



Torquay Girls Grammar School

Suspension Policy

Policy Information	
Policy Owner	Headteacher
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Approving Committee	Full Trust Board
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1. Introduction

This Policy aims to set out the process that will be followed and additional considerations around suspensions and exclusion.

Where TGGs's approaches towards behaviour management have been exhausted, suspensions and permanent exclusion will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in a safe, calm and supportive environment.

This policy should be read in conjunction with the behaviour policy and the SEND policy.

This policy applies to all members of the TGGs community. TGGs will apply suspensions and exclusions in accordance with this policy and ensure that its contents are relayed to all staff, parents/carers and pupils.

2. Legislation

The principal legislation to which this policy relates is:

- a) The Education Act 2002, as amended by the Education Act 2011;
- b) The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- c) The Education and Inspections Act 2006; and
- d) The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007.
- e) Statutory guidance on suspension and Permanent Exclusion from maintained schools, academies, pupil referral units in England, including pupil movement (May 2023).

3. Types of Exclusion

Suspensions and permanent exclusions are different:

- Suspensions are where a pupil is prevented from attending the school for a fixed period. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum 45 days of suspension in an academic year before being permanently excluded.
- Permanent exclusions are where the pupil is prevented from attending the school again. A decision to permanently exclude will only be taken in response to a serious breach or persistent breaches of the school's behaviour policy, and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

4. Roles and responsibilities

All members of the school are expected to follow this policy. Roles, responsibilities and expectations of each section of the school community are set out in detail below.

The Headteacher

All decisions to suspend or permanently exclude a pupil will be taken by the Headteacher after considering all the circumstances. Every decision made will be proportionate to the seriousness of the behaviour with reference to the school's behaviour policy.

The Senior Leadership Team

All decisions to suspend or permanently exclude a pupil will be taken by the Headteacher. The senior leadership team is responsible for coordinating the collection of all the appropriate paperwork ahead of the decision-making process.

The Trustees

The Trust Board are responsible for forming committees to review exclusions and suspensions when it is required to do so if it is requested by parents/carers or it is, in its view, prudent to review an individual decision.

Parents/Carers

Parents/carers will be informed without delay of any suspension or exclusion and that there is an ability to make representations in regard to any suspension or exclusion decision. Details will be provided on the rights parents/carers have with every letter that is sent from the Headteacher.

Pupils

All pupils of the school are expected to follow the expectations regarding their behaviour to ensure that all pupils can learn and participate in school life effectively. Where those expectations are breached, the behaviour policy will apply.

5. CCTV, witness evidence and pupil views

TGGS uses Close Circuit Television (CCTV) within its premises. This is to provide a safe and secure environment for pupils, staff and visitors. If behavioural incidents are recorded on CCTV, the footage may be viewed as part of the investigation and the content considered before imposing a sanction. If CCTV is relied upon for a decision on a suspension or exclusion, then it will be shown in some format (redacted as necessary) at any trustee review meeting. Please see the TGGS' CCTV policy and privacy notices for more information.

Where witness evidence is relied upon, whether that be from a pupil or a staff member, the statement(s) will be provided at any trustees review meeting. All statements will be signed and dated unless the Headteacher has good reason to protect the anonymity of the relevant witness. Reasons may include threats of reprisals.

Before taking a decision to suspend or exclude and where appropriate, the SLT member will take the pupil's views into account, considering these in light of their age and understanding, and inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil will be given support to express their view, including through advocates such as parents/carers or, if the pupil has one, a social worker. The Headteacher will also take account of any contributing factors identified after an incident of misbehaviour has occurred. Collecting the statements from pupils will be completed by a member of the pastoral team and all information will be shared with the Headteacher in advance of a decision.

6. The Headteacher's powers to use suspension or permanent exclusion

Only the Headteacher can suspend or permanently exclude a pupil on disciplinary grounds.

A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion.

When establishing the facts in relation to a suspension or permanent exclusion decision the Headteacher must apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Headteacher should accept that something happened if it is more likely that it

happened than that it did not happen.

