



Suspensions and Permanent Exclusions Policy

December 2023

Contents:	Page no:
Important contacts	3
Our school, culture, ethos and values	4
1. Aims	5
2. Legislation and statutory guidance	5
3. Definitions	6
4. Roles and responsibilities	6
5. Considering the reinstatement of a pupil	10
6. Appeals	12
7. School registers	13
8. Returning from a suspension	14
9. Monitoring arrangements	14
10. Links to other policies	15

Important Contacts

ROLE/ORGANISATION	NAME	CONTACT DETAILS
Designated Safeguarding Lead (DSL)	Rebekah Dennett	Rebekah.dennett@rocnorthwest.co.uk 01772 957062 07776 528079
Deputy DSL	Sean Di Sora	Sean.disora@lintonschool.co.uk 01772 957062 07840 803896
Deputy DSL	Paul Barton	Paul.barton@lintonschool.co.uk 01772 957062
Regional Lead	Declan Tuer	Declan.tuer@caretech-uk.com 07827 302334
Local Authority Designated Officer (LADO) for Lancashire County Council	Tim Booth	Tim.booth@lancashire.gov.uk 01772 536694
Lancashire County Council – Multi-Agency Safeguarding Hub (MASH)		0300 123 6720 0300 123 6722 (out of office hours)
Local Authority Designated Officer (LADO) for Blackpool Council	Amanda Quirke	Amanda.quirke@blackpool.gov.uk 01253 477541
Blackpool Council – Multi-Agency Safeguarding Hub (MASH)		01253 477299
Channel helpline		020 7340 7264

Our School

Linton School is an independent special school for young people with social, emotional and mental health difficulties for both boys and girls aged 8-18 years old. The school is registered for up to 12 learners and consists of 4 small classes to provide a nurturing environment to develop and progress throughout their learning journey. We are a trauma informed school that is able to support children and young people who suffer with trauma or mental health problems and whose troubled behaviour acts as a barrier to learning. Located in rural Preston we therefore benefit from some amazing outdoor space where we develop our outdoor, equestrian and horticulture skills. All the staff at Linton School are committed to creating a setting which not only focuses on academic success, but also provides our learners opportunities to develop their social, communication and independent skills.

Culture and Ethos

We are committed to providing a nurturing, safe and ambitious learning environment that supports every young person to achieve lifelong skills through a diverse learner centred curriculum. Respectful and supportive relationships are at the heart of all we do; we value every member of the school community equally. Through bespoke curriculums tailored towards each individual pupil's needs, experiences, interests and strengths we foster a love for learning and support our young people to achieve their full potential. As an educational setting our main aim is to prepare our pupils to make a positive contribution towards society by giving our students the skills they need to be successful, resilient and inspirational young adults. Linton schools purpose is to improve the quality of life for our young people both now, and in the future by, 'building our futures together'.

The Vision

Linton School provides a safe, nurturing learning environment to provide skills for lifelong opportunities, which gives the young people an ambitious outlook towards their future.

The vision drives everything we do and will be achieved through:

- Outdoor enrichment activities to promote life skills through play, nurture and teamwork.
- Promoting independence, patience and listening skills through Equestrian lessons.
- Multi-disciplinary links from both internal and external companies to provide a bespoke, broad and balanced curriculum that develops the education of our pupils.
- Empowering each learner to achieve their personal goals and develop a lifelong love of learning.
- A positive and ambitious school environment that promotes learning for all.
- Offering a broad range of learning experiences within the curriculum that values academic attainment as well as developing social skills, experiences and resilience.

More information about the school can be found in the school Prospectus.

1. Aims

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our school aims to:

- Ensure that the exclusions process is applied fairly and consistently
- Help the Proprietor / Proprietor Representative, staff, parents and pupils understand the exclusions process
- Ensure that pupils in school are safe and happy
- Prevent pupils from becoming NEET (Not in Education, Employment or Training)
- Ensure all suspensions and permanent exclusions are carried out lawfully

A note on off-rolling

‘Off-rolling’ is a form of gaming and occurs where a school makes the decision, in the interests of the school and not the pupil, to:

- Remove a pupil from the school roll without a formal, permanent exclusion, or
- Encourage a parent to remove their child from the school roll, or
- Retain a pupil on the school roll but does not allow them to attend the school normally, without a formal permanent exclusion or suspension

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has Special Educational Needs and/or a Disability (SEND) that the school feels unable to support, or
- Due to a pupil’s poor academic performance, or
- Because the pupil hasn’t met a specific condition, such as attending a reintegration meeting

If any pupil is suspended or excluded on the above grounds, this will also be considered as ‘off-rolling’.

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](#).

It is based on the following legislation, which outlines schools’ powers to exclude pupils:

- Section 51a of the [Education Act 2002](#), as amended by the [Education Act 2011](#)
- [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded pupils
- Section 579 of 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](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)
- The [School Inspection Handbook](#), which defines ‘off-rolling’

This policy complies with our funding agreement and articles of association.

3. Definitions

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a ‘fixed-term exclusion’.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ‘exclusion’.

Off-site direction – when the Proprietor / Proprietor Representative of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.

Parent – any person who has parental responsibility and any person who has care of the child.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

4. Roles and responsibilities

4.1 The Head Teacher

Deciding whether to suspend or exclude

Only the Head Teacher, or acting Head Teacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The Head Teacher will only use permanent exclusion as a last resort.

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

- In response to serious or persistent breaches of the school’s Behaviour Policy, and
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a pupil, the Head Teacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events

- Consider whether the pupil has Special Educational Needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a Looked-After Child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

The Head Teacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

The Head Teacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.

