



INDEPENDENT JEWISH DAY SCHOOL
an ACADEMY

Suspension Policy

Date: September 2023
Review Date: September 2026

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At the Independent Jewish Day School, we understand that good behaviour and discipline is essential for promoting a high quality of education.

Amongst other disciplinary sanctions, the school recognises that suspension of pupils may be necessary where there has been a serious breach, or consistent breaches, of the school's Behaviour Policy. Suspending a pupil may also be required in instances where allowing the pupil to remain in school would be damaging to the education of others; in all cases, suspending pupils should only be used as a means of last resort.

The school has created this policy to clearly define the legal responsibilities of the Headteacher, Directors and LA when responding to pupil suspensions, in order to ensure that they are dealt with both fairly and lawfully, and in line with DfE statutory guidance.

This policy also aims to secure a pupil's right to an education despite having been suspended, by ensuring that appropriate arrangements are in place.

LEGISLATION

The principal legislation to which this policy relates to is;

- The Education Act 2002, as amended by the Education Act 2011
- The School Discipline Regulations 2012 (Pupil Exclusions and Reviews, England)
- The Education and Inspections Act 2006
- The Education Act 1996
- The Education Regulations 2007 (Provision of Full-Time Education for Excluded Pupils, England) as amended by the Education Regulations 2014.

GROUNDS FOR SUSPENSION

The school will only suspend a pupil where it is absolutely necessary and where all other possible disciplinary sanctions, as detailed in the school's Behaviour Policy have failed to be successful.

The following examples of behaviour may underline the school's decision to suspend a pupil:

- Any incident which poses a risk to other pupils or members of staff
- Any incident which breach the law
- Persistent and severe bullying
- Verbal and physical abuse
- A single, serious and major incident, eg. serious assault on another individual leading to injury.

Pupils can be suspended on a fixed term basis; up to 45 school days within a year, or permanently.

Similarly, fixed term suspensions can be extended into permanent exclusions where further evidence is presented.

In all cases, the Headteacher will decide which suspension period a pupil will be subject to, depending on the circumstances.

The Headteacher's Duty

- Only the Headteacher has the power to suspend a pupil from the school, and is able to decide whether this is on a fixed period or permanent basis. All suspensions will only be issued on disciplinary grounds.
- Any decision made to suspend a pupil will be lawful, proportionate and fair, with respect to legislation relating directly to suspensions and the school's wider legal duties. All suspensions will be formally recorded.
- When sending a pupil home following any suspension, the Headteacher will ensure that they exercise their duty of care at all times and will always inform the parents first.
- The Headteacher will apply the civil standard of proof when responding to the facts relating to a suspension, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true.
- The Headteacher may withdraw any suspension that has not already been reviewed by the Directors.
- At all times, the Headteacher will take into account their legal duties under The Equality Act 2010 and the SEND Code of Practice ensuring that they do not discriminate on any grounds, e.g. race, sex, disability, etc., and will not increase the severity of a pupil's suspension on these grounds.

Factors to consider when suspending a pupil

When considering the suspension of a pupil, the Headteacher will:

- Allow the pupil the opportunity to present their case,
- Take into account any contributing factors that are identified after a case of poor behaviour has occurred, eg. if they have been subject to bullying or their wellbeing is compromised,
- Take into consideration whether the pupil has received multiple suspensions and whether it is serving as an effective sanction,
- Consider early intervention to address underlying causes or disruptive behaviour including liaising with external agencies, to assess pupils who demonstrate consistently poor behaviour.

The Headteacher will consider what extra support may be available for vulnerable pupil groups whose suspension rates are higher, in order to reduce their risk of suspension, including the following:

- Looked after children (LAC)
- Disadvantaged children
- Pupils with SEND
- Certain ethnic groups

In light of the above, the Headteacher will consider avoiding permanent exclusion for pupil groups who are particularly vulnerable to the impacts it would create for them, such as looked after children.

Where any member of staff has concerns about vulnerable pupil groups and their behaviour, they will report this to the Headteacher who will consider what extra support or alternative placement might be required.

The Headteacher will work in conjunction with the parents of any pupil with additional needs, in order to establish the most effective support mechanisms.

