

# Suspensions & Exclusions

## *Advice for Parents*

*Please read the following information carefully. It contains important information and advice about your son's exclusion, including your legal rights and responsibilities. It forms part of the Headteacher's suspension letter.*

Suspension or Exclusion is a response to a serious breach of discipline. This includes persistent disruptive behaviour, violence, threatening or reckless behaviour, bullying, theft and criminal damage, serious or persistent breaking of school rules, and flat refusal to follow instructions.

The school has a behaviour policy and strategies for dealing with poor behaviour. Alternatives will have been considered before taking the decision to exclude.

The decision to suspend or exclude a pupil is not taken lightly. Care and consideration will have been given to all the circumstances of the behaviour or incident which has led to the decision to suspend.

The suspension will be for a length of time which is no longer than necessary to address the misbehaviour and impose a reasonable sanction which reflects the nature of the offence.

The school is required to follow statutory guidance and procedures to ensure your son is treated fairly and that the suspension procedure is well understood by himself and his parents.

Suspension is for a fixed period where as an Exclusion is permanent.

### **Suspension or Fixed period exclusions**

Suspensions fall into three categories:

- suspensions of 5 days or fewer
- suspensions of 6 to 15 days or suspensions which total 6 to 15 days in one term
- suspensions over 15 days or suspensions which total more than 15 days in one term

There is a limit of 45 days to the time for which a pupil may be suspended in any one school year.

Special rules apply if a suspension would mean that your son misses a public examination.

As a result of further investigation or information, the Headteacher may issue a further fixed period suspension or seek to permanently exclude a pupil.

### **Informing you of the decision**

The school will have tried to contact you by 'phone to inform you of the suspension. The 'phone call will have been made by your son's Pastoral Support Assistant (PSA), his Head of Line or a Deputy Head. In the case of a permanent exclusion the call will be made by the Headteacher or a Deputy Head.

When possible your son will be sent home with a copy of the Headteacher's letter and this advice leaflet for parents. A second copy of the letter is sent by email and/or post.

### **Your responsibilities**

During the period of suspension your son may not come into school or take part in any school activity.

You have a legal duty to ensure that your child is not found in a public place during normal school hours without reasonable justification during the first five days of exclusion.

This requirement applies whether or not your son is in your company.

Failure to comply with this legal requirement is an offence and you may be prosecuted or given a fixed penalty notice from the Local Authority.

The police have powers to remove your son from a public place if he is suspended or excluded from school.

### **Meeting**

We will invite you to a meeting to discuss your son's suspension. This meeting will usually be within a short time of the beginning of the suspension.

The meeting will usually be conducted by the Deputy Head with pastoral responsibility for your son and the Head of Line.

We would ask you

- to listen to what the school has to say about the behaviour or incident which led to the suspension
- to understand that your son's previous behaviour, and his failure to respond to warnings or other disciplinary measures, may have contributed to the decision to suspend on this occasion
- to ask if you need guidance on what to do next if you still disagree with the school's decision to suspend

We will listen to your views (and those of your son) and answer your questions. At the meeting we will want:

- if possible to get agreement on the facts of the case
- to have a shared understanding of why suspension was an appropriate disciplinary action
- to agree a way forward with the school and parents working together in support of your son
- to get your son to commit himself to certain targets and standards of behaviour

The law requires us to apply a standard of proof which is the balance of probabilities, i.e. it is more probable than not that your son did what he is alleged to have done. It may not always be possible to get complete agreement but we will work with you to move forward and both support your son and challenge him to meet acceptable standards of behaviour.

**Your son's part**

Your son will have been given an opportunity to explain his behaviour. He will usually have been asked to do so in writing. Consideration will have been given to what he says and he will only have been excluded if the school believes that his behaviour warrants it.

If a governors' hearing is held, your son is allowed and encouraged to attend the hearing and to speak on his own behalf if he wishes to do so and you agree.

When your son returns to school, he will have a meeting with his Head of Line and is likely to be on daily report, have a behaviour contract or a pastoral support plan (PSP) to ensure he knows what is expected and to monitor his progress in meeting those expectations.

**Schoolwork during the suspension**

Your son should continue his schoolwork during his suspension. For suspensions over two days work will be set on Google Classroom for him to complete and submit.

If your son has examinations during the suspension, special arrangements will be made by his Head of Line.

**Suspensions of six days or longer**

All state schools are required by law to make arrangements for the full time education of pupils excluded for six or more days. They are required to do this by entering into partnership arrangements with other schools.

Wimbledon College has a partnership arrangement with The London Oratory School to make provision for each other's suspended pupils.

Boys suspended from Wimbledon College will attend at the London Oratory School from the sixth day of a fixed period suspension until the end of the suspension. They will be set work by their own teachers at Wimbledon College and complete that work at the Oratory School under supervision.

The London Oratory School  
Seagrave Road  
London SW6 1RX

Boys will wear their usual Wimbledon College school uniform and will participate in physical education activities as available.

Attendance is a legal requirement.

**The reintegration interview**

If the suspension is for six days or longer, the law requires us to hold a reintegration interview. The purpose of the interview is:

- to discuss the school's and the parents' joint responsibility for your child's behaviour in school
- to discuss how your son's behaviour can be addressed
- to explore any wider issues that may be affecting your son's behaviour
- to reach agreement on how best to proceed with your son's education and what measures can be put in place to prevent further misbehaviour

- and to consider a parenting contract

The reintegration interview must take place during the period your son is excluded or up to 15 days afterwards. The law requires the school to arrange an interview for all suspensions of 6 days or longer. However, it is our practice to hold interviews for all suspensions.