Headteachers use their professional judgement based on individual circumstance when considering whether to exclude a pupil. Where applicable, up to three reasons can be recorded for each suspension or permanent exclusion.

7. Suspension

A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.

A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, the Headteacher will consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

It is important that during a suspension, pupils still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension.

A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period.

The legal requirements relating to the suspension, such as the Headteacher's duty to notify parents/carers, apply in all cases. Lunchtime suspensions are counted as half a school day.

The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension.

If a student is suspended for 6 or more consecutive days, the school will arrange an alternative provision. If a child is LAC or PLAC the school will attempt to arrange alternative provision from day 1 of any suspension.

8. Permanent Exclusion

A permanent exclusion is when a pupil is no longer allowed to attend a school. The decision to exclude a pupil permanently should only be taken:

- In response to a serious breach or persistent breaches of the school's behaviour policy.
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

For any permanent exclusion, Headteachers should take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) should also be considered.

9. Duty to inform parents/carers

Whenever a Headteacher suspends or permanently excludes a pupil, parents/carers must be notified. For suspensions, this is usually via the Head of Year or a member of the senior leadership team. For permanent exclusions this is by the Headteacher.

In all cases the Headteacher writes a letter to the parents/carers which is e-mailed and sent home via the post.

10. Reintegration strategy meetings following suspension or off-site direction

Where a pupil is suspended or is directed to be educated off-site, upon return to the school both the pupil and parents/carers will be invited to a reintegration strategy meeting. The purpose of the meeting is to:

- Offer the pupil a fresh start.
- Help them understand the impact of their behaviour on themselves and others.
- Teach them to how meet the high expectations of behaviour in line with the school culture.
- Foster a renewed sense of belonging within the school community.
- Build engagement with learning, so that further suspensions are not needed.

School staff will work with the pupil to understand what led to the behaviour and to establish if any changes can be made or further support implemented from a pastoral or practical perspective that might reduce the chance of repeat behaviours. Previous behaviour is not seen as an obstacle to future success.

The school uses various measures to support a pupil's successful reintegration. These might include:

- Daily contact with a designated pastoral professional in-school.
- Use of a report card with personalised targets leading to personalised rewards.
- Academic support via academic mentoring/school hub.
- Planned pastoral interventions and/or Pupil Support Plan (PSP).
- Regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage.
- Informing the pupil, parents/carers and staff of potential external support.

Whilst reintegration meetings are highly encouraged by the school, pupils will not be prevented from being admitted to the school or being put in mainstream classes because a meeting has not taken place unless a risk assessment is necessary.

Reintegration meetings are most frequently led by a member of the senior leadership team and a member of the pastoral team. If the pupil is considered a high risk of a permanent exclusion the Headteacher will lead the meetings.

11. Cancelling a suspension or exclusion

A suspension or exclusion can be cancelled by the Headteacher as long as the suspension or exclusion has not been considered by the trustees. In relation to an exclusion, it cannot be cancelled if the total time the pupil was excluded or suspended that academic year would be over 45 days at the point of the decision to cancel the exclusion.

Where a suspension or exclusion is cancelled, the relevant parties will be informed by the Headteacher in accordance with the Statutory Guidance on Suspensions and Exclusions.

12. Suspensions before a permanent exclusion

In exceptional circumstances, pupils may receive a suspension prior to a permanent exclusion. For each decision, the Headteacher will send the relevant letter setting out the rights of parents/carers. A suspension cannot be converted into a permanent exclusion and so any subsequent permanent exclusion would be a fresh decision due to commence immediately after the suspension had ended.

Exceptional circumstances may include where further evidence has come to light or where the incident was serious and time is required to fully investigate the circumstances and consider alternatives.

13. Directing off-site and managed moves

Before taking any decision to permanently exclude a pupil, the Headteacher will consider whether a direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.

In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the school's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions would take place with parents/carers to feed in their views about the options.