Informing parents

If a pupil is at risk of suspension or exclusion the Head Teacher will inform the parents as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the Head Teacher decides to suspend or exclude a pupil, the parents will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about the parents' right to make representations about the suspension or permanent exclusion to the Proprietor / Proprietor Representative and, where the pupil is attending alongside parents, how they may be involved in this
- How any representations should be made
- Where there is a legal requirement for the Proprietor / Proprietor Representative to hold a meeting to consider the reinstatement of a pupil, and that parents have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- That parents have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the pupil is of compulsory school age, the Head Teacher will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents 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, if possible:

- 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 the pupil needs in order to identify the person they should report to on the first day

If the Head Teacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

If the Head Teacher cancels the suspension or permanent exclusion, they will notify the parents without delay, and provide a reason for the cancellation.

Informing the Proprietor / Proprietor Representative

The Head Teacher will, without delay, notify the Proprietor / Proprietor Representative of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

Informing the local authority (LA)

The Head Teacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Head Teacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The Head Teacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

Informing the pupil's social worker and/or virtual school head (VSH)

If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the Head Teacher will inform **the social worker** as early as possible

- **Pupil who is a Looked-After Child (LAC)** is at risk of suspension or exclusion, the Head Teacher will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the Head Teacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any meeting of the Proprietor / Proprietor Representative about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances that may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

Cancelling suspensions and permanent exclusions

The Head Teacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the Proprietor / Proprietor Representative. Where there is a cancellation:

- The parents, Proprietor / Proprietor Representative and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The Proprietor / Proprietor Representative's duty to hold a meeting and consider reinstatement ceases
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back in school without delay

Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a suspension, if the pupil is not attending Alternative Provision (AP), the Head Teacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways may be used for this. If the pupil has a Special Educational Need or Disability, the Head Teacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

4.2 The Proprietor / Proprietor Representative

Monitoring and analysing suspensions and exclusions data

The Proprietor / Proprietor Representative will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The Proprietor / Proprietor Representative will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

4.3 The Local Authority (LA)

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For pupils who are looked after or have social workers, the LA and the school will work together arrange suitable full-time education to begin from the first day of the exclusion.

5. Considering the reinstatement of a pupil

The Proprietor / Proprietor Representative will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the pupil's total number of days out of school to more than 15 in a term; or
- It would result in a pupil missing a public exam or National Curriculum test

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the Proprietor / Proprietor Representative must consider any

representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the Head Teacher to reinstate the pupil.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents make representations to the board, the Proprietor / Proprietor Representative will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet and it cannot direct the Head Teacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the Proprietor / Proprietor Representative will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the Proprietor / Proprietor Representative may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the governing board and allowed to make representations or share information:

- Parents, (and, where requested, a representative or friend)
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The Head Teacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- A representative of the local authority

The Proprietor / Proprietor Representative meetings can be held remotely at the request of parents.

The Proprietor / Proprietor Representative will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The Proprietor / Proprietor Representative can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, The Proprietor / Proprietor Representative will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the Head Teacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the governing board

They will decide whether or not a fact is true 'on the balance of probabilities'.

The clerk will be present when the decision is made.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

The Proprietor / Proprietor Representative will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents
- The Head Teacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the Proprietor / Proprietor Representative has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

6. Appeals

If parent/guardian/carers wish to appeal the exclusion then they must do so in writing to the Declan Tuer (Declan.tuer@caretech-uk.com) or suitable proprietor representative within one week of the letter notifying the parents or guardians of the exclusion. Declan Tuer or suitable proprietor representative will establish an Appeal Panel to consider the appeal.

The Appeal Panel will normally convene within 15 working days of the receipt of the letter requesting the appeal. No-one on the panel will have had any prior involvement with the decision making process surrounding the exclusion. If appropriate Declan Tuer or suitable proprietor representative will appoint a SEN expert to advise the review panel.

The parents or guardian may bring a representative to the meeting. All letters and documents provided as evidence by the Head Teacher, shall be made available to the parents or guardian prior to the hearing. The parent/guardian/carers or their representative may ask questions of the Head Teacher or may raise any relevant matter for the consideration of the Panel. The Panel may call for any further information it requires. No evidence or argument shall be presented to the Panel in the absence either of the parent/guardian/carers or their representative, or in the absence of the Head Teacher or Declan Tuer or suitable proprietor representative. At the conclusion of the hearing, the Panel shall retire to consider what recommendation it may make.

The Appeal Panel may recommend:

- The exclusion is confirmed
- The exclusion is rescinded
- The exclusion be rescinded and replaced with an alternative sanction.

However, the final decision will always rest with Declan Tuer or suitable proprietor representative, who may or may not accept the recommendations of the panel.

The recommendation shall be communicated to the parent/guardian/carers and the Head Teacher.

Every child has a right to confidentiality – it will be kept in the strictest confidence and only disclosed to those who need to know. We appreciate that such sensitive matters must be dealt with in confidence.

7. School registers

A pupil's name will be removed from the school admission register if:

- 15 school days have passed since the parents were notified of the Proprietor / Proprietor Representative's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying to appeal

Where an application for an appeal has been made within 15 school days, the Proprietor / Proprietor Representative will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e. permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

8. Returning from a suspension

8.1 Reintegration strategy

Following suspension, or cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life for the pupil:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Daily contact in school with a designated pastoral professional
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents and staff of potential external support

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

8.2 Reintegration meetings

The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents in the event that they cannot or do not attend.

The school expects all returning pupils and their parents to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

9. Monitoring arrangements

This policy will be reviewed by the Rebekah Dennett, Head Teacher annually.

At every review, the policy will be approved by the Rebekah Dennett, Head Teacher and Declan Tuer, Regional Lead.

This policy is due for renewal in December 2024.

10. Links to other policies

This policy is linked to our:

- Behaviour policy
- SEND policy