Suspension and Permanent Exclusion Policy

Rivers Academy Suspension and permanent exclusion policy	Reviewed and updated in accordance with the current systems.

Date of last review:	September 2026	**Review period:**	1 year
Date of next review:	September 2027	**Owner:**	Vice Principal
Type of policy:	Statutory/Network	**Regional Board approval:**	Regional Board

Principles

- The Academy is committed to providing optimum learning opportunities for all its students and to supporting this provision through all difficulties experienced by students.
- Any suspension in this context is a major decision and will be made within clear parameters.

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Aims

Our suspension and exclusion policy aims to explain the process followed should a student receive a period of suspension or be permanently excluded. It outlines the process that Rivers Academy will follow, ensuring all relevant parties are notified within a timely matter. Our academy aims to ensure that:

- The suspension and exclusions process is applied fairly and consistently
- The suspension and exclusions process is understood by the Trust, staff, parents/carers and students
- Students at the academy are safe, happy and can make rapid academic progress
- Students do not become NEET (not in education, employment or training)

In order to avoid the use of the suspension and exclusion policy:

Rivers Academy will promote positive behaviour and put students' needs first in order to make well-informed decisions throughout the academy community.

This will be encouraged through positive working relationships based on respect for all.

Rivers Academy will provide a safe learning environment for all within the academy community; free from disruption, addressing all issues in relation to violence, bullying or harassment with a keen eye to the guidance set out in the Equality Act (2010).

Rivers Academy will support the personal development of each student by offering an education that ensures students are well informed, empathetic and able to appreciate differences

Legislation and statutory requirements

This guidance is based on statutory guidance from the Department for Education:

Suspension and Permanent Exclusion from maintained schools, academies and student referral units in England, including pupil movement - September 2023. It is based on the following legislation, which outlines the academy's powers to suspend/exclude students:

- The Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The School Standards and Framework Act 1998
- The Equalities Act 2010

In addition, the guidance is based on:

- The Education and Inspections Act 2006, which looks at parental responsibility for excluded students
- 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 (Proposed for introduction September 2017) This guidance complies with our funding agreement and articles of association

The decision to suspend or exclude

Only the Principal can suspend a student from the academy.

A permanent exclusion will be taken as a last resort and the decision made only by the Principal.

A decision to suspend or permanently exclude a student will be taken only:

● In response to serious or persistent breaches of the academy's behaviour policy, and
● If allowing the student to remain at the academy would seriously harm the education or welfare of others

Before deciding whether to suspend or permanently exclude a student, the Principal will:

● Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension or permanent exclusion were provoked
● Allow the student to give their version of events
● Consider if the student has special educational needs (SEN)

The Academy recognises that certain students, because of unacceptable behaviour, often spend a disproportionate amount of time in discipline, counseling and punishment. These students are worth persevering with and the Academy feels it can help these students if:

● We get full parental support as outlined in the *Partnership for Excellence Agreement.*
● We do not feel that to continue to provide a place for that student significantly damages the learning of others and the well-being of all.
● The student does not persist in disruptive behaviour contrary to the Academy's Behaviour for Learning Policy.
● The Academy will make full use of the student, parent and carer commitment as outlined in the *Partnership For Excellence* agreement and the provisions in the Behaviour for Learning policy.
● The Academy does not exclude a student unless it is absolutely necessary to do so and if there is felt to be no other viable alternative.
● This is in response to serious or continuous breaches of the Behaviour for Learning Policy; or if allowing the student to stay would harm the education or welfare of other students or staff.
● The permanent suspensions of students will be the final sanction at the end of a long series of procedures, which are fully outlined in our Behaviour for Learning Policy.

Types of Suspensions

Suspensions

A suspension is where a pupil is temporarily removed from the school, it is an essential behaviour management tool.

The Principal has overall responsibility for suspensions, supported by the Vice Principals. The Behaviour Manager will organise for appropriate record keeping and completion of all relevant paperwork for suspensions. Heads of Faculty hold all other responsibilities related to suspensions including readmission meetings.

Suspensions are only used for the most serious incidents where the Academy feels that they cannot maintain a safe and orderly learning environment. Consideration of any relevant protected characteristics and whether the student has special educational needs are always included in the decision making process prior to suspension or permanent exclusion.

Following a suspension parents must attend a re-integration interview with the student where the issues are discussed and targets set for returning to the Academy.

Procedure for Suspensions

The Principal informing parents, or a member of the leadership team staff acting on their behalf, will provide the following information, to the parents/carers of an suspended/excluded student:

- The reason(s) for the suspension/permanent exclusion
- The length of a suspension
- To arrange a reintegration meeting for after a suspension
- The Principal is the only member of the academy who will notify the parent(s)/carer(s) of a student by a telephone call that has been permanently excluded. This will be witnessed and minuted by another member of academy staff. If the Principal is absent from school this duty can be delegated to a member of the senior leadership team.

