

SAFFRON VALLEY COLLEGIATE



SUSPENSION POLICY

Date of last review	19 November 2024
Review cycle	Annual
Policy due for review and approval by Local Governing Body	November 2025

Introduction

Saffron Valley Collegiate (SVC) aims to ensure that:

- The suspensions process is applied fairly and consistently.
- The suspensions process is understood by governors, staff, parents/carers, and pupils.
- The safety and well-being of all members of the school community is maintained.
- There is an appropriate educational environment in which all can learn and succeed.
- Pupils do not become NEET (not in education, employment or training).
- All realise the school's aim of reducing the need to use suspensions as a sanction.

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 - guidance for maintained schools, academies, and pupil referral units in England.' August 2024

The principal legislation to which this guidance relates is:

- Education Act 2002, as amended by the Education Act 2011.
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.
- Education and Inspections Act 2006.
- Education Act 1996; and
- 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.

In addition, this policy is based on:

- Part 7, Chapter 2 of the 'Education and Inspections Act 2006', which looks at parental responsibility for suspended 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.'

This guidance has been updated to be a companion piece to the Behaviour in Schools guidance, which provides advice to headteachers and school staff on implementing a behaviour policy which creates a school culture with high expectations of behaviour. This means that this guidance should only be necessary when strategies, practices and interventions set out within the Behaviour in Schools guidance have not been successful in improving a pupil's behaviour and the use of more significant interventions or sanctions are required.

Definition

For the purposes of suspensions, 'school day' is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a 'school day.'

The Decision to Suspend

Suspension is an extreme sanction and is only administered by the Headteacher (or, in their absence, a member of the Senior Leadership Team who is acting in that role).

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as: “...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent/carer to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

We are committed to following all statutory suspension procedures to ensure that every child receives an education in a safe and caring environment. A decision to suspend a pupil will be taken only:

- In response to serious or persistent breaches of the schools Behaviour Policy, and
- If allowing the pupil to remain in school would seriously harm the education or welfare of others.

Suspension may be used for any of the following reasons, all of which constitute examples of unacceptable conduct and are infringements of the schools Behaviour Policy:

- Physical assault against pupil (this includes fighting, violent behaviour, wounding, obstruction, jostling)
- Physical assault against adult (includes violent behaviour, wounding, obstruction jostling)
- Verbal abuse/threatening behaviour against pupil (includes threatened violence, aggressive behaviour, swearing, harassment, verbal intimidation)
- Verbal abuse/threatening behaviour against adult (includes threatened violence, aggressive behaviour, swearing, harassment, verbal intimidation)
- Bullying (includes verbal, physical, homophobic, sexist, racist bullying)
- Racist abuse (includes racist taunting and harassment, derogatory racist statements, swearing that can be attributed to racist characteristics, racist bullying, racist graffiti)
- Sexual misconduct (includes sexual abuse, sexual assault, sexual harassment, lewd behaviour, sexual bullying, sexual graffiti)
- Drug and alcohol related (includes possession of illegal drugs, inappropriate use of prescribed drugs, drug dealing, smoking, alcohol abuse, substance abuse)
- Damage (includes damage to school or personal property belonging to any member of the school community, vandalism, arson, graffiti)
- Theft (includes, stealing school property, stealing personal property (pupil or adult), stealing from local shops on a school outing, selling and dealing in stolen property)
- Persistent disruptive behaviour (includes challenging behaviour, disobedience, persistent violation of school rules)
- Use or threat of use of an offensive weapon.
- Abuse relating to any type of disability.
- Wilful and repeated transgression of protective measures in place to protect public health.
- Abuse against sexual orientation and gender identity.
- Inappropriate use of social media or online technology.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that suspension is an appropriate sanction.

Before deciding whether to suspend a pupil, the Headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension were provoked.
- Allow the pupil to give their version of events.
- Consider if the pupil has special educational needs (SEND).

Roles and responsibilities

The Headteacher will immediately provide the following information, in writing, to the parents/carers of a suspended pupil:

- The reason(s) for the suspension.
- The length of a fixed-term suspension.
- Information about parents/carers' right to make representations about the suspension to the Governing Board and how the pupil may be involved in this.
- The Headteacher will also notify parents/carers by the end of the afternoon session on the day their child is suspended that, for the first 5 school days of a suspension, or until the start date of any alternative provision where this is earlier, parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents/Carers may be given a fixed penalty notice or may be prosecuted if they fail to do this.

The Headteacher would also notify the Chair of the Local Governing Body (LGB) and the Local Authority (LA) if a suspension would result in the pupil being suspended for more than 5 school days (or more than 10 lunchtimes) in a term. For a fixed-period suspension of more than 5 school days, the LA will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

Suspension Procedure

The DfE regulations allow the Headteacher to suspend a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

The Alternative Learning Trust (ALT) has established arrangements to review promptly all fixed-term suspension that would lead to a pupil being suspended for over 15 school days in term or missing a public examination.

The ALT has established arrangements to review fixed-term suspension which would lead to a pupil being suspended for over 5 school days but not over 15 school days in term where a parent/carer has expressed a wish to make representations.

An alternative to fixed-term suspension may take the form of one-to-one intervention, with the pupil working alone or being asked to attend at a different time (e.g., 1pm – 5pm). However, in some circumstances, either because of the severity of the incident or because of practical or logistical constraints, such a suspension will result in the pupil being required to remain at home.

During the course of a fixed-term suspension where the pupil is to be at home, parents/carers are advised that the pupil is not allowed on school premises, and that daytime supervision is their responsibility as parents/carers.

Updates made to this guidance in 2022 include:

- When headteachers suspend or permanently exclude a pupil they must, without delay, notify parents. Legislative changes mean that if a pupil has a social worker, or if a pupil is looked-after, the headteacher must now, also without delay after their decision, notify the social worker and/or VSH, as applicable.
- When headteachers suspend or permanently exclude a pupil, they must also notify the local authority, without delay. Legislative changes mean that this must be done regardless of the length of a suspension.
- Guidance on the role of a social worker and VSH, during governing board meetings and IRP meetings.
- Guidance on managed moves, what they are and how they should be used.
- Clarified guidance on the use of off-site direction as a short-term measure that can be used as part of a school's behaviour management strategy.
- Further guidance on the practice of involving pupils so that any excluded pupil is enabled and encouraged to participate at all stages of the suspension or permanent exclusion process, considering their age and ability to understand.
- Guidance for governing boards to ensure that they review data to consider the level of pupil moves and the characteristics of pupils who have been permanently excluded to ensure the sanction is only used, when necessary, as a last resort.