

Suspension

Information for Parents

Suspension is a very serious matter. Only a school's head teacher (or named deputy if the head teacher is not on the school site) can suspend a pupil.

A head teacher may decide to suspend a pupil for a fixed period of time if:

- The pupil has broken the school's discipline or behaviour policy;

A child can have only 45 days Suspensions in a school year and lunchtimes count as half a day.

How should I be told that my child has been given a suspension?

Once the head teacher has decided to suspend your child, someone should contact you as soon as possible, preferably by telephone, to tell you the length of the Suspension and explain the reason for the decision. The Suspension usually begins on the next day but can start on the day of the incident that led to the Suspension. The head teacher must then write to you, without delay, telling you:

- the reason(s) for the Suspension;
- the length of the Suspension (i.e. date the Suspension starts, how many days it will last and the date your child should return to school);
- your right to put your views in writing to the governors and how you can do this;

- for longer Suspensions and where the governors must meet to consider the exclusion, your right to attend the meeting to put your views in person and bring a friend or representative.

You should also be notified without delay, and by the end of the afternoon session:

- that you must make sure your child stays at home (i.e. not in a public place without reasonable justification) during what would normally be school hours and that you can be fined or taken to court, if your child is found outside the home during these hours

Should the school provide education while my child is suspended?

The school should take reasonable steps to set and mark work for your child during the first five days of an Suspension and school should set out the arrangements for this. Any work set should be accessible and achievable by pupils outside of school.

If the Suspension is for more than 5 days, the school should arrange alternative full-time education from the sixth day, although it may start sooner. You should be given at least 48 hours notice of the arrangements the school has made for this provision, unless it starts before the sixth day. Information should include the start date, start and finish times, where the provision will take place and who you child should report to. This information can be sent via letter, email or text.

Suspensions of 5 school days or less in one term: Governors do not have to meet you, although if you ask for a meeting it is the Local Authority's view that it would be good practice for them to agree. If your child would miss a public exam (for example GCSE) because of the Suspension, governors must agree to meet you. You do have the right to put your views to governors in writing. Governors must review the Suspension, if asked to do so, but cannot overturn the Suspension.

Suspensions of more than 5 days but fewer than 15 days in one term: Governors must agree if you ask for a meeting. The meeting must take place within 50 school days from the date governors are told of the Suspension.

Suspensions of more than 15 days, either as one Suspension or in total in one term: Governors must meet to review the Suspension(s) and you should be invited. This meeting must take place within 15 school days from the date on which governors are told that the number of days Suspension in that term is more than 15. This means that the meeting may sometimes be held after your child as returned to school. However, it is still your opportunity to make your views known to the governors.

If you think the Suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal under the Equality Act 2010. If your child has a disability or is from an ethnic minority background and you would like information or advice, contact the Equality Advisory Support Service or the Intercultural Curriculum Support Service (see **Useful contacts** at the end of this leaflet)

The Governing Board

A sub-committee of the Governing Board may be made up of at least 3 of the school's governors. It follows guidance from the government and the school's policies on behaviour.

They must monitor the use of exclusion in the school and the purpose of the meeting is to listen to what you and the school have to say about your child's behaviour and to decide if exclusion, and the length of exclusion, was a reasonable response to that behaviour.

How do I put my views to governors?

You can put these in writing or in person at a meeting of the Governing Board. You may take someone with you. This can be a friend or relative, or anyone else you feel would be supportive – you should tell the clerk if you are bringing someone with you.

You will always be asked to any meeting that is held, but you do not have to go. If you want to go but cannot go at a date within the legal time limits, speak to the Clerk as soon as possible to arrange a date which is convenient to you.

What happens next?

Usually, fixed period suspensions end before governors are able to meet. If governors decline to reinstate your child the exclusion stays on your child's record – if your child is still suspended, governors will either confirm the length of the exclusion or say what date your child should return to school.

If governors decide to reinstate your child, a note may be made on your child's school file and your child, if still suspended, returns to school immediately.

In either case, there is no further right of appeal against the exclusion, unless your child has a disability, in which case you may appeal to First Tier Tribunal.

Head teachers often arrange a formal reintegration for your child, especially if the exclusion has been for more than a few days. You may be asked to a meeting to discuss this on the day your child is due back to school but if you are unable to go to the meeting on that morning, your child must still return to school – the exclusion must not be extended until you can go to the meeting.

Useful Information

The Coram Children's Legal Centre
www.childlawadvice.org.uk

The Advisory Centre for Education (ACE)
www.ace-ed.org.uk

SENDIASS

<https://www.kids.org.uk/warwickshire-sendiass-front-page>

<https://www.warwickshire.gov.uk/exclusions>

Telephone: 02476 366054

Email: wias@family-action.org.uk

Website: www.family-action.org.uk/wias

Drug or Alcohol Advice

<https://www.warwickshire.gov.uk/drugs>

Intercultural Curriculum Support Service

Telephone: 01788 562841

Equality Advisory Support Service

Telephone: 0808 800 082

www.equalityadvisoryservice.com

Local Government and Social Care Ombudsman

www.lgo.org.uk

Special Educational Needs and Disability First Tier Tribunal

www.gov.uk/special-educational-needs-disability-tribunal