If the suspended student has special educational needs or is disabled, all information will be shared with the academy SENDCO. The SENDCO may then be involved in future meetings regarding this suspension. If the suspended student is in local authority care (LAC), all relevant information will be shared with the local authority and Virtual Schools. A welfare call will be made if the suspension period is longer than a single day, with the first call being made within 48 hours of the suspension period starting.

Parents/Carers and the local authority will be emailed a formal letter for any suspension that has been made, within 24 hours of the parent/carer first being notified. This information will include the following:

- The reason(s) for the suspension
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent
- The date and time of the reintegration meeting following the suspension, as agreed during the telephone call
- Information about parents' right to make representations about the suspension to the regional board
- Where there is a legal requirement for a review panel to meet to consider the reinstatement of a student, and the family have a right to attend a meeting

The letter must notify parents that for the first five academy days of a suspension/exclusion, 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 academy hours without good reason. Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of a suspension/exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant

- The address at which the provision will take place
- Any information required by the student to identify the person they should report to on the first day

The Re-integration Meeting

Re-integration Meetings will be led by the Head of Faculty. The tone of such meetings will be positive. The purpose of the meeting is to positively reintegrate students back into the Academy. To support this process students are expected to arrive at the meeting having reflected on their conduct and considered the targets that they need to adhere to upon being re-admitted to the Academy. These targets will be recorded and will be placed on a suspension report card, which the student will be expected to complete for a period of 1 week following their readmission.

Interviewers must follow the agreed form for a re-integration. Targets set during the interview must be put on the suspension report card, and the student must report to the appropriate person at the end of each day until the Academy is satisfied that targets are being met.

On returning from a suspension some students will be required undertake reintegration and reflection in the learning zone, including restorative conversations, if necessary:

- To ensure students are held to account for poor conduct;
- To ensure incidents of Serious Misconduct leading to a suspension do not disrupt the main academy and the focus on learning when a student returns;
- To enable the Academy Inclusion Team and relevant Faculty staff to meet with the student to discuss their targets for reintegration to mainstream lessons.

Requesting for remote access meetings:

Parents (if the pupil is under 18) or excluded pupils (if they are aged 18 years or older) can request a meeting to be held via the use of remote access but this should not be a default option. A formal written request should be made to Sunita Khara (Vice Principal). skhara@rivers-aspirations.org

Parents should consider the following before this request for a remote meeting is made:

- The technology that will be used for the governing board or RFE Meeting
- Is there appropriate free space from other distractions to enable full participation in the remote meeting
- Where the parent or excluded pupil (if they are over 18 years old) have limited access to the internet, intermittent service or slow internet connection they should not request an remote meeting
- Where the parent or excluded pupil (if they are over 18 years old) initially asked for the meeting to be held via the use of remote access then decide to withdraw the request, they should inform
  the Academy or governing board without delay. The Academy or the Governing board should without delay, arrange the meeting to be held face to face.

Support Post Suspension

Following a period of suspension, students will be placed on a monitoring report based upon the targets that they have set for themselves in their reintegration meeting.

Other methods of support might include:

- Interventions with inclusion team
- Key workers (For those students with special educational needs)
- Round Robins
- Team Around Child Meetings (TAC)
- Pastoral support plan
- External agency support (if meeting threshold)
- A part time table **should not** be used to manage a pupil's behaviour. Any pastoral support plan should have a time limit by which point the pupil will be expected to attend full time. This process will be a formal arrangement and will be regularly reviewed. A part time table can only be approved by the Principal and Vice Principals.

Off-Site Direction

Rivers Academy and Space Studio West London may direct a student to attend educational provision off-site under Section 29A of the Education Act 2002 to improve their behaviour. This is a time-bound, temporary intervention where the academy retains ultimate safeguarding and attendance responsibility. The Principal will send a formal written notice to the parents or carers, and the local authority if the student has an Education, Health and Care Plan, at least two clear days before the placement begins. Formal reviews will take place at relevant intervals in accordance with statutory regulations to evaluate the student's progress against targets. These review meetings must include the Principal, the parents or carers, and a representative nominated by the board of Aspirations Academies Trust who is not the Principal. If the student has an Education, Health and Care Plan, the local authority will also be invited to attend. Legal parental consent is not required for an off-site direction to be issued, although Rivers Academy and Space Studio West London will always seek and consider the views of parents or carers before making a final decision.

Managed Moves

A Managed Move is a permanent transfer to another mainstream school used when the academy and the family agree that a fresh start is in the student's best interest. This strategy is explored to help prevent a suspension or permanent exclusion, but it cannot be used as a sanction and must be completely voluntary. A Managed Move can only proceed with the full, explicit written consent of all parties involved, including the parents or carers, Rivers Academy and Space Studio West London, and the host school. If consent is withheld, the process terminates immediately and the student remains at the academy with an updated internal support plan.

