



Exclusions Policy

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1. Purpose and Context

Aspire AP does not believe that exclusion or suspensions change behaviour. We do acknowledge that they may occasionally be necessary in order to ensure the safety of staff and students or to give us time to plan changes to a students' provision.

This policy has been written in order to:

- Ensure that Aspire AP has a shared commitment to reducing suspensions and to avoiding permanent exclusion wherever possible.
- Ensure that we have clear systems in place for suspensions and permanent exclusions.

This policy has been written in line with the following guidance and legislation:

- The Education Act 2002 (as amended by the Education Act 2011)
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2020
- The Education and Inspections Act 2006
- The Education Act 1996
- The Education (Provision of Full Time education for excluded pupils) regulations 2007 (as amended 2014)
- The Equality Act 2010
- Exclusion from Maintained schools, academies and pupil referral units in England (DfE 2017)
- Behaviour and Discipline in Schools (DfE 2016)
- The SEN Code of Practice 2014

2. Grounds for suspension (previously fixed term exclusion)

Only the Executive Head Teacher has the power to suspend a student from an Aspire AP school. The Executive Head Teacher will suspend a student only when it is absolutely necessary and where all other possible disciplinary and supportive actions, as detailed in the Behaviour Policy, have failed to be successful.

Students can be suspended for up to 45 school days within an academic year.

In all cases, the Executive Head Teacher will decide which suspension period a student will be subject to, depending on what the circumstances warrant.

All suspensions will be formally recorded.

At all times the Executive Head Teacher will take into account their legal duties under the Equality Act 2010 and the SEN Code of Practice, ensuring that they do not discriminate on any grounds.

The Executive Head will not issue any “informal” or “unofficial” suspensions such as sending a student home to cool off, regardless of whether parents/carers have agreed to this. If any other members of staff do this, this will be considered a disciplinary matter.

3. Informing parents/carers

Following the decision to suspend a student, the parents/carers will be immediately informed in person by telephone by a member of the senior leadership team of the school. This will then be confirmed in writing, including the following information:

- The reason for the suspension
- The length of the suspension
- Their right to make representations about the suspension to the Aspire Trustees’ Exclusion Panel, information regarding how the student can be involved in this and how the representation will be made
- Their right to attend a meeting where there is a legal requirement for the Exclusion Panel to consider the suspension and the fact that parents/carers are able to bring an accompanying individual
- The arrangements that have been made for the student to continue their education prior to the return to school
- Relevant sources of free, impartial information
- Indicating that for the first five days of the suspension, or until the start date of alternative provision, or the end of the suspension (whichever is earliest) the parents/carers are legally required to ensure that their child is not present in a public place during school hours without justification and that parents/carers may receive a penalty fine if they fail to do so.

The Chair of Trustees will also be made aware of the suspension.

4. Arranging education for suspended students

For any suspension of more than five days, Aspire AP will arrange suitable full-time education for the student, which will begin no later than the sixth day of exclusion.

Where it is not possible to arrange alternative provision during the first five days of exclusion, Aspire AP will ensure that reasonable steps are taken to set and mark work for the suspended student.

5. Permanent Exclusions

Inclusion sits at the heart of the Aspire AP philosophy. Permanent exclusions would only be used as a last resort after all other avenues have been pursued, and when an Aspire School feels unable to do

any further work with a student to support them to manage their behaviour.

6. The Student Exclusion Panel

As indicated above, parents/carers are able to make representations about exclusions to the Trustees' Exclusion Panel.

In a case where the student's total number of suspended days does not amount to more than five school days within a term, the panel is not required to consider the matter.

If the total number of suspended days is more than five but less than fifteen school days within a term, if requested by the parents/carers, the Panel will consider exclusions within 50 schools days of receiving notification.

The Panel is required to meet within 15 days to consider the re-instatement of an excluded pupil in certain circumstances;

- A suspension would bring a students' total number of excluded days to more than 15 in any given term
- The suspension would result in the student missing a public exam
- The exclusion is permanent

The Clerk to the Trustees will usually clerk the Panel meetings, though meetings may be clerked by another member of the Trustees or a member of the trust's staff.

The clerk will notify the parent/carer, Executive Head Teacher and Local Authority of the panel's decision, including the reasoning for this, without delay.

In the event of a permanent exclusion, where the panel decides not to reinstate the student, they will notify the parent/carer of the following:

- That the exclusion is permanent and inform them of their right for it to be reviewed by an independent review panel. The trust would adhere to all statutory guidelines when conducting an independent panel review, as outlined in statutory guidance.
- The date by which an application for review must be made
- The name and address of who the review application should be submitted to
- Indicate that any application should set out the grounds on which it is being made and that, where appropriate, this should include reference to how a student's special educational needs and disabilities are considered relevant
- That, regardless of whether a student has been identified as having SEND, the parents/carers have a right to the attendance of an SEND expert at the review and that no charge will be made for this
- That the parents/carers are required to make it clear if they wish for a SEND expert to attend the review
- That the parents/carers may appoint someone at their own expense to make representations to the Panel

The panel will inform the parents/carers that if they believe an expulsion has been issued as a result of discrimination, they are required to make a claim under the Equality Act 2010 to the first tier tribunal (SEND) within six months of when the discrimination allegedly took place.