

Suspensions Policy

We teach our children to be like Jesus: wise, caring, honest and fair, today and every day.

Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.

St. Anne's Catholic Voluntary Academy operates a comprehensive inclusive system where all children are welcome regardless of their race, religion, culture, sex, ability or disability, social background etc.

At St Anne's Catholic Voluntary Academy, we aim to include and not suspend wherever possible. We approach all challenging behaviour in a positive, supportive way (see Behaviour Policy). We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. St Anne's Catholic Voluntary Academy recognises that suspensions from the school community, whether fixed term or permanent, are damaging to a pupil's self-esteem.

They can diminish the sense of belonging to the community. As such, they are used sparingly and only as part of an overall behaviour strategy which seeks to develop a culture of inclusion, ownership of and responsibility for one's own behaviour.

The school seeks to avoid permanent suspensions. These take place only for very serious incidents or when all other strategies have been tried and have failed over time.

Fixed term suspensions are used when other strategies and sanctions have not been effective over time or when there has been a single clear and serious breach of discipline. For example, physical assault against a pupil or an adult and persistent disruption to lessons come within this category. The physical and emotional health of our children and staff is our primary concern.

Reasons for suspension:

- Serious breach of the school's rules or policies;
- Risk of harm to the education or welfare of the pupil or others in the school.

Suspension is an extreme sanction and is only administered by the Head Teacher (or Assistant Head acting as the Head Teacher in her absence). It will generally be as a result of a serious outburst of aggression, physical assault, racist or abusive behaviour towards self, others or school property.

However, there are cases when a child with specific behavioural needs has had a cumulative effect on the learning of others. In order to address these needs, and to ensure that the learning of the majority is protected, the school may have no other option but to suspend.

At times, the Head Teacher will decide not to use the extreme sanction of a suspension but will decide that a Behaviour Support Plan should be drawn up to try to avoid the sanction of a suspension in the future. This might be accompanied by an internal suspension.

Fixed term (Temporary) suspension

A fixed term suspension will be for the shortest time necessary.

Persistent or cumulative problems

Suspension for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when the school had already offered and implemented a range of support and behaviour management strategies. Advice from Behaviour Support will be taken.

Single incident

Temporary suspension (fixed term) may be used in response to a serious breach of school rules and policies or a disciplinary offence. In such cases the Head Teacher will investigate the incident thoroughly 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 Head Teacher will check whether the incident may have been provoked, for example by bullying or racial harassment.

Duty to inform parents/carers

Following the Head Teacher's decision to suspend a pupil, they will inform the parents/carers immediately, of the period of the suspension and the reasons behind this.

The Head Teacher will inform the parents/carers in writing, of the following:

- The reasons for the suspension
- The length of the fixed period suspension, or, for a permanent suspension, the fact that it is permanent
- Their right to raise any representations of the suspension to the Local Governing Body including how the pupil will be involved in this and how the representations will be made
- Their right to attend a meeting where there is a legal requirement for the Local Governing Body to consider the suspension, and the fact that they are able to bring an accompanying individual

- The arrangements that have been made for the pupil to continue their education prior to the organisation of any alternative provision, or the pupil's return to school
- Relevant sources of free, impartial information

What happens about the child's education during this period?

For the first 5 days of suspension, the school is responsible for setting and marking work for the child to complete at home. It is the parents' responsibility to ensure work is completed at home and returned to the school. It is during these first 5 days that the parent must ensure that a child is not in a public place, without reasonable justification, during school hours, or they can be prosecuted.

If the suspension is for longer than 5 days, the school should make provision for the child's full-time education from the 6th school day.

Extending a fixed term suspension

Sometimes, following further information coming to light, a fixed term suspension can be extended. If this happens, a letter must be sent to the parents stating the reasons and stating the right to make representations to or request a meeting with the Local Governing Body.

Lunchtime suspensions

A child can be suspended at lunchtimes. Lunchtime suspension is counted as a half day suspension. If the lunchtime suspensions are continuous, the parent can make representations to the Local Governing Body or request a meeting. Lunchtime suspensions should not happen for longer than a week. Children who are entitled to free school meals should still receive their entitlement, i.e. a packed lunch.

