



# Suspension and Permanent Exclusion Policy

To be read in conjunction with **Promoting Good Behaviour Policy**

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<b>Owner</b>	<b>Matt Storey/Ali McGregor</b>

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## Document History

Version	Comments/amendments	Name	Date
1.0	2021 Issue	Matt Storey/Ali McGregor	September 2021
2.0	2022 Issue, DfE Behaviour in Schools 2022	Matt Storey/Ali McGregor	September 2022
3.0	2023 Issue, DfE Suspension and Permanent Exclusion	Matt Storey/Ali McGregor	April 2023
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# Jasmine Hall School – Suspension and Permanent Exclusion Policy

## What legislation does this policy relate to?

The principal legislation to which this policy relates is:

- The Education Act 2002, as amended by the Education Act 2011;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- The Education and Inspections Act 2006; and
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007.
- SEND Code of Practice 2014
- The Equality Act 2010
- DfE Behaviour in School 2022
- DfE (2022) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'

## Who is this guide for?

- The Headteacher
- The Smoothstone Directors
- The Governance Team
- The local authorities that place children in the care of Jasmine Hall School
- Independent review panel members
- Parents & Families

The notion of excluding children from school has become more familiar within education over recent years. It is now a commonly accepted procedure in most educational contexts. This approach has some advantages and disadvantages.

## What follows gives:

a) The main features of our own attitude and policy towards the suspension of pupils

and

b) The procedures we follow in case this course of action becomes necessary

## Our Attitude

1. We are a school which caters for children who have Autism, emotional and mental health issues and needs. We accept that many of our pupils may present with particular behavioural difficulties and challenges. We accept our coping capacity and skills in management has to be sufficient to cope with most problem behaviours we encounter.

2. We have many skills and resources which enable us to manage and support pupils who exhibit periods of provocation and difficult behaviours.

3. The notion of acceptance, effective management and therapeutic intervention are central to our philosophy. We accept that troubled children will often be troublesome to us.

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4. We have always taken the stance that the pupils we accept remain with us. Their acceptance is not conditional upon 'good behaviour'. Their difficult behaviours are part of the presenting problems which have caused their referral. We work with these behaviours in a reparative sense.

5. Many of our pupils have been able to access mainstream schooling for a range of reasons, often these have been related to their behaviour. This makes us very cautious about following a similar course of action. This pattern, for the child's sake, has to be stopped. Pupils are not allowed to turn away from the consequences of their actions, from their growth towards personal responsibility by getting themselves excluded.

6. We work with these challenging behaviours wherever possible and to the extremes of our professional tolerance. This is the nature of our therapeutic and educational resilience as experienced practitioners. It is part of our professional obligation in working with SEND pupils.

7. Suspension, therefore, is very rarely used in our school and should always be considered as a last resort.

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## Where Does Tolerance End?

There is no easy answer to this question. Each situation must be assessed on its own circumstances; each pupil's individual reactions and needs must be taken fully into account. We have never adopted 'standard procedures' for all pupils in these situations. We do not generalise from the particular where our pupils are concerned. Where we have concerns about the behaviour, or risk of suspension of a pupil we will consider that additional support or alternative placement may be required. This will involve assessing the suitability of our provision against a child's SEND. We will consider requesting an annual review or interim/emergency review. There are circumstances, however, in which the only decision left to us (and sometimes the best course of action in the situation we face) is to make a decision to exclude the pupil. This policy now details some of the situations which has led to suspensions in the past

(N.B. these have not always been on the basis of problem behaviour).

## Possible Criteria for Considering Suspension or Permanent Exclusion

1. A pupil who threatens the personal safety of other children. Attacking other children cannot be tolerated. Neither can any form of sexual abuse or drug abuse.
2. A pupil who is constantly creating serious dangers for himself and/or for others (is constantly devising, organising and implementing dangerous, destructive and/or antisocial behaviours). The deliberate and persistent 'leader' for mischief.
3. The child with a persistent and active compulsion towards arson.
4. A pupil who is a genuine threat to staff.
5. A pupil who engages in persistent and serious crime.
6. Behaviour of a pupil outside school can be considered grounds for a suspension
7. A pupil who is unable to benefit from our therapeutic and educational style. Not all pupils can be expected to respond to our form of psychological intervention. If our psycho-dynamic approach is, for whatever reason, seen to be inappropriate (or producing an adverse reaction) we advise the Local Authority accordingly.
8. A pupil who becomes seriously disaffected. We expect our children to know, accept and support our values and standards. If a child totally rejects the school, the other pupils and the staff, we do not persist with his placement.