Failure to attend a reintegration interview will be a factor that may be taken into account by a magistrate's court if, on future application, they consider whether to impose a parenting order.

### **Making representation to the governors**

You have the right to make representation to the school's governing body. If you wish to do this, you should email or write to the Clerk to the Governors as soon as possible:

The Clerk to the Board of Governors  
Wimbledon College  
Edge Hill  
London SW19 4NS  
clerk@wimbledoncollege.org.uk

The Clerk will pass your letter or email to the Chair of the Pastoral Committee. A governors' hearing will usually involve three governors and the Clerk.

### **suspensions of 5 days or fewer**

If you request it, the governors must review suspensions of 5 days or fewer. However, the governors cannot change the decision of the Headteacher to exclude. The governors are not required to meet you to conduct their review and may do so by considering what you write and documentation submitted by the school. They may add their findings to your son's school record.

### **suspensions of 6 to 15 days**

If you request it, the governors must review any suspensions which are for between six and fifteen days, or which total 6 to 15 days in one school term. The governors can uphold the Headteacher's decision to exclude or they can direct the reinstatement of the pupil. The hearing must be convened between the 6<sup>th</sup> and 50<sup>th</sup> day after receiving notice of the suspension (which will usually be the day the suspension starts). If the suspension has come to an end by the time the hearing is held, the governors can place their findings on the pupil's record.

### **suspensions over 15 days**

The governors must meet to review suspensions of 15 days or more, or which total more than 15 days in one school term. The governors can uphold the Headteacher's decision to exclude or they can direct the reinstatement of the pupil. The hearing must be convened between the 6<sup>th</sup> and 15<sup>th</sup> day after receiving notice of the suspension (which will usually be the day the suspension starts). The governors can uphold an suspension, or they can uphold the appeal and direct the reinstatement of the pupil.

### **Independent appeal**

If your son is permanently excluded and the school governors uphold the Headteacher's decision, you have the right to appeal to an independent appeal panel. The Local

Authority's democratic services department arranges the appeal hearing and you will be notified of the date of the hearing and the procedures that will be followed.

You must appeal within 15 school days of the governors' decision and the independent hearing must be held within 15 school days of you notifying the Local Authority of your wish to appeal.

If requested by parents with their application for an independent review panel, the local authority must appoint a SEN expert to attend the panel and must cover the associated costs of this appointment. The SEN expert must be someone who has expertise and experience of special educational needs considered by the local authority as appropriate to perform the functions specified in the legislation.

There is no independent appeal for fixed-term suspensions.

### **Education Off-Site**

The school has power to require registered pupils to attend at any place outside the school premises for the purposes of receiving any instruction or training included in the secular curriculum for the school. In cases where a pupil has been repeatedly excluded, and where there is little improvement in behaviour, the school may consider arranging alternative education elsewhere for a period of time or permanently, especially in Y10 and Y11.

### **Disability discrimination**

If you think this suspension has occurred as a result of discrimination then you may also make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Education Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body. The link to the guidance on making a claim of disability discrimination to the First-tier Tribunal (Special Educational Needs and Disability) is <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>.

### **Your son's school record**

You have the right to see your son's school record. If you wish to see his record you need to make a request in writing to the Headteacher.

The arrangement we usually make is for you to come into school and to have access to your son's record in a private room. If there are any papers you would like to take away, we will be happy to photocopy them for you.

If you wish to have a photocopy of the full record, we can send this to you or arrange for you to collect it. However, as school records are often very lengthy (they contain documents from the beginning of primary school and we, by law, do not have the discretion to decide what to include or leave out) we will usually make a charge for doing so.

The law requires us to make the school record available within 15 school days of receiving your request.

### **Contacting the school**

If you have any questions or need further information about your son's suspension, please do get in touch with the school at the earliest opportunity.

Your first point of contact should be your son's Head of Line or the Deputy Head.  
The school telephone number is 020 8946 2533  
The school email address is [mail@wimbledoncollege.org.uk](mailto:mail@wimbledoncollege.org.uk)

Specific 'phone numbers and email addresses for Heads of Line, Deputy Heads and the Headteacher are listed on the school website: [wimbledoncollege.org.uk](http://wimbledoncollege.org.uk)

### **Further help and advice**

If you live in the London Borough of Merton, you may wish to contact the Inclusion Officer who can also offer advice:

Liz Kelly  
School Inclusion Co-ordinator  
[Liz.Kelly@merton.gov.uk](mailto:Liz.Kelly@merton.gov.uk)  
02082885616  
07946 132726

If you live outside the Borough of Merton, your own Local Authority will be able to offer advice and support on exclusions. Please see their website.

You may also find it useful to contact one or all of the following organisations:

- Coram Children's Legal Centre, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on 0300 330 5485 or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- ACE Education which offers impartial advice either at their website <http://www.ace-ed.org.uk> or by telephoning their advice line service on 0300 115142 on Monday to Wednesday from 10am until 1pm term time only.

A copy of the Government's guidance, (Exclusion from maintained schools, Academies and Pupil Referral Units in England), can be downloaded from the Department for Education via this link: <https://www.gov.uk/government/publications/school-exclusion>