



NORWICH SCHOOL

Suspension and Exclusion Policy

This policy is reviewed by the Senior Management Team (SMT) every three years. This policy was last reviewed and agreed on in Lent 2024. It is due for review in Michaelmas 2027.

Confirmed by:

Tony Little	Governor	Michaelmas 2021
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Version Control

The version control table should be updated each time:

- a **change** is made to an **agreed version** of a document; or
- a previously agreed document version is **reviewed with no changes** (i.e. at annual review no changes are required and the document continues to be live for the following year).

Use the following convention: version 1.0 (first version), version 2.0 (major change to version 1.0 and issued as a new version), version 2.1 (second version with minor change)

Version number	Date issued	Author / key contact	Change(s) summary <ul style="list-style-type: none">• Minor changes can be authorised by a senior staff member and do not need formal approval.• Major revisions require approval through the confirming authority (typically a Committee)
1.0	10.12.2021	Nicky Fairweather / Colin Evans	
1.1	10.10.2022	Nicky Fairweather	Appendices from Behaviour Support and Intervention Policy moved to Suspension and Exclusion Policy.
1.2	17.04.2024	Nicky Fairweather	Procedure for Suspending or Expelling a Pupil – short, fixed term suspensions to be confirmed in writing within 24 hours (not 3 days).

Contents page

Version Control.....	1
Contents page	2
Purpose and Aims	3
Terminology	3
Criminal Offence.....	3
The Decision to Suspend a Pupil.....	3
Penalty Notices in Cases of Suspension	4
The Decision to Expel a Pupil.....	4
Procedure For Suspending or Expelling a Pupil	5
Oversight.....	5
Appeals Procedure.....	5
Document Control	7
APPENDIX 1: Guidance on Confiscation of Pupils' Belongings.....	8
APPENDIX 2: Pupil Searches.....	9
APPENDIX 3: Restraint of Pupils and the Use of Force	11

Purpose and Aims

The purpose of this policy is to make clear, to parents, pupils, Governors and other members of the School community, the circumstances in which a pupil might be excluded, temporarily or permanently, from the School for disciplinary offences.

This policy is to be read in conjunction with the School's Behaviour Support and Intervention Policy.

Terminology

Suspension means that a pupil has been sent home for a limited period either:

- As a disciplinary sanction
- Pending the outcome of an or an appeal

Expulsion means that the pupil has been required to leave the School permanently on the basis that it has been proven on the balance of probabilities that the pupil has committed:

- A number of disciplinary offences
- One or more serious disciplinary offences
- Bought the reputation of the School into disrepute

Criminal Offence

If a pupil is accused of a criminal offence the Head will generally decide that it is in the interests of the pupil concerned and of the School community as a whole for that pupil to be educated off-site whilst a police investigation is ongoing, this will be subject to review at regular intervals.

In the event that the pupil is found to have committed the offence, the School reserves the right to expel the pupil without any further investigation, the School will take into account all the facts and circumstances of the case when making its decision.

Whilst the pupil remains on the School roll, the School will communicate with the pupil through their parents about academic work and with regards to the pupil's welfare.

The Decision to Suspend a Pupil

A decision to suspend a pupil will only be taken where there has been a single serious breach or repeated minor breaches of the School's rules and / or policies and / or procedures, whether in academic matters, for poor behaviour, law breaking and / or bringing the School into disrepute.

A decision to suspend a pupil may be taken by the Head or Principal Deputy Head for Senior School pupils or the Head of the Lower School for Lower School pupils.

An extended period of suspension would usually only be deemed appropriate in circumstances where a safety plan is deemed unworkable by the School.

Penalty Notices in Cases of Suspension

Pupils will usually be suspended for between one to five days, although there may be circumstances where external investigations led by other agencies require this to be longer. During this time and, where appropriate, the School will work with the family to ensure that academic work is set for the pupil.

However, during this time, the parents of the pupil in question must ensure that they are not present in a public space during normal school hours without reasonable justification. This requirement applies whether or not the pupil is in company of a parent or guardian or on their own.

The Decision to Expel a Pupil

A decision to expel a pupil is a serious one and will only be taken where the basic facts have been clearly established on the balance of probabilities.

The final decision to expel a pupil will be taken only by the Head.

Expulsion is usually a last resort when a pupil has rendered their membership of the School untenable as a result of serious or sustained breaches of the School's rules and / or policies and / or procedures, affecting the well-being of themselves, or others, or affecting the education of others.

There will, however, be exceptional circumstances where, in the Head's judgement, it is appropriate to expel a pupil for a first or 'one off' offence, including (but not limited to):

- Serious actual or threatened violence against another pupil or a member of staff or a third party;
- Sexual abuse or assault;
- Using or supplying illegal drugs, so called legal highs or banned controlled substances or possessing them, whether on or off school premises, at any time when the School might be considered responsible for their actions;
- Carrying an offensive weapon;
- Using derogatory or offensive language whether verbally or in writing;
- Any electronic or online activity which has or could have brought the School into disrepute.