A decision to permanently exclude a pupil will only be taken:

- In response to a serious breach or persistent breaches of the school's Promoting Positive Behaviour & Discipline Policy
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in school

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These criteria are not the only factors which can contribute to decisions about suspension. There may be deeper clinical and psychological considerations; periodic errors may occur in selection and assessment; there may be insuperable pressures from the family and home contact; unexpected deteriorations in a child's psychological condition can occur; and so on. Again, the important thing is to make careful and informed decisions which are in the best interest of the child, the school community and other pupils. These collective interests cannot always be reconciled, of course. We are well aware of this and we accept the fact that on some occasions the collective good will have to prevail over individual considerations.

## **Some Advantages of Suspension**

1. It takes pressure off the school atmosphere, other pupils and off the staff.
2. It can give a child a 'breathing space' away from the immediate pressure they face. It can offer a chance for emotional relaxation and personal recovery in a context less fraught with situational anxiety.
3. It can give a pupil a chance to reconsider his present attitudes and his future intentions.
4. It gives the school a chance to involve parents and other agencies in the problem and its resolution.
5. The investigation process is sometimes better conducted away from the school setting, away from the pressure of recent difficulties.
6. Suspension can lead to a more realistic formulation of goals and a better working relationship based on negotiation between the school, pupil and the family
7. Precipitous actions, taken in the heat of very difficult situations, can be avoided if we know that suspension is a viable alternative within the school's procedures. This can provide an alternative to serious confrontation with some pupils.
8. For many children, who genuinely like the school, the possibility of being excluded holds no attractions. It can be a real deterrent to bad behaviour for some pupils.

## **Some Disadvantages of Suspension**

1. Suspension can create many additional pressures and difficulties.
2. It takes the child out of the educational and therapeutic support of the school.
3. It takes the child out of a structured and controlled environment and (often) places him in a difficult home or alternative context.
4. It often places the family under additional difficulties.

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5. It can create parental resentments.
  6. It can damage still further the child's place in the family and lead to a further breakdown in family relationships.
  7. It may place the child in a home situation where there is less ability to handle his behaviour than there is at the school.
  8. It may place the referring agencies (LA, Social Services, Psychological Services) under increased pressure.
  9. It may encourage the notion amongst other pupils that bad behaviour provides a possible 'way out' from the school.
  10. Being seen to be 'sent home' is a very attractive idea to a few pupils. There are some who might even see it as a 'reward' for bad behaviour.
  11. It could prove to be totally counter-productive if it is used too frequently. This might produce a tendency to 'off-load' problems rather than to contain them and work them through.

Should suspension become necessary however, it is important to follow our internal procedures. These will help to limit adverse effects and protect the pupil, the school and the family.

## **Procedures for Suspension**

1. There must be full consultation and full investigation of any precipitating circumstances. This process will include senior staff, together with any other staff member involved and any other child involved.
2. Our usual recording procedures must be followed. The proper documenting of event, decisions and action if essential.
3. Precipitous action should be avoided whenever possible. Suspensions should follow proper consultation and communication with parents, the Local Authority and any other referring or supportive agencies. (see Formal Suspension letter, Appendix 1)
4. Whenever possible agreement should be reached in consultation with these people, about the suspension decision. Local Authorities can only provide alternative arrangements (and/or secure alternative school placements) if they are given adequate notice of suspension proceedings.
5. Proper written follow up (reports etc.) should be sent to all parties, if it is a permanent exclusion, it may be helpful to other agencies for us to liaise with them regarding choice of placement etc. If it is a suspension, it is essential that appropriate levelled school work is sent home for the young person to complete during the suspension period.
6. Further meetings for consultation, planning and decision making may need to be arranged.
7. The school based decision about suspension will ultimately rest with the Headteacher in consultation with other senior staff. The opinions of other members of staff involved with the child (i.e. teachers and teaching assistants) must be taken into account.

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8. In cases of alleged sexual/physical/drug abuse the Designated Safeguarding Lead (DSL) Daniel Pallett is the lead DSL at Jasmine Hall School, David Torrance the Deputy DSL) will make the initial assessment and then communicate with appropriate outside agencies.

9. Sometimes suspension has, unavoidably, to be arranged urgently. Even then proper arrangements must be made. Parents and Local Authorities must be informed and appropriate travel provision made.

10. A planned reintegration meeting should take place following any suspension. This will involve teaching staff, a member of SLT, the young person, parents/carers and any other agency representative deemed appropriate.

## **Conclusion**

We expect to use the above procedures very infrequently. It is, however, a response which we reserve the right to use in certain circumstances. It will always be used in a constructive spirit with careful attention paid to striking a balance between the needs of the pupil concerned, their family, the school, our staff and our remaining pupils.