



Exclusion and Suspension Policy

Date policy last reviewed: _____

Signed by:

_____ Headteacher Date: _____

_____ Chair of governors Date: _____

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It is the policy of Maidenbower Infant School to manage all behavioural issues in an active and positive way in the first instance; employing a wide range of strategies. However, should the need for an exclusion or a suspension arise, following a sustained period of unacceptable behaviour or a single case of an extremely dangerous and/or violent act, the school will adopt the following recommended approach as outlined by West Sussex County Council.

Whenever a headteacher suspends a pupil, the parent must be notified, without delay, ideally by phone followed up by a letter. The letter must state the reason for the suspension or exclusion. During the first 5 days of a suspension, parents must ensure that their child is not found in a public place during normal school hours without reasonable justification.

There are two kinds of exclusion – a fixed period suspension and permanent exclusion.

FIXED PERIOD SUSPENSION

A fixed period suspension is where a pupil is temporarily removed from school. They can only be removed for up to 45 school days in a school year.

If a pupil has been suspended for a fixed period, the school will set and mark work for the first 5 school days.

If the suspension is longer than 5 school days, the school must arrange full-time education from the sixth school day.

APPEALING AGAINST A FIXED PERIOD SUSPENSION

Parents can ask the school's governing body to review a fixed period suspension.

If the pupil has been suspended for 5 days or fewer in a term, then the governing body cannot reinstate them but can add comments to the pupil's school record.

If the pupil has been suspended for 6-16 days in a term, parents can request that the governing body meet and discuss the decision. They do not have the power to overturn the exclusion.

If the pupil has been suspended for 16 days or more in a term, the governing body must hold a meeting to review the decision.

PERMANENT EXCLUSIONS

A permanent exclusion means a pupil cannot return to the school. It is only used as the final step in dealing with disciplinary offences when a wide range of other strategies have been tried without success.

There are exceptional circumstances when a pupil may be permanently excluded for a first or 'one off' offence. These might include:

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- Serious actual or threatened violence against staff or pupils;
- Sexual abuse or assault;
- Supplying an illegal drug;
- Carrying an offensive weapon.

During the first 5 days of a permanent exclusion, it is the school's responsibility to ensure that alternative arrangements are made for educational provision. This could be work sent home for the pupil to complete, or an arrangement for the pupil to attend alternative provision.

From the sixth day it is the responsibility of the child's local authority to ensure full-time education is provided. Parents will be contacted by West Sussex's Access and Exclusion Team who will discuss how the child's education will continue. They will also assist in finding another school if the decision to issue permanent exclusion is upheld.

APPEALING AGAINST A PERMANENT EXCLUSION

A school's governing body must review a permanent exclusion; it will be reviewed whether the child's parents attend the meeting or not. Parents can submit their case in writing, but it is advisable for them to be there in person.

The meeting will be held before the fifteenth school day of the exclusion, at a time convenient to all parties. The governing body can uphold the exclusion or direct the pupil's reinstatement either immediately, or by a particular date.

If any exclusion results in the pupil missing a public exam, the governing body should try to meet before the date of the exam.

At the review meeting parents may be accompanied by a friend or representative. There will generally be 3-5 governors, a clerk to take notes and advise the governors on procedure, a local authority representative and the headteacher at the meeting.

APPEALING AGAINST THE GOVERNING BODY DECISION

If the school's governing body upholds the headteacher's decision, then parents have the right to make an application for the decision to be reviewed by an independent review panel.

Reasons for the application must be put in writing and may also include reference to any disability discrimination claim being made. This notice of appeal should be sent to the local authority no later than the fifteenth school day after receipt of the letter confirming the governing body's decision.

The independent review panel must meet no later than the fifteenth school day after the date on which the application is submitted. The meeting is conducted in the same way as the governing body meeting and the panel can make one of three decisions:

- They may uphold your child's exclusion.

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- They may recommend the governing body reviews their decision.
- They could quash the decision and direct that the governing body considers the exclusion again.

The independent review panel's decision is binding on the parent, governing body, headteacher and local authority. The pupil remains on the roll of the school until the outcome of the independent review is known, or until the time limit for parents to submit a request for an independent review has ended.

A parent can complain to the Local Government Ombudsman about maladministration and either the parent or the governing body may apply to the High Court for a judicial review if they consider the panel's decision to be perverse.

For further information please also see the school Behaviour Policy and associated documents, which are available on the school website and also on request at the school office.