NYC School Suspension/Exclusion Policy
Adopted by the Full Governing Body
of
Bishop Monkton C of E Primary School

Legislative Background
In addition to this policy, Headteachers, governing bodies, local authorities and independent appeal panels should have regard to DfE Statutory Guidance: **Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England August 2024**

Related School Policies
- Behaviour policy
- Equalities policy
- Anti-bullying policy

Types of Suspension/Exclusion
- **Fixed-Term Suspensions (FTS)** will be for a fixed number of school days. An individual fixed period suspension should be for the shortest time necessary, bearing in mind that suspensions of more than a day or two make it more difficult for the pupil to reintegrate back into the school afterwards. They must not exceed 45 school days in an academic year as either a single suspension or a number of shorter suspensions added together.

  If a pupil receives more than 15 days of fixed-term suspension in a term, governors must meet to review the suspension. A school can suspend a pupil for lunchtimes, but the school should make efforts to resolve any difficulties before using an suspension. In exceptional cases, a further fixed-term suspension or a permanent exclusion can be issued to follow the initial FTS. If this happens, the headteacher must write to the parent/carer to give reasons for the change.

- **Permanent Exclusions (PEX)** are issued when the headteacher believes a pupil should never return to the school because they have seriously or persistently breached the school's behaviour policy and that allowing them to remain in school would seriously harm their education or welfare (or that of others in the school).

  This type of exclusion must be reviewed at a meeting by a panel of governors. The pupil and parent/carer will have the opportunity to put their case at the meeting, can be represented by someone who can speak on their behalf and can be supported by a friend, if they wish. If governors agree with the Headteacher's decision to permanently exclude the pupil, pupil and parent/carer have a legal right to a further opportunity to challenge this decision via an Independent Review.

Suspension/Exclusion as a Last Resort
A pupil will be suspended/excluded from school only as a last resort and as a result of serious and/or persistent breaches of the school behaviour policy and where allowing them to remain in school would be of serious detriment to the education or welfare of the pupil or others in school.

Other options should be investigated before resorting to an suspension/exclusion. The NYC Ladder of Intervention provides structured, step-by-step guidance for schools to support individual pupils who have social and emotional needs manifesting in challenging behaviour that could lead to a suspension/exclusion. This detail a graduated response to ensure early help is in place to support children and young people with social, emotional and mental health needs, including those that are at risk of suspension/exclusion.

Before taking the decision to suspend/exclude, the Headteacher should consider the following:

- **What whole-school approaches and provision are in place to support this pupil?**
  e.g. whole school behaviour policy and inclusive practice to support behaviour for learning, quality first teaching, etc. *Are school policies inclusive or do they discriminate against particular pupils with specific needs?*

- **What measures or strategies has the school put in place to support this specific pupil?** e.g. behaviour plan, specific learning support, mental health and wellbeing advice, etc. *Have support and intervention been put in place and has enough time been allowed for the intervention or support to take effect?*

- ***If there have been multiple, repeat suspensions/exclusions for similar reasons (e.g. abusive behaviour, drug use, etc.) what has been put in place to successfully address the causes?*** *Where the school is repeatedly suspending/excluding for the same reason, this could indicate unmet needs.*

- ***What support has been sought from outside agencies, including the Local Authority?*** *Through its universal and targeted provision, the LA provides access to a range of services. Has school accessed any of the following?*
    - *SEND guidance (for pupils with Special Educational Needs or a Disability)*
    - *Ladder of Intervention*
    - *SEND Assessment (leading to an Education Health and Care Plan)*
    - *Local Inclusion Panel or the Pupil Referral Service (PRS)*
    - *Referral to the SEND Hub to support additional educational and/or social, emotional and mental health needs*
    - Advice and support from an Educational Psychologist, the Early Help Service, Child and Adolescent Mental Health Service (CAMHS), Youth Justice Service or Children's Social Care
    - An Early Help (EH) Assessment and Action Plan

Grounds for Exclusion

This government supports headteachers in using suspension and permanent exclusion as a sanction when warranted as part of creating calm, safe, and supportive environments where both pupils and staff can work in safety and are respected. To achieve this, suspension and permanent exclusion are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes, or consequences within the school.

Before excluding a pupil permanently, the Headteacher must be convinced that there is sufficient evidence that the pupil has committed a disciplinary offence and that allowing the pupil to remain in school would seriously harm the education or welfare of that pupil or others in the school.

Protocol – Investigation

Before deciding whether to suspend/exclude a pupil the Headteacher should

- make sure that a thorough investigation has been carried out, consulting others if necessary;
- give the pupil a chance to say what happened;
- think carefully about the evidence available;
- ensure that the suspension/exclusion is for the shortest time necessary;
- take into account the school's Behaviour and Equality Policies and, if appropriate, the Race Relations Act and Disability Discrimination Act;
- check whether bullying or racial or sexual harassment (or any other coercion) led to their actions

Protocol – Decision

The decision to suspend/exclude (either for a fixed-term or permanently) can only be taken by the Headteacher. Upon coming to the decision to suspend/exclude, the school must inform the parent/carer by telephone as soon as possible and follow this with a formal letter. To ensure statutory returns can be made to the DfE and so that alternative education can be put in place (in the event of a permanent exclusion), the school should also inform the Local Authority.

Local Authority Support

To ensure schools comply with statutory guidance issued by the DfE, the Local Authority recommends use of forms, templates and model letters developed by the NYCC Inclusive Education Service. These forms and the most up-to-date information and guidance on exclusions can be accessed via: https://cyps.northyorks.gov.uk/exclusions

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