Permanent Exclusion

A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclusion a pupil permanently should 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

A decision to exclude a child **permanently** is a serious one. It will usually be the final step in a process for dealing with disciplinary offenses following a wide range of other strategies, which have been tried without success. The Academy may also seek to support a student with a Managed Move as an alternative

to permanent exclusion.

It is an acknowledgement by the Academy that it has exhausted all available strategies for supporting a student. There will be exceptional circumstances where, in the Principal's judgment, it is appropriate to permanently exclude a child for a 'one off' offense.

A decision to permanently exclude a student would normally be taken in response to:

- Physical assault, verbal abuse or threatening behaviour against any student or adult
- Persistent, serious and on-going bullying, including e-bullying, racist, sexist or homophobic behaviour
- Sexual misconduct
- Drug or alcohol related incidents including possession, supply or use of drugs or alcohol on the academy site
- Theft from others, or of Academy property
- Persistent disruptive behaviour and persistent defiance
  The possession and/or use of any weapons (or any item which could be used as weapons or to cause harm)
- A malicious accusation against a member of staff
- Misuse of social media
- Other breaches of the Code of Conduct or ethos of the Academy deemed to be serious enough to warrant this level of sanction

The Principal (or delegated member of SLT if the Principal is absent) will immediately notify the Chair of the Regional Board and the local authority of:

- A permanent exclusion, including when a suspension is made permanent
- Suspensions which would result in the student being suspended for more than fifteen academy days in a term
- Suspensions which would result in the student missing a public examination.

For a permanent exclusion, if the student lives outside the local authority in which the academy is located, the Principal will also immediately inform the student's 'home authority' of the permanent exclusion and the reason(s) for it, without delay.

Responsibilities regarding suspensions and permanent exclusions are delegated to the Regional Board. The Chair of the Regional Board will arrange for a panel to be formed which will consist of members from a Regional Board and/or the Educational Operational Board. The panel has a duty to consider the reinstatement of a suspended student (if the suspension takes the students beyond 15 days of suspension in the same term) or a student who has been permanently excluded. Within 14 days of receipt of a request, the Regional Board will provide the Secretary of State with information about any suspensions/exclusions within the last 12 months. For a suspension of more than five academy days, the Regional Board will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of the suspension. Provision does not have to be arranged for students in the final

year of compulsory education, who do not have any further public examinations to sit. For permanent exclusions, the local authority is responsible for arranging suitable full-time education to begin no later than the sixth day of the permanent exclusion.

Considering the reinstatement of a student

A panel, consisting of Regional Board and/or the Educational Operational Board members will be formed to consider the reinstatement of a suspended or excluded student. This panel will convene within 15 academy days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent.
- It is a suspension that would bring the student's total number of academy days of suspension to more than 15 in a term.
- It would result in the student missing a public examination.

Panel Decisions

The panel can:

- Decline to reinstate the student.
- Direct the reinstatement of the student, either immediately or on a particular date.

Decision-Making Process

In reaching a decision, the panel will consider whether the suspension or permanent exclusion was lawful, reasonable, and procedurally fair, and whether the Principal followed their legal duties. They will decide whether facts are true "on the balance of probabilities" (which differs from the criminal standard of "beyond reasonable doubt") and consider all presented evidence. Minutes of the meeting and a record of evidence considered will be kept. The outcome will be recorded on the student's educational record. The Chair of the Panel will notify the Principal, parents/carers, and the local authority in writing of the decision and the reasons for it without delay.

Information for Permanent Exclusions

Where an exclusion is permanent, the panel's decision must include:

- Confirmation that the exclusion is permanent.
- Notice of the parents'/carers' right to ask for the decision to be reviewed by an Independent Review Panel (IRP). This notice must include:
    - The date by which an application for an independent review must be made.
    - The name and address to whom the application should be submitted.
    - Requirements that the application set out the grounds for the review, including reference to how the student's Special Educational Needs (SEND) are relevant, where appropriate.
    - Information regarding the right to request a SEND expert to attend the review (at no cost to parents/carers), regardless of whether the student has recognised SEND. Parents/carers must specify this request in their application.
    - Confirmation that parents/carers may appoint someone to make representations (at their own expense) and bring a family representative to the review.

Discrimination Claims

If parents/carers believe the exclusion resulted from discrimination, they may make a claim under the Equality Act 2010. This claim should be lodged within 6 months of the alleged discrimination to:

- The First-tier Tribunal (Special Educational Needs and Disability) for disability discrimination.
- The county court for other forms of discrimination.

Other Relevant Policies

Rivers Academy Behaviour Policy
SEND Policy
Safeguarding and Child Protection Policy
Bullying Policy