
- SEND policy
- SEN information report