



Fast Progress Tuition

SUSPENSION AND EXCLUSION POLICY

Date Policy last reviewed: ^{10th October 2024} _____

Signed by:

Director

Date: ^{10th October 2024} _____

To be reviewed annually or when
legislation/procedures require early review

Fast Progress Tuition
01268 682422

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Statement of intent

Fast Progress Tuition (FPT) is a private Unregistered Alternative Provision. We are not a school and are not registered with the DfE. FPT regards the safety and well-being of our students as the highest priority and endeavours to uphold the same standards as establishments registered with the DfE. FPT are aware that a variety of different students attend: Electively Home Educated (parent referrals), pupils from a Partner School and pupils referred by the LA. Some of our students have experienced trauma in their family and school life and we will ensure that the safety and emotional well-being of our students will always be the primary consideration and any long-term impact of any decisions will be carefully considered at all times.

FPT has created this policy to provide clarity on when FPT's right to exclude a pupil may be exercised, and to ensure that our procedures are fair and promote natural justice. This policy does not apply to instances when a pupil leaves FPT due to non-payment of fees or withdrawal by their parents.

FPT recognises that the exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the FPT's Engagement Policy or Parent Contract. Excluding a pupil may also be required in instances where allowing the pupil to remain at FPT would be damaging to the education and welfare of themselves or others.

At FPT, we understand that positive engagement and self-regulation is essential for promoting a high-quality education. We also understand that self-regulation is an ongoing and developing issues for some of our pupils.

The cohort of FPT pupils, most of whom have heightened anxieties, is such that any violence or abusive actions, as listed in FPT's engagement policy, will have a profoundly negative impact on their ability to cope. Any actions that have the potential to impact other students negatively will be subject to this policy. FPT have a zero tolerance approach to aggressive engagement, be that verbal or physical.

FPT will risk assess potential pupils, with the LA and Partner Schools, before offering a place, with the aim of reducing suspension and exclusions. FPT will not accept any student who has the potential to be violent as the FPT premises is not designed to facilitate the co-regulation of pupils who have violent tendencies. If a pupil is considered high risk, they will be offered the Step-up Programme, and will remain off-site; progress will be reviewed and assessed regularly with the aim of an introduction into FPT premises.

A permanent exclusion will be imposed instantly if there is believed to be an immediate threat to the safety of staff and pupils at FPT or the pupil themselves. The safety and well-being of our pupils will always be the overriding factor when deciding whether to exclude a pupil.

For the purposes of this policy, 'Suspension' means temporary and Exclusion means permanent.

1. Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Education Act 2002
- Education and Inspections Act 2006
- Education Act 1996
- The European Convention on Human Rights (ECHR)
- Equality Act 2010
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2018) 'Mental health and behaviour in schools'

This policy operates in conjunction with the following FPT policies:

- Parent Contract
- Engagement Policy
- Anti-bullying Policy
- Pupil Code of Conduct
- SEND Policy
- Social, Emotional and Mental Health (SEMH) Policy
- Child Protection and Safeguarding Policy

2. Roles and responsibilities

The LA will be responsible for:

- Arranging suitable full-time education for any pupil of compulsory school age who is excluded permanently, in coordination with FPT
- Reviewing and reassessing pupils' needs in consultation with their parents where they have an EHC plan and are excluded permanently, with a view to identifying a new placement.

The Directors will be responsible for:

- Ensuring arrangements are in place to allow for a prompt review of all permanent exclusions, where necessary.
- Considering written representations from parents about exclusions within seven working days of receiving notice.
- Where an exclusion would result in a pupil missing an examination or test, considering the exclusion before this date.
- Considering whether it would be appropriate for a pupil to be permitted onto FPT premises to sit the examination or test.

The Directors will be responsible for:

- Applying the civil standard of proof when establishing the facts in relation to an exclusion.
- Complying with their statutory duties in relation to pupils with SEND when administering the exclusion process, as outlined in the SEND Policy.