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the School community.

Procedure For Suspending or Expelling a Pupil

Whenever a pupil is suspended or expelled, the parents will be notified immediately, by telephone or in a meeting. The decision to suspend or expel a pupil, together with broad reasons for the decision, will be confirmed to the parents in writing – for short, fixed term suspensions this will be within 24 hours, for longer term suspensions or expulsion this will usually be within three working days.

Oversight

The Head will report any expulsion to the Chair of Governors and to the wider Governing Body once any appeal process has concluded.

Appeals Procedure

If the parent/guardian(s) seek to appeal any decision by the Head to suspend a pupil for more than five days during term time (excluding holidays) or expel a pupil, they will be referred to the Clerk of the Governors for an Appeal Hearing. Appeals will only be considered if they are made in writing to the Clerk of Governors within ten days of receiving the decision of the Head. The parents should clearly set out the detail of their dissatisfaction with the decision and the grounds of their Appeal. Their parents should include with their letter a list of documents or materials that they believe the School is in possession of and that they wish the panel to see.

The Clerk will acknowledge the parents' appeal in writing within five days of receipt and will call a panel hearing on behalf of the Chair of Governors. A panel will be called as soon as is reasonably practical, normally within twenty days of receiving the parents' appeal. The panel will not normally sit during the School holidays.

The Chair of Governors may nominate members of the panel ensuring that no panel member is themselves subject of or in any other way related or conflicted by the Head's decision. The panel will consist of at least three people not involved in the original decision, one of whom shall be independent of the management and running of the School. The Chair shall nominate a chairmanship of the panel.

If the panel deems necessary, it may require that further particulars of the decision be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties no later than five days prior to the hearing.

The parents may be accompanied to the hearing by one other person. This may be a relative, or friend, for example the parents may not be accompanied to the hearing by an employee, past employee or governor of the School. As this Policy is conducted under auspices of the School's policies and procedures, legal representation is not thought to be necessary. However, should the parents wish to be accompanied by a legal representative the School must be notified in writing at least five days before the hearing and the School will be entitled to have its own legal representative in attendance at the hearing. If the School wishes to be accompanied by a legal representative the parents must be notified in writing at least five days before the hearing and the parents will be entitled to refer to a legal representative in attendance. The panel will be entitled to refer to a legal

representative at any time before or during the hearing and when drafting their letter of decision.

If possible, the panel will resolve the decision immediately without the need for further investigation. If the panel decides that further investigation is necessary, the hearing may be adjourned.

Where further investigation is required, the panel will decide how it should be carried out.

After due consideration of all facts, it considers relevant, the panel will reach a decision and may make recommendations, which shall be completed within ten days of the hearing or as soon as reasonably practical.

Having reached a decision, the panel (through the Clerk of Governors) will write to the parents informing them of its decision and the reasons for it as soon as practically possible. The panel's findings and any recommendations will also be sent in writing to the Head and the Governors.

The decision of the panel will be final.

Document Control

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Prepared by:	Principal Deputy Head and Bursar
Authorised by:	Council of Management (COM)
Published location(s):	<ul style="list-style-type: none"> ▪ Norwich School Website ▪ Norwich School Hub
Other internal policies / documents referenced:	<ul style="list-style-type: none"> ▪ Behaviour Support and Intervention Policy (Lower School) ▪ Behaviour Support and Intervention Policy (Senior School) ▪ Code of Conduct ▪ Complaints Procedure ▪ Drugs Policy ▪ Health and Safety Policy ▪ IT Acceptable Use Agreement ▪ Mental Health Policy ▪ Safeguarding and Child Protection Policy ▪ School Rules
External documents referenced:	<ul style="list-style-type: none"> ▪ The DfE Guidance for Schools: Searching, Screening and Confiscation January 2018 ▪ Education Act 1996 ▪ DfE Guidance: Use of Reasonable Force in Schools July 2013

APPENDIX 1: Guidance on Confiscation of Pupils' Belongings

The Department for Education (DfE) Guidance for Schools: Searching, Screening and Confiscation 2018, provides that confiscation is an appropriate disciplinary measure when applied in a reasonable and proportionate way. Any member of Norwich School staff may confiscate, retain or dispose of a pupil's property in order to enforce the School's code of conduct, school rules and to maintain an environment conducive to learning, where the rights of all pupils to be educated in a safe and orderly environment are safeguarded. Such circumstances may include:

- an item that poses a threat to others: for example, a laser pen is being used to distract and possibly harm other pupils or staff;
- an item that poses a threat to good order for learning: for example, a pupil uses a personal music-player or mobile phone in class;
- an item that is against school uniform rules: for example, a pupil refuses to take off an unauthorised item of clothing (such as a hooded top) on entering a classroom;
- an item that poses a health or safety threat: for example, a pupil wearing large ornate rings may present a safety threat to other pupils;
- an item which is counter to the ethos of the School: for example, material which might cause tension between one community and another or is illegal for a child to have: for example, racist or pornographic material, alcohol, illegal substances;
- any other prohibited or dangerous items as detailed by the School's rules.