For a managed move to take place there needs to be agreement between the school, the parents/carers and the new school that a managed move should occur. Before a managed move is agreed to, the pupil will attend the new school for a fixed period to ensure that the new school would be suitable for them. We will share relevant information with the new school and check that they have an integration strategy. At the end of this period, the relevant parties (including the parents/carers) will review the placement before a decision is taken about whether the move becomes permanent.

The school will inform the local authority of any managed moves.

14. Reconsideration by the Trustee Board

If a parent/carer wishes to appeal to the Trust Board to request a reconsideration of the suspension the following applies.

Permanent

Must consider reinstatement. Must invite parents/carers or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the Virtual School Head (VSH) for a Looked After Child (LAC) to a meeting and allow oral and written representations to be made. A Local Authority representative must be invited if required by the parents/carers. Their role is as an observer unless the Trust Board gives permission to make representations. This should be done within 15 school days of receiving the exclusion.

Suspension - Any – if exclusion results in pupil missing a public examination or national curriculum test.

Must consider reinstatement. Must invite parents/carers or pupil if over 18, headteacher, the pupil's social worker and if the pupil has one, the VSH for a LAC to a meeting and allow oral and written representations to be made. A Local Authority representative must be invited if required by the parents/carers. Their role is as an observer unless the Trust Board gives permission to make representations. This should be done within 15 school days of receiving the exclusion.

Suspension – Brings total to 16 days or more in a single term.

Must consider reinstatement. Must invite parents/carers or pupil if over 18, headteacher, the pupil's social worker and if the pupil has one, the VSH for a LAC to a meeting and allow oral and written representations to be made. A Local Authority representative must be invited if required by the parents/carers. Their role is as an observer unless the Trust Board gives permission to make representations. This should be done within 15 school days of receiving the suspension

Suspension – Brings total to 6-15 days in a single term.

If requested to do so by parents/carers, must convene a meeting to consider reinstatement. Must invite parents/carers or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the VSH or a LAC to a meeting and allow oral and written representations to be made.

If parents/carers do not request a governing board meeting, the board is not required to consider the suspension and does not have the power to consider the reinstatement of the pupil. This should be done within 50 school days of receiving notice of the suspension.

Suspension – Brings total to 5 days or less in a single term. Must consider any written representation may be parents/carers but cannot direct reinstatement. No deadline. Should happen within a reasonable amount of time.

A summary of the governing board's duties to consider reinstatement⁶²

Conditions of exclusion

Governing board duties

Does the exclusion meet any of the following conditions?

- It is a permanent exclusion
- It is a suspension that alone, or in conjunction with previous exclusions, will take the pupil's total number of days out of school above 15 for a term. This includes suspensions that total 15.5 days
- It is a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test*

↓ Yes

↓ No

The governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.⁶³

*If the pupil will miss a public exam or national curriculum test, the governing board must take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone.⁶⁴

Will the suspension(s) take the pupil's total number of school days out of school above five but less than 16 for the term?

↓ No

Yes

The governing board must consider any representations made by parents but does not have the power to decide whether to reinstate the pupil.

Has the parent made representations?

↓ Yes

↓ No

The governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

The governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.

⁶² Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

⁶³ The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

⁶⁴ The ability for a chair to review in the case of public exams refers only to maintained schools.

15. Remote meetings

The school's preference is for meetings with parents/carers and pupils concerning suspensions or exclusions to take place face-to-face. However, any meeting may be conducted remotely as long as all parties have access to the meeting and can make representations. In addition, where a child's social worker or the virtual school head are due to attend a meeting, they may join an in-person meeting remotely as long as it can be fairly accessed, the technology is available, and everyone can make representations.

16. Complaints

If parents/carers have any concerns or complaints over the application or implementation of this policy or feels that they are being pressured into a managed move, they should raise their concerns with a staff member or the Headteacher in accordance with TGGs' complaints policy. If the concern relates to an exclusion, the statutory procedure set out in the Statutory Guidance on Exclusions and Suspensions will be followed.

17. Equality impact

The school does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics. This includes race, religion, disability, sexual orientation, sex, age and belief.

18. Monitoring arrangements

The senior leadership team and trustees review data on exclusions to ensure that the use of suspensions and exclusions is appropriate.