- Considering any contributing factors that are identified after an incident of poor engagement has occurred, e.g. if a pupil has suffered bereavement, bullying or has a mental health issue and whether the FPT Step-Up programme can be used instead of Exclusion.
- Considering what extra support may be needed to identify and address the needs of individual pupils, particularly pupils:
 - With SEND
 - Who are eligible for FSM
 - Who are LAC
 - From certain ethnic groups
- Engaging effectively with parents in supporting the engagement of pupils with additional needs.
- Instigating a multi-agency assessment to assess the engagement issues of vulnerable pupils when necessary in line with FPT's Social, Emotional and Mental Health (SEMH) Policy.
- Arranging and attending meetings with the pupil and their parents.
- Determining whether a pupil will be excluded on disciplinary grounds.
- Ensuring any decision to exclude is lawful, rational, reasonable, fair, and proportionate.
- Complying with the requirements of the Equality Act 2010 when deciding whether to exclude a pupil whilst still considering the safety of pupils and staff onsite. .
- Ensuring they have considered their legal duty of care when sending a pupil home following an exclusion/suspension.
- Notifying a pupil's parents without delay where the decision is taken to exclude/suspend the pupil.
- Notifying the LA or Partner School within 24 hours of their decision to exclude/suspend a pupil where appropriate, as well as the pupil's home authority if required.
- Organising suitable work for excluded pupils where necessary and appropriate if not on school role
- Considering problems, e.g. safeguarding concerns, that may be caused by a temporary exclusion, e.g. inadequate supervision of the pupil during the exclusion and working with the LA to minimise those risks/concerns. .

3. Grounds for suspension or exclusion

FPT will only suspend or exclude a pupil where it is absolutely necessary, as detailed in FPT's Engagement Policy and in line with the Parent Contract.

The following examples of pupil actions may force FPT's decision to suspend or exclude a pupil:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening interactions against a pupil
- Verbal abuse or threatening interactions against an adult
- Use, or threat of use, of an offensive weapon or prohibited item
- Bullying

- Discriminatory abuse, e.g. racist, homophobic, biphobic, transphobic or ableist abuse

The above list is not intended to be exhaustive, and it will remain at the discretion of the Directors to determine if exclusion is an appropriate disciplinary action in response to an incident or series of incidents.

Pupils can be suspended on a fixed-period basis, i.e. up to 45 school days within an academic year, or permanently. Similarly, pupils can be permanently excluded following a suspension, where further evidence is presented.

In all cases, the Directors will decide which exclusion period a pupil will be subject to, depending on what the circumstances warrant.

Directors will decide if an offence warrants police involvement if there is a belief criminal activity may have taken place and will immediately contact Partner Schools and the LA.

4. Director's Power to Suspend or Exclude

Only the Directors have the power to suspend or exclude a pupil from FPT which is derived from the Parent Contract, and they will decide whether a suspension or exclusion is appropriate.

Any decision made to exclude a pupil will be lawful, proportionate, and fair, with respect to FPT's wider legal duties, including the ECHR. At all times, the Directors will take into account their legal duties under the Equality Act 2010 and the 'Special educational needs and disability code of practice: 0 to 25 years', ensuring that they do not discriminate on any grounds, e.g. race, sex, disability, and will not increase the severity of a pupil's exclusion on these grounds.

When sending a pupil home following a suspension or exclusion, the Directors will ensure that they exercise their duty of care at all times and will always inform the pupil's parents.

The Directors will apply the civil standard of proof when responding to the facts relating to a suspension or exclusion, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true.

The Directors will not issue any 'informal' or 'unofficial' suspensions or exclusions, e.g. sending a pupil home to 'cool off', regardless of whether the parents have agreed to this.

The Director will not use the threat of suspension or exclusion as a means of instructing parents to remove their child from the premises.

All suspensions and exclusions will be formally recorded and communicated with Partner Schools and the LA.