Duty to inform parents

Following the Headteacher's decision to suspend a pupil, they will inform the parents immediately, without delay, of the period of the suspension and the reasons behind this.

The Headteacher will inform the parents in writing of the following:

- The reasons for the suspension,
- The length of the fixed term suspension, or if it is a permanent exclusion,
- The parents right to raise any representation of the suspension to the Directors, including how the pupil will be involved in this and how the representations will be made,
- The parents have the right to attend a meeting where there is a legal requirement for the Director to consider the suspension and the fact that they are able to bring an accompanying individual.
- The arrangements that have been made for the pupil to continue their education prior to the organisation of any alternative provision or the pupil's return to school.
- Relevant sources of free impartial information.

The Headteacher will inform the parents by the end of the afternoon session that for the first five days of the suspension, the parents are legally required to ensure that their child is not present in a public place during school hours without justification and that the parents may receive a penalty fine if they fail to do so.

Where the Headteacher has arranged alternative provision, the Headteacher will also inform the parents of the start date, start time and finishing times, address and who to report to at the alternative provision. If this cannot be provided the afternoon of the suspension, it will be provided within 48 hours, in writing.

If the Headteacher has decided to extend the pupil's suspension from a fixed term to a permanent exclusion, the reasons for this must be put in writing.

Duty to inform the Directors and the Local Authority

The Headteacher will inform the Directors and the Local Authority without delay of the following:

- Any permanent exclusions, including where a fixed term suspension has extended to become permanent,
- Any suspensions which would result in the pupil being suspended for more than 5 school days in a term,
- Any suspension which would result in the pupil being absent from an examination or national curriculum test.

All notifications to the Directors and Local Authority will include the reasons for the suspension and the duration of any fixed term suspension.

If the pupil who is suspended lives outside the Local Authority in which the school is located, the Headteacher will notify the pupil's 'home authority'.

Arranging Education for Suspended Pupils

For any fixed term suspension, of more than five school days, the school will arrange suitable full-time education for the pupil, to begin no later than the sixth day of suspension.

Where it is not possible to arrange alternative provision during the first five days of suspension, the school will ensure that they take reasonable steps to set work for the suspended pupil.

If the suspended pupil has SEND, the school will ensure that any alternative provision is arranged in consultation with the parents who are able to request preferences.

Considering suspensions and exclusions

The Directors will consider any representations made by the parents in regard to the suspension.

Parents, the Headteacher and where applicable a member of the Local Authority will be invited to attend any consideration of suspension and will be able to make representations.

Any meeting to consider a suspension or a permanent exclusion will be arranged at a date and time convenient for all parties, in compliance with any statutory time limits.

The Directors will consider suspensions and permanent exclusions where the suspension may become permanent, the fixed term suspension exceeds five days in a school term and/or the suspension results in missing a public examination.

In the case of a fixed term suspension, where the pupil's total number of days does not amount to more than five, the Directors will consider representations made by parents but will not be able to reinstate the pupil.

Where the suspension results in a missed public examination, this will be considered beforehand, to decide if the pupil should be reinstated in time to sit the examination.

When considering suspensions and exclusions, the Directors will:

- Only discuss the suspension with the parties present at the meeting,
- Ask for any written evidence prior to the meeting,
- Circulate any written evidence and information to all parties, at least two days in advance of the meeting,
- Allow pupils and parents to be accompanied by a person of their choice at the meeting,
- Consider what reasonable adjustments need to be made to support the attendance and contribution of others at the meeting,
- Identify the steps needed to enable and encourage the suspended pupil to attend the meeting and speak on his/her behalf,
- Consider the interests and circumstances of the suspension including grounds for extending it to an exclusion.

Reaching a decision

After meeting and considering the evidence, the Directors will either:

- Uphold a suspension
- Uphold an exclusion
- Reinstate the pupil immediately, or on a specified date.
- Notify the parents of the suspended pupil, the LA and the Headteacher of their decision without delay.
- This decision is final.

This policy is reviewed every 3 years, or earlier should the need arise.

Signed: Mr Yosh Radomsky (Headteacher)

Dated: September 2023