In general, items should be confiscated for the duration of a lesson or until the completion of the same school day. The basis for confiscation of a longer duration should be discussed and approved by an appropriate senior member of staff. Where any item is thought to be a weapon, a controlled substance or stolen goods the police will be informed and it may be passed to them.

Pupils have a right to expect that confiscated items, especially those of monetary or emotional value, will be stored safely until they can be returned and staff should present such items to the School office in an envelope with the details of the pupil and agreed arrangements for return, so that the item can be deposited in the School's safe. In addition, a brief explanation of the confiscation should be sent to an appropriate senior member of staff.

Particular care should be taken when deciding whether to confiscate items of clothing or jewellery, with appropriate regard to whether the item in question has religious or cultural significance to the pupil. When confiscating items, staff should avoid physical contact or interference with pupils' clothing of a kind that might give rise to child abuse allegations. In order to minimise such risks in these circumstances, staff should seek to ensure that a member of the same gender as the pupil confiscates the item of clothing or jewellery and that another staff member is present where possible. Confiscation of any item that would leave the pupil only partly dressed must be avoided.

APPENDIX 2: Pupil Searches

Guidance issued by the DfE (January 2018) makes it lawful for the Head (or staff designated by him) to search pupils for any item banned under the School rules, with their consent. There is also a statutory power to search pupils or their possessions without consent where there are reasonable grounds to believe that the pupil has certain prohibited items. Reasonable grounds may include overhearing pupils talking about an item or a pupil behaving in an unusual or suspicious manner.

School staff can confiscate any banned or prohibited item found as a result of a search which they consider to be harmful or detrimental to school discipline. The law also allows the School to require pupils to undergo electronic screening, though the School currently has no plans to introduce this facility.

Any search of a pupil's possessions will be carried out in accordance with Section 550ZA of the Education Act 1996 and with regard to the Guidance issued by the Secretary of State.

Prohibited or banned items include:

- knives
- weapons
- alcohol
- tobacco and cigarette papers
- substances that could be abused, such as illegal drugs, solvents or so-called "legal highs"
- stolen items
- fireworks and / or smoke bombs
- pornography
- inflammatory material of a religious, political, racist, homophobic or sexist nature
- face masks, headwear or clothing that prevents an individual's identity being readily established
- any electronic equipment that could be used to breach the School's IT Acceptable Use Agreement
- any other item that it could be reasonably assumed may be used, or mis-used, to disrupt effective learning and good order in the School or environs or to commit an offence, cause personal injury or damage to property.

The power to search pupils with consent allows a teacher to ask a pupil to turn out their pockets, bag or locker. If a pupil refuses to cooperate then, under the terms of the Behaviour Support and Intervention Policy, they will be treated in the same

fashion as a pupil who refuses to comply with instructions from staff and they will be temporarily excluded from lessons until an appropriate investigation by the Principal Deputy Head can take place.

The power to search pupils without consent, with the authorisation of the Head, should be carried out by a staff member who is the same sex as the child. There must always be a witness (also a member of staff) to the search and, if at all possible, they should also be of the same gender as the pupil. The power to search without consent extends to a personal search involving the removal of outer garments and searching of pockets, bags and lockers.

If it is felt necessary for a pupil to be subject to an intimate search for (say) illegal drugs, so called legal highs or smart drugs, or stolen property, or if staff feel that they will encounter any resistance from the pupil, then the School will ensure such searches are carried out according to agreed protocols by the police, following notification to parents.

Items found as a result of a without consent search: alcohol may be retained and disposed of as appropriate; controlled substances (or suspected controlled substances) will be delivered to the police in accordance with the School's Drugs Policy; the School will judge if stolen items also need to be reported to the police and, when appropriate, the goods will be returned to their rightful owner.

The School is not required by law to inform parents before a search takes place or to seek their consent to search their child. However, Norwich School will seek to inform parents of any serious disciplinary incident that may involve a search of their child as soon as is practicable.

APPENDIX 3: Restraint of Pupils and the Use of Force

Norwich School does not use corporal punishment. DfE Guidance: Use of Reasonable Force in Schools 2013, enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing an offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- causing personal injury to, or damage to the property of, any person (including the pupil themselves)
- prejudicing the maintenance of good order and discipline at the School or among the pupils receiving education at the School, during lessons, or at any other time during the School day.