5. Factors to consider when excluding a pupil

When considering the suspension or exclusion of a pupil, the Directors will:

- Ensure an appropriate investigation and evidence-recording process is carried out.

- Allow the pupil the opportunity to present their case, accompanied by a member of staff or a parent if requested.
- Give adequate consideration to contributing factors that are identified after a case of poor engagement has occurred, e.g. the pupil's SEND, or if the pupil's wellbeing has been compromised, or they have been subjected to bullying.
- Consider whether the pupil may respond to the Step-up Programme.

The Directors will consider what extra support may be available for vulnerable pupil groups, e.g. pupils with SEND, whose suspension or exclusion rates are higher, to reduce their risk of exclusion.

Where any member of staff has concerns about vulnerable pupil groups and their negative engagement or interactions, they will report this to the Directors, who will instigate a multi-agency assessment to determine whether the engagement issues might be a result of educational and mental health needs, or other needs and vulnerabilities.

Where SEND or SEMH issues are identified, an individual plan will be created using the graduated response outlined in FPT's Engagement Policy. If the pupil endangers the physical or emotional wellbeing of other pupils or staff, then suspension or exclusion will be considered as the safety of pupils and staff will supersede any plan.

In accordance with the Equality Act 2010, under no circumstances will a pupil with identified SEND or SEMH issues be excluded before the graduated response process has been completed unless the engagement of that pupil is of an aggressive nature.

Where a pupil with SEND or SEMH issues is permanently excluded because of a SEND- or SEMH-related need that could not be met at FPT, detailed records will be kept highlighting that these pupils are closely tracked, where permitted by the LA or Partner School, and showing that FPT has a close relationship with the pupil's next destination.

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

6. Duty to inform parents

The Directors will inform the parents of a pupil under investigation for an incident that may result in suspension or exclusion as soon as is reasonably practical.

When a decision is made to suspend or exclude a pupil, the Directors will immediately inform the parents, in person or by telephone, of the period of the suspension or the permanency of the exclusion and the reasons behind this.

The Directors will inform the pupil's parents via written communication of the following:

- The reason(s) for the suspension or exclusion
- The length of the suspension or permanency of the exclusion and whether the pupil can move to the Step-up Programme
- The arrangements to allow the pupil to work at home, where appropriate
- The pupil's rights to enter FPT premises during the suspension or exclusion

- Their right to raise any representations about the suspension or exclusion to the Directors including where a deadline applies, how the pupil will be involved in this and how the representations will be made
- Relevant sources of free, impartial information

If the Directors decide to suspend the pupil for a further fixed period following their original suspension, or to permanently exclude them, they will notify the pupil's parents without delay and issue them with a new exclusion notice.

7. Disciplinary meeting

The Directors will decide if a disciplinary meeting is required to address breaches of FPT's Engagement Policy or Parent Contract where exclusion is considered necessary.

The pupil and their parents will be requested to attend the disciplinary meeting and they will be provided with the opportunity to provide their views of the complaints made.

A member of staff will be chosen by the pupil to accompany them in the meeting if requested.

At the meeting, the Directors will ensure the following documents are available:

- A statement detailing the incident(s) and complaints against the pupil
- The report compiled as part of the investigation
- Any relevant correspondence, e.g. written statements
- Relevant documents from the pupil's FPT file
- A copy of this policy

The Directors will not be required to share confidential information, or the identities of pupils or others who have provided information that has formed part of the evidence against a pupil, with parents.

The Directors will decide, based on the evidence presented at the meeting and representations made by and on behalf of the pupil, whether further investigation is needed, or whether the complaint has been proved or disproved on the balance of probability.

If the complaint is proved, the Directors will inform the pupil and their parents of the possible disciplinary actions, and a decision will be given within 24 hours.

8. Monitoring and review

This policy will be reviewed annually by the Directors

The next scheduled review date for this policy is October 2025

All members of staff will be required to familiarise themselves with this policy as part of their induction programme.