Local Procedure/Protocol

School/Home Name:	Sandwell Learning Centre
Local Procedure/Protocol Title:	Suspension Policy
Linked to Group Policy Title & Code:	OPSP25 Suspension Policy
Date Reviewed:	February 2026
Next Update Due:	February 2027
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EQUALITY AND DIVERSITY STATEMENT

Witherslack Group is committed to the fair treatment of all in line with the Equality Act 2010. An equality impact assessment has been completed on this policy to ensure that it can be implemented consistently regardless of any protected characteristics and all will be treated with dignity and respect.

ENVIRONMENT, SOCIAL, GOVERNANCE (ESG) STATEMENT

Witherslack Group is committed to responsible business practices in the areas of: Environmental Stewardship, Social Responsibility, Governance, Ethics & Compliance. An ESG impact assessment has been completed on this procedure/protocol to ensure it can be implemented successfully without adverse implications on our Group goals.

To ensure that this procedure/protocol is relevant and up to date, comments and suggestions for additions or amendments are sought from users of this document. To contribute towards the process of review, please email the named policy lead.

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1. WHAT IS SUSPENSION?

1.1 Suspension means that a student is not allowed to attend school and must remain at home during school hours, under the supervision of a parent or carer.

There are two types of suspension:

- Suspension: the use of the term suspension in this policy refers to an suspension for a fixed period of time. A pupil can be suspended for one or more fixed periods (up to a period of 45 days in an academic year).
- Permanent Exclusion: is when a student is not allowed to return to school and their name will be removed from the school roll or Admission Register.

2. WHO CAN SUSPEND?

2.1 Suspension can only be authorised by the Head Teacher. In their absence, the Head Teacher can delegate the decision to the Deputy Head Teacher or another senior leader. The Head Teacher must contact their Regional Director regarding their decision to suspend to provide a rationale and any other alternatives that they considered before suspension.

3. REASONS FOR SUSPENSION

3.1 Keeping everyone in school safe sometimes means that a student will need to be removed from a situation or suspended from school.

3.2 Our schools have provisions for pupils with complex needs, including social and mental health needs often linked to attachment and ACEs (adverse childhood experiences) and autism. Some pupils may have additional learning needs or developmental delay. Behaviour and incidents will always be considered in context, including determining the degree of intent, premeditation and understanding. We assess and admit pupils on the basis of understanding and providing for the above needs including behaviours that challenge and use incident review processes and analysis as a tool for identifying further supportive strategies and provision. Therefore, we only use suspension only as a last resort in exceptional circumstances. Sometimes this is the only suitable response available to a Head Teacher if all other internal strategies and approaches in our Behaviour Policy have been exhausted or will not be appropriate.

3.3 A decision to suspend will usually be taken if allowing a student to remain in school would:

- cause serious harm to the health, safety or welfare of others in the school.
- cause serious harm to the education of the student or others within the school.

3.4 Suspension is an absolute last resort. The following examples of unacceptable or dangerous conduct may lead to suspension:

- premeditated physical assault, serious actual or threatened violence against others.
- misuse, supply, or intent to supply drugs or alcohol in school.

- carrying or use of an offensive weapon* in school.
- fire starting or arson.
- serial bullying
- racist abuse
- abuse against sexual orientation or gender reassignment
- abuse relating to disability

** Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having with him for such use by him"*

3.5 There may be other situations where the Head Teacher decides that suspension is the only appropriate action and sanction.

4. PROCEDURE FOR A SUSPENSION FOR A FIXED TERM

4.1
- The Head Teacher will review all available evidence, speak to all concerned, including the pupil, before reaching a decision to suspend. The Head Teacher should inform their Regional Director when they have made a decision to suspend as soon as is practicable.
- The Head Teacher should consider all the relevant facts and verified evidence to support the allegations made and consider the Witherslack Group (WG) policy on equal opportunities and whether any incidents were provoked by racial or sexual harassment.
- Parents/ Carers will be contacted immediately to discuss the situation and reasons for suspension.
- Where the pupil has a social worker, or the pupil is Looked-after, the Head Teacher must, without delay after their decision, notify the social worker and/or VSH (Virtual School Head Teacher), as applicable.
- A letter will be sent to Parents/ Carers and the Local Authority commissioner giving details of the suspension, length and date the suspension will end. The letter will remind Parents/ Carers that for the first five days of any suspension, they are legally responsible for the whereabouts of their child. If their child is found in a public place during school hours, they could be issued with a penalty notice. Parents/ carers can designate a responsible adult, for example, an aunt, to fulfil this duty.
- The suspension letter will provide information about the right to challenge a decision and how to make representation about the decision to the appropriate Regional Director using the school's Complaints and Representations Policy and Procedure.
- Reasonable steps will be taken to set and mark work for the first five days of suspension.
- Any suspension should be recorded on the student's file and attendance register.
- From the sixth day of a suspension, the school will provide suitable education in a place of learning, which may not be on the school premises.
- In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion or decision the end a placement may be issued to begin immediately after the end of the suspension.
- The Head Teacher will not postpone taking a decision on a suspension and permanent exclusion solely because a police investigation is underway and/or any criminal proceedings may be brought. In such circumstances, the Head Teacher will need to take a decision on the evidence available to them at the time.

