

The Levett School



Suspensions and Permanent Exclusions Policy

<i>Policy agreed by Headteacher on:</i>	October 2025
<i>Review date for Headteacher on:</i>	October 2027
<i>Allocated Group/Person to Review:</i>	Headteacher
<i>Agreed frequency of Review, by allocated person:</i>	Every Two Years
<i>Last Review date:</i>	October 2023

Melton Road, Sprotbrough, Doncaster, DN5 7SB

Context

This policy outlines the approach of The Levett School to suspensions and exclusions within the statutory framework. This complements the statutory guidance, for purposes of clarity in the day-to-day operation.

2. Principles

- Suspension and exclusion are only used by the The Levett School as a very last resort and should only be used where there is a breach or serious breaches of the Behaviour Policy.
- The government supports Headteachers in using suspension and exclusion as a sanction when warranted, however, at The Levett School, the decision to permanently exclude will only ever be taken:
 1. in response to a serious breach or persistent breaches of behaviour policy; and/or
 2. where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school

A suspension and proposed permanent exclusion will only be authorised The school Headteacher with support from the Governing Body.

The decision made by the Headteacher must be reasonable, fair and proportionate and apply the civil standard of proof “on the balance of probabilities”.

3. Legislation and Statutory Guidance

- This policy is based on statutory guidance from the Department for Education: Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement. (September 2023).
- It is based on the following legislation, which outlines schools’ powers to exclude pupils:
- Section 51(a) of the Education Act 2002, as amended by the Education Act 2011.
- The School Discipline (Student 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 Student) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Student) (England) (Amendment) Regulations 2014.
 - The Equality Act 2010.
 - Children and Families Act 2014.
- Suspensions should be for the shortest time necessary. They can be 0.5 days. If the suspension starts at 11am, this is equitable to 1 day. A lunch time suspension counts as 0.5 days.
- Sending a pupil home to cool off or have a reflection day - and not recording as an exclusion/suspension - is unlawful regardless of whether it occurs with the agreement of parents or carers.
- Work will be provided by The Levett up to day 6 of the suspension. If the time period is longer, then alternative provision needs to be provided by the school. If the pupil is proposed to be permanently excluded, then from day 6, it is the local authority’s responsibility to provide an education.
- Sending a pupil home to ‘cool off’ or have a reflection day and not recording as an exclusion/suspension is unlawful.

4. Definitions

4.1. **Suspension** – When a pupil is removed from the school for a fixed period. This was previously referred to as a ‘fixed-term exclusion’.

4.2. **Permanent exclusion** – When a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ‘exclusion’.

4.3. **Off-site direction** – When the leadership of a school requires a pupil to attend another education setting temporarily, to improve their behaviour.

4.4. **Managed move** – When a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.

4.5. **Reduced Timetable** – When a school considers that full-time education is not in the best interest of a child’s physical or mental health, a reduced provision may be necessary to support the reintegration back into school.

4.6. **Parent/Carer** – Any person who has parental responsibility and any person who has care of the child.

5. Management of Suspension and Permanent Exclusion

- There can be up to 45 days of suspensions for a child in any academic year. No more. A permanent exclusion would then be required or no further suspensions. It is important to note that one doesn’t trigger the other.
- Headteachers cannot extend a suspension or convert a suspension to a proposed permanent exclusion. They can, however, issue a further suspension to start straight after the initial one.
- For any suspension above 5 days but up to and including 15 days in one term, parents/carers may request an exclusion panel hearing. This must be held within 50 days of receipt of request.
- For suspensions where the total amount of days for the term goes over 15 days, an exclusions panel hearing must be called within 15 school days.
- If the total of days in one term are less than 5, parents/carers can request a review, but the panel do not need to hold a hearing and cannot reinstate the pupil. Feedback from the review can then be shared with the parents/carers.

6. Notification of a Suspension or Permanent Exclusion

- If a pupil is at risk of suspension or exclusion then the Headteacher, wherever possible, will inform the parents/carers as early as possible, in order to work together, and ascertain parental viewpoint, to consider what factors may be affecting the pupil’s behaviour, and what further support can be put in place to improve the behaviour.
- Parents will be notified as soon as possible of the decision to suspend a pupil and the reason for the suspension. This will be done on the day of the suspension being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the suspension will be sent to parents within 24 hours.
- In the case of a proposed permanent exclusion, parents will be notified by the Headteacher in a face-to-face meeting wherever possible, unless in exceptional circumstances. A written

confirmation of the reason(s) for the proposed exclusion will be sent to parents within 24 hours either by email or post.

- To ensure the pupil understands the reasons for the suspension or proposed permanent exclusion, they will have the reason explained to them by a member of staff in a way in which they understand.
- The Local Authority, Parents Carers, External Agencies and relevant school staff will be notified of all suspensions the same day of the production of the suspension / exclusion letter. The notification will include:
 - The reason(s) for the suspension or proposed permanent exclusion.
 - The length of a suspension or - for a proposed permanent exclusion - the fact that it is permanent.
 - If a pupil has a social worker or is a Child in Care, the Headteacher must notify the relevant case worker as early as possible including informing them that:
 - They have decided to suspend or permanently exclude the pupil;
 - The reason(s) for the decision;
 - The length of the suspension or, for a permanent exclusion, the fact that it is permanent;
 - The suspension or permanent exclusion affects the student's ability to sit a public exam (where relevant).
- The Levett school will work to put in place a restorative programme for the pupil on their return. This will include input from staff at the school, parents/carers, if appropriate, and any other appropriate agency. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency i.e. the incident leads to the discovery that there is a child protection issue, the school will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following suspension a pupil will be able to return to school and that further input will promote in them a more positive attitude and a subsequent improvement in behaviour.