All members of the teaching and support staff have a legal power to use reasonable force for the reasons outlined above and this power may temporarily extend to people authorised by the Head to take charge of pupils, such as unpaid volunteers or parents accompanying pupils on school activities.

Reasonable force will never be used as a punishment for a child – this is unlawful and unacceptable. The School also acknowledges its duty to make reasonable adjustments in the potential use of reasonable force for disabled children or pupils with SEND.

Detailed written records of serious incidents, including those requiring physical intervention by staff, will be maintained by the School and reported to senior pastoral staff, including the designated child protection officers. Parents will also be informed as soon as possible. All injuries will be recorded according to the School's Health and Safety Policy.

The historical frequency and severity of such incidents at Norwich School is low and the projected risk of such situations occurring in the future is correspondingly low. The provision of specific additional training for staff in the use of force or restraint will be considered if these circumstances change or if a specific risk assessment for a particular pupil requires it.

Nevertheless, the School seeks to minimise the circumstances whereby each intervention would be necessary by:

- creating a disciplined and orderly atmosphere in school and providing pupils with a clear framework for good conduct
- providing guidance and encouragement for pupils, in both lessons and other forums, to manage conflict and strong feelings in a way that does not escalate the situation
- fostering positive working relationships between staff and pupils, creating an atmosphere of tolerance, respect and trust that is conducive to good order
- appointing designated pastoral staff that pupils can approach in difficult circumstances and who can help resolve and defuse situations

- planning carefully to avoid circumstances that could make a conflict situation more likely and advising staff of potential difficulties and strategies that could be employed to resolve them.

In circumstances where the member of staff believes that he or she may be at the risk of injury, staff should not intervene without additional support or should immediately telephone the emergency services.

However, the appropriate and proportionate use of force or restraint may be necessary based on the age of the pupil, the specific circumstances and seriousness of the situation.

Staff must decide upon their actions based upon the potential for injury, damage or serious disorder should they decide not to intervene, the chances of achieving the desired results by other means and the relative risks of physical intervention compared to other means. The use of force or restraint would be reasonable if it is clear that the behaviour, or the consequences of that behaviour, was sufficiently dangerous or disruptive and could not have been effectively dealt with by other means.

Before using force, staff should (wherever practicable) tell the pupil(s) to stop misbehaving and communicate in a calm and measured manner that the use of force may be necessary. Staff should make it clear that their physical intervention will stop as soon as it ceases to be necessary. Staff should attempt to intervene in such a way that their actions cannot be interpreted as being motivated by anger, frustration or is sexually inappropriate.

Circumstances that could justify intervention include:

- immediate risk of death or injury, such as a pupil running into a busy road or preventing a pupil threatening another with a dangerous object
- a pupil attacks a member of staff, or another pupil
- pupils are fighting, causing injury to themselves and others
- a pupil is committing, or is on the verge of committing, deliberate damage to property
- a pupil is causing, or is at risk of causing, injury or damage by accident, by rough play, or by means of an object or materials
- a pupil absconds from a lesson or school (this, in itself, is not sufficient to justify the use of force) and their actions potentially threaten their own safety, that of other staff/pupils or the good order and discipline of other classes
- a pupil persistently refuses an instruction to leave a classroom, is behaving in a way that seriously disrupts a lesson or a school event.

Types of physical intervention that a member of staff could consider:

- passive physical contact, e.g. standing between pupils and/or blocking a pupil's path
- active physical contact, e.g. leading a pupil by the arm, ushering a pupil away with a hand on their back or shoulder or, in extreme circumstances, using appropriate restrictive holds.

Following the incident:

- investigate thoroughly and make a record of the incident, in accordance with the requirements of the School's Health and Safety Policy and the Safeguarding and Child Protection Policy
- the physical well-being of pupils and staff involved will be a priority, with appropriate medical care
- seek to provide emotional and psychological support to all concerned where necessary supported by the School's Mental Health Policy
- apply appropriate sanctions where necessary, according to the School's Behaviour Support and Intervention Policy

All complaints regarding the use of force by staff will be investigated thoroughly and speedily, in accordance with the School's Complaints Procedure.

Where a member of staff has acted within the law in using reasonable force, DfE guidelines (July 2013) state that the onus is on the person making the complaint to prove that their allegations of excessive force are true – it is not for the member of staff to show that they have acted reasonably.

Suspension of the member of staff during the investigation into the complaint will not be an automatic response by the School. Careful consideration will be given by the Head and his senior colleagues to each individual case and its particular circumstances to decide the most appropriate course of action.

If a decision is made to suspend a member of staff then the School will ensure that it fulfils its duty of care to that colleague and options for appropriate pastoral care will be offered, along with access to a named contact who can provide support.