Permanent suspension

A permanent suspension is a very serious decision. As with a temporary suspension, it will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of school rules and policies or a disciplinary offence such as:

- Serious actual or threatened violence against another pupil or a member of staff;
- Possession or use of an illegal drug or weapon on school premises;
- Persistent bullying
- Persistent racial harassment;

The decision to suspend

If the Head Teacher decides to suspend a pupil she will:

- ensure that there is sufficient recorded evidence to support the decision;
- explain the decision to the pupil;

- contact the parents, explain the decision and ask that the child be collected;
- send a letter to the parents confirming the reasons for the suspension, whether it is a permanent or temporary suspension;
- state the length of the suspension 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 meeting with parents and pupil on his/her return.

Safeguarding

A suspension will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply, by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for suspension, the school may consider an internal suspension until the end of the day, implementing the original suspension decision from the time the child is collected from school, or, in more severe circumstances the school may contact Social Services and/or the Police to safely take the pupil off site.

Behaviour outside school

Pupils' behaviour outside school on school business e.g. on school trips, at sports fixtures, 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.

Pupils with special educational needs and disabled pupils

The school must take account of any special educational needs when considering whether or not to suspend a pupil. We have a legal duty under the Disability Discrimination Act not to discriminate against disabled pupils by excluding them from school for behaviour related to their disability. The Head Teacher should ensure that reasonable steps have been taken by the school to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

Marking attendance registers following suspension

When a pupil is suspended temporarily, he/she should be marked as absent using Code E.

Removal from the school for other reasons

The Head Teacher may send a pupil home, after consultation with that pupil's parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not a suspension and should be for the shortest possible time.

Procedure for appeal Fixed Term Suspension

Parents have the right to make representations about the decision to the Local Governing Body. Parents who wish to make representations must contact the Chair of the Local Governing Body via the school office, as soon as possible. Whilst the Local Governing Body has no power to direct re-instatement, they must consider any representations made and may place a copy of their findings on the child's school record. Parents should note that if they think the suspension relates to a disability the child has, and they think disability discrimination has occurred, they have the right to appeal, and/or make a claim, to the First Tier Tribunal.

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>.

Making a claim would not affect the parent's right to make representations to the Local Governing Body.

Permanent Suspension

In the case of a permanent suspension the Local Governing Body must meet to consider it. At the review meeting parents may make representations to the Local Governing Body if they wish and ask them to reinstate the child in school. The Local Governing Body has the power to reinstate the child immediately or from a specified date, or, alternatively, they have the power to uphold the suspension in which case parents may appeal against their decision to an Independent Appeal Panel – the Local Governing Body must tell parents how to do this. If following an independent appeal parents remain dissatisfied, the final body to appeal to is the Education Funding Agency. The Local Governing Body must consider the reinstatement of a suspended pupil within 15 school days of receiving notice of the suspension if:

- the suspension is permanent;
- it is a fixed period suspension which would bring the pupil's total number of school days of suspension to more than 15 in a term; or
- it would result in a pupil missing a public examination or national curriculum test.

Parents should note that if they think the suspension relates to a disability the child has, and they think disability discrimination has occurred, they have the right to appeal, and/or make a claim, to the First Tier Tribunal

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm> .

ST. ANNE'S CATHOLIC VOLUNTARY ACADEMY

Making a claim would not affect a parent's right to make representations to the Local Governing Body. Parents will, whether they choose to make representations or not, be notified by the Clerk to the Local Governing Body of the time, date and location of the meeting which must be within 15 school days of receiving the notice of the suspension.

Parents have the right to see and have a copy of, their child's school record.

For information the following sources of advice are available: Suspension Team at Derbyshire County Council email: cayainclusionteam@derbyshire.gov.uk or telephone: 01629 535802

You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com> . The advice line is open from 8 am to 8 pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Date: September 2022

Signed: *JME Wiggins*

Head Teacher