7. Returning from a suspension

- All pupils returning from a suspension are required to attend a reintegration meeting, accompanied by a parent, so that the views of the parent/carer and student can be heard.
- Schools can consider a range of measures to enable successful reintegration but all decisions should be based on a strengths-based model enabling the student to reflect on their behaviour, create a sense of belonging and build engagement back into learning. To ensure a successful reintegration into school life, the following strategies may be applied:
 - Daily contact in school with a designated pastoral professional;
 - Mentoring by a trusted adult or a local provider;
 - Regular reviews with the student and parent/carers to praise progress being made;
 - Raise and address any further concerns at an early stage;
 - Informing the pupil (where appropriate), parent/carers and staff of potential external support;

Reduced timetables will be put in place for the minimum time necessary.

If a suspension brings the total number of days out of school to more than 15 days in a term, governors will consider any representation made by parents/carers within the reintegration process.

8. Permanent Exclusions

The Headteacher will only propose to permanently exclude a child as a last resort, after trying to support the child or young person to improve their behaviour through other means. However, there are exceptional circumstances in which a Headteacher may decide to propose to permanently exclude a pupil because of ongoing issues or for a 'one-off' incident.

- A decision to propose permanently excluding a pupil should only be taken:

In response to a serious breach or persistent breach of the school's behaviour policy; and/or

Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others, such as staff or students within the school.

- If it has been proposed for a child to be permanently excluded:
- Governors are required to review the Headteacher's decision within 15 school days;
- If the Exclusion Panel Hearing uphold the exclusion, parents can appeal to an independent appeal panel organised by the Trust Board;
- The school must explain in a letter how to lodge an appeal.

The local authority must provide full-time education from the sixth day of a permanent exclusion.

9. Supporting students with SEND

It would be unlawful to exclude a pupil simply because they have a Special Educational Need or Disability (SEND). Reasonable adjustments will be made to ensure that the appropriate provision is in place.

Following a suspension or permanent exclusion, there will be a review of all internal paperwork and amendments made accordingly, ensuring that there is evidence of the updates for any panel review after each suspension. Reference should be made as to what changes will be made in the graduated response and this should be communicated to parents/carers and any external agencies involved with the pupil.

When making a decision to suspend or exclude, consideration should be made as to how the school is meeting need through the review of the following documents:

- 9.3.1. Education, Health and Care Plan (EHCP)
- 9.3.2. Individual Education Plan (IEP)
- 9.3.3. Individual Behaviour Plan (IBP)
- 9.3.4. Provision tacker,
- 9.3.5. Pastoral Support Plan (PSP)
- 9.3.6. Positive Handling Plan
- 9.3.7. School Provision Map
- 9.3.8. Targeted Intervention
- 9.3.9. Sensory Questionnaires
- 9.3.10. SEMH Assessment (Boxhall/PIVATS),
- 9.3.11. Strength and Difficulties Questionnaire (SDQ)
- 9.3.12. Parental 3 houses
- 9.3.13. Assessments of Learning and/or Behaviour.

Where a pupil has an EHCP, a request for an early annual review can be made to the LA in writing, unless there has been a review in the previous 10 weeks. The statutory process should be followed if the plan is requiring amendment or change of provision is requested.

10. Independent Review

Applications for an independent review must be made within 15 school days of notice being given to the parent/carers by the exclusion panel hearing of its decision to not reinstate the pupil or, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

A panel of 3 or 5 individual will be constituted with representatives from each of the categories below, who must declare any conflicts of interest prior to the start of the process. The panel will include:

- A lay 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.
- Governors who have served for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Headteacher during this time.
- Headteachers or individuals who have been a Headteacher within the last 5 years.

Where a SEND expert is present, the panel must seek and have regard to the SEND expert's view of how SEND may be relevant to the student's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the student's experiences, needs, safeguarding risks and/or welfare may be relevant to the student's permanent exclusion.

Where a Virtual School Head is present, the panel must have regard to any representation made by the Virtual School Head of how any of the child's background, education and safeguarding needs were considered by the Headteacher in the lead up to the proposed permanent exclusion, or are relevant to the pupil's proposed permanent exclusion.

Following its review, the independent panel will decide to do one of the following:

- Uphold the decision.
- Recommend that the panel reconsider reinstatement.
- Quash the decision and direct that the panel reconsider reinstatement (only if it judges that the decision was flawed).

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced. In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the panel at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the committee and that it ought to have considered if it had been acting reasonably. If evidence is presented that the panel considers it is unreasonable to expect the committee to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that they reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

Once the panel has reached its decision, the panel will notify all parties in writing without delay. This notification will include:

- The panel's decision and the reasons for it;
- Where relevant, details of any financial readjustment or payment to be made if the panel does not subsequently decide to offer to reinstate the student within 10 school days;

- Any information that the panel has directed the Headteacher to place on the student's educational record.

11. School Registers

- The correct removal from registers is critical in ensuring the lawful procedures are followed. A pupil name can be removed from the school register if:
- school days have passed since the parent/carers were notified of the panel decision to not reinstate the student and no application has been made for an independent review panel, or
- The parent/carers have stated in writing that they will not be applying for an independent review panel.
- The school cannot backdate the deletion of the pupil's name to when the exclusion began.
- While the pupil name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been
- made for an excluded student and they attend it, the appropriate code should be used on the attendance register.