5. RETURN TO SCHOOL MEETING

5.1
- A Reintegration Meeting will be held at the end of the fixed-term suspension period.
- The meeting will be attended by the Head Teacher, the Pastoral Manager, the Parents/ Carers and the student, and where possible a representative from the WG Behaviour and Inclusion team.
- An integrated and multi-disciplinary approach should be considered where there are ongoing concerns about placement due to presentation. This should be via an internal provision review, supported by the

SLT, Behaviour and Inclusion Lead, clinical teams where appropriate and overseen by the Regional Director.

- Strategies will be agreed to support a smooth and appropriate return to school.
- It is best practice to review the situation leading to suspension with the student and discuss how they could have managed things differently. Staff will identify supportive and restorative mechanisms to help the student with modifying their behaviour and avoiding the need for further suspension. Adaptations to risk assessments where this may include a more restrictive approach due to safety concerns should also be discussed.

6. THE PROCEDURE FOR PERMANENT EXCLUSION

6.1
- The Head Teacher should follow the steps outlined in the process for suspension for a fixed term above, setting out clearly that permanent exclusion is being considered due to serious and/ or persistent breaches of the school's policies.
- Where there have been multiple previous suspensions, then the Head Teacher will have ensured regular communication with Parents/Carers and local authority professionals about potential next steps.
- The Head Teacher will discuss the rationale with the Regional Director and follow group protocols for ending placements before the decision is made or communicated to Parents/Carers and the Local Authority.
- The suspension letter will provide information about the right to challenge a decision and any right to appeal through the Witherslack Group Complaints Policy. The letter will contain the name and contact details of the appropriate Regional Director with whom an appeal can be lodged.

7. TERMINATING A PLACEMENT AT OUR SCHOOL

7.1 In rare circumstances, the Head Teacher and other professionals in the team around the child might agree that the school can no longer meet the needs of a pupil. Sometimes a child's needs and personal situation may change significantly, leading them to require a very different type of provision. In these situations, suspension is not usually considered but a well-managed placement move might be appropriate.

7.2 Professionals' meetings will take place, where possible including Parents/ Carers. Potential next steps will be agreed with the Local Authority, which will likely include an early annual review to discuss changes of SEN needs and ensure updated EHCP outlines for potential future providers. Either Witherslack Group or the Local Authority may give notice to terminate the placement. If a placement move is considered to be in the best interests of the young person, then giving formal, written notice to the relevant Local Authority is usually a final decision. This process will be managed with all relevant parties' involvement to ensure a supportive move from the school.

7.3 During this time, the Head Teacher will try to maintain a full-time programme of education for the student. If this is not possible, then work will be provided, remote learning or alternate provision may be put in place, depending on individual risks and needs.

8. REFERENCES AND LEGAL CONTEXT

- The Education Act 2002, as amended by the Education Act 2011
- Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - DfE
- Behaviour in schools, advice for Head Teachers and school staff - DfE
- The Education and Inspections Act 2006
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014
- Human Rights Act 1998, as amended by the Human Rights Act 2004

- Race Relations Act 1976, as amended by the Race Relations Act 2010
- Equality Act 2010
- Part 3, Para 9 and Suspension element of Part 6 (24) (3)a of the Education (independent School Standards Compliance Record) 2014 (England (Amendment) Regulations.
- The Education Act 2002, as amended by the Education Act 2011;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- OPSP07 Behaviour Policy (Schools)
- Keeping Children Safe in Education - DfE
- OPSP09 School's Child Protection Policy and Procedures

9. ASSOCIATED FORMS

None

10. APPENDICES

Suspension letter for parents and local authorities.

Appendix 1 – Suspension letter for parents and Local authorities – this letter should be placed onto school headed paper and sent to the appropriate bodies.

Date

Dear **[parent/carer's name]**

I am writing to inform you of my decision to suspend **[child's name]** for a fixed period of **[period of suspension]**. This means that **[child's name]** will not be allowed in school for this period. The suspension **[begins/began]** on **[date]** and ends on **[date]**

I realise that this suspension may well be upsetting for you and your family but the decision to suspend **[child's name]** has not been taken lightly. **[Child's name]** has been suspended for this fixed period because **[reason for suspension]**.

We will set work for **[name of child]** to be completed during the period of suspension as specified in the previous paragraph. **[detail the arrangements for this].** Please ensure that work set by the school is completed and returned to us promptly for marking

You have a duty to ensure that your child is not found in a public place during this suspension i.e. **[specify dates]** unless there is reasonable justification for this. I must warn you that you may be prosecuted or receive a penalty notice from the local authority, if your child is found in a public place during normal school hours, on the specified dates, without reasonable justification.

You have the right to make representations to the School Board. If you wish to make representations, please contact **[Regional Director]** as soon as possible following the school's Complaints and Representations Policy and Procedure. Whilst the School Board cannot direct reinstatement and is not required to arrange a meeting with you, they must consider any representations you make and may place a copy of their findings on your child's school record.

You **[and your child or pupil's name]** are requested to attend a reintegration meeting with me **[alternatively specify the name of another member of staff]** at **[place]** on **[date]** at **[time**] to discuss expectations, any restorative work that would be beneficial and to confirm the PBS plan. If that is not convenient, please contact the school as soon as possible to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed and to discuss the expectations of your child on their return.

[Name of child]'s exclusion expires on **[date]** and we expect **[name of child]** to be back in school on **[date]** at **[time]**.

Yours sincerely

Head Teacher