



regencysource
success through partnership

Suspension & Exclusion Policy

November 2023

Introduction:

This policy reflects the DfE guidance and outlines the practice of student suspensions and exclusions.

Regency Source Alternative Provision will only use suspension and exclusion as a final sanction, where all other strategies have been tried, without lasting success or where the student has committed a serious one-off incident.

This policy must be read in conjunction with the DfE's 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. September 2023. Links to these documents can be found in appendix one.

The Suspension and Exclusion Policy should also be read in conjunction with the Behaviour Policy.

Policy Development:

This policy has been developed to reflect the most recent Government guidelines, current thinking and work in collaboration with local authorities.

This policy is available at:

- Online: www.regencysource.co.uk
- On site from the top floor office
- Child friendly versions are available on the website and upon request

This policy is reviewed and evaluated throughout the academic year and updated regularly.

Definition of Exclusion:

Permanent exclusion means the student is expelled from Regency Source Alternative Provision where they attend.

A fixed term suspension is for a specific period of time. A student may be suspended for one or more fixed periods up to a maximum of 45 school days in any one academic year.

Regency Source do not use the language of 'suspension' or 'exclusion'. Instead we use the language of 'reflection time' and 'end of placement'.

Who can exclude and under what circumstances:

Normally, only the Head of Alternative Provision can permanently end a placement for a student.

Exceptionally, in the longer-term absence of the Head of AP, the Managing Director of Regency Source Ltd may delegate this duty an appropriate lead professional.

The Head of Provision and MD have the authority to issue reflection time for a short period of time.

It is commonplace for the Head of AP and MD to discuss with the teaching team the placement for students. It is only upon discussion and reflection with the whole team that a decision about an end of placement is issued.

A decision to end a placement will be only be taken:

- In response to a serious breach or persistent breaches of the Positive Behaviour Management Policy and Behaviour Contract.
- Where allowing the student to remain at Regency Source Alternative Provision would seriously harm the education, welfare and/or safety of the student or others.

Upon the end of placement being reached, the Head of AP or MD will inform the commissioning school / organisation and the key worker where appropriate. Parents / carers will be informed without delay.

The student will receive an end of placement report highlighting the strengths and triggers for use with future placements.

Procedure for Reflection Time:

If reflection time is considered as the most appropriate measure, the Head of AP, along with MD will consult with the teaching team for their input and a joint decision will be made. It is the responsibility of the Head of AP to instigate this process and make the final decision without bias.

The Head of AP will take all necessary steps to gather all appropriate evidence and information over time. When establishing the facts for reflection time, the Head of AP will apply the civil standard of proof e.g. 'on the balance of doubt.' This means that the Head of AP should accept that something happened if it is more likely that it happened than it did not happen.

Following on from a period of reflection time, it is compulsory that a reintegration meeting is held. This serves to address the imbalance of the behaviour and put steps in place to support the student moving forward with their placement.

We expect that at least one other representative for the student be present. This could be a parent/carer, educational worker or key worker along with the Head of AP and one other member of the teaching team.

Before a placement recommencing, the review meeting must have taken place.

Procedure for End of Placement:

If an end of placement is considered as the only available option, the Head of AP, along with MD will consult with the whole teaching team for their input and a joint decision will be made. It is the responsibility of the Head of AP to instigate this process and make the final decision without bias.

The Head of AP will take all necessary steps to gather all appropriate evidence and information over time. When establishing the facts for an end of placement, the Head of AP will apply the civil standard of proof e.g. 'on the balance of doubt.' This means that the Head of AP should accept that something happened if it is more likely that it happened than it did not happen.

The Head of AP may still determine that a period of reflection time may still be the correct path to choose.

In some instances, the period of reflection time may serve better than an end of placement.

Review for End of Placement:

In the event that an end of placement has been actioned, a review of all conduct will be held with the Managing Director and as part of the management team. This serves as a moment to reflect on what could have been different, if all decisions were accurately made and if there are any learning opportunities for us as a provision to develop further.

If parents / carers request an independent review for the end of placement then Regency Source Alternative Provision will support this.

The deadline for this is 15 school days from the date of notice being given. Where an application for independent review is made after 15 days, it is not legally accepted.

Parents/carers must notify:

Mr Matthew Thorne

Head of Alternative Provision

Regency Source

64 Commercial Gate

Mansfield

Nottinghamshire

NG18 1EU

matt@regencysource.com

Police Proceedings:

The Head of AP need not postpone taking a decision on reflection time or end of placement solely because a police investigation is underway and/or criminal proceedings may be brought. In such circumstances, the Head of AP will take a decision on the evidence available to them at the time. Where the evidence is limited by a police investigation or criminal proceedings, the Head of AP will consider any additional steps required to ensure any reflection time or end of placement is equitable and fair.

The final decision on whether to place a student on reflection time or end of placement lies solely with the Head of AP.

The Head of AP and MD will act in a reasonable way to ensure that all students needs are met and accommodated.

Special Educational Needs (SEN) expert:

Whether or not we recognise a student as having SEN, all parents/carers have the right to request the presence of an SEN expert at the independent review. The SEN expert's role is to advise the review, orally or in writing or both, impartially, of the relevance of SEN in the context and circumstances of the review.

Parents/carers must notify the Head of AP in writing at least seven school days before the date of the review if they require an SEN expert to be present using the contact details set out above.

Principles of Natural Justice:

All decisions are based on a balance of probabilities by the Head of AP, MD and any review panel. In making a decision to end a placement or for reflection time, the Head of AP must ensure their decision is fair and based on the facts of the incident and do not include any elements of discrimination.

Any persons representing the review panel should be impartial and unprejudiced.

The Head of AP and MD will not discuss individual cases with others.

Parents/carers will be informed of the case put forward and have an opportunity to challenge it.

Both parties will be allowed to present their case without interruption.

Parents/carers are allowed to bring a friend or adviser but must notify the Head of AP upon request of the review meeting.

All documents to be used should be distributed to all parties within a reasonable time frame.

Other Relevant Legislation:

The Education Act 2002 as amended.

The School Discipline Regulations 2012

The Education and Inspection Act 2006

The Education Regulations 2007 (provision of full-time education for excluded students)

Human Rights Legislation

The Equality Act 2010

SEN Guidance

Suspension and Permanent Exclusion from Maintained Schools, Academies and PRU in England, including pupil movement – Guidance 2023

Monitoring and Review:

The Senior Leadership Team will monitor the effectiveness of the Suspension and Exclusion Policy.

The Suspension and Exclusion Policy and all associated policies and procedures are subject to an annual review. In the event of any significant changes within the organisation e.g. changes in legislation and/or changes to management arrangements within this timeframe, Regency Source reserves the right to make whatever changes it deems appropriate.

Any updated policies and procedures will be made available on the shared drive.

Policy Created	8 th November 2023	M Thorne (Head of AP)
Policy Adopted	8 th November 2023	SLT
Policy Reviewed		

Appendices

Appendix One:

[Suspension and permanent exclusion guidance September 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)