



A GUIDE TO:

Suspensions

A guide for parents and children to explain what will happen next, what you can do and who you can contact for help and support.



Nottingham
City Council



Dear Parent / Carer

When your child is suspended from school it can be a very difficult, upsetting and worrying time for you and your family.

This booklet explains what will happen next, what you can do and who you can contact for help and support.



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What is a suspension?

A suspension is one of the sanctions a school can use if a child does something that is against the school's behaviour policy (the school rules). This means that your child is not allowed on the school site for a defined period. Most suspensions are for short periods of five days or less.

A pupil may not be given more than a total of 45 days suspension in any one school year.

Who can suspend?

The Head Teacher is the only person who can make the decision to suspend your child. If the Head Teacher is absent the Deputy Head Teacher or most senior teacher who is acting as the Head can exclude your child.

How will I be told about the suspension?

Ideally, the Head Teacher should telephone you immediately to inform you that your child is being suspended, followed by a letter within one school day.

The letter must inform you that your child is being suspended, the reason(s) for the suspension, the number of days, and the date on which your child should return to school.

Unofficial / illegal exclusions

All suspensions must follow the correct procedure and be recorded as suspensions. It is unlawful just to send a child home to 'cool off', even if parents or carers agree.

A Head Teacher cannot suspend a pupil from school on an informal basis, such as:

- Sending a child home until they comply with requirements;
- Encouraging parents to voluntarily withdraw their child from school;
- Advising parents to keep their child at home for a period of time;
- Placing undue pressure on parents to keep their child at home whilst seeking a transfer of school, to avoid formal exclusion.

There is no right of appeal to an independent appeal panel for a suspension and it is not possible to remove a suspension from your child's records.

Alternatives to exclusion and early intervention

Children in Care

Suspension from school should be a last resort for children who are in the care of the local authority; therefore it is important to work with the school and carers to intervene as soon as a child's behaviour becomes a cause for concern. Schools should work together with foster carers, children's homes and the local authority that looks after the child to try to avoid exclusion. This might include putting in additional support or looking at whether a different school would be more suitable.

Children with Special Educational Needs (SEN)

If a child with SEN is showing poor behaviour or is at risk of exclusion, the school should look first at what additional support is needed or whether an alternative placement would be more appropriate to the child's needs. If a child has an Education, Health and Care Plan then the school should consider bringing forward the annual review or holding an emergency review.

Should my child be out of the house whilst he / she is suspended?

Your child should not return to school until the date stated in the Head Teacher's letter to you. You may be asked to attend a meeting at the school with staff to help to plan ways to support your child and prevent any further suspension.

This requirement applies regardless of whether or not your child is in the company of a parent / carer.

If your child is found in a public place during normal school hours whilst excluded, without reasonable justification, you may receive a fixed penalty notice from the Local Authority or face prosecution. Your child may also be removed from the public place by the police and taken to designated premises.

You have a duty to ensure that your child is not found in a public place during the first 5 days of exclusion unless there is a reasonable justification for this.

Will the school set work?

The school must provide work for your child during the first 5 days of a suspension and will give you the name of the teacher who is providing the work and the arrangements for marking the work.

You should ensure that the work is returned for marking and advise the school if your child needs more work.

What happens if the suspension is more than 5 days?

From the 6th day of suspension until the suspension expires' the school must provide suitable supervised full-time education. The school will provide full details of where the educational provision will take place and any transport arrangements, if necessary.



Challenging suspensions / your right to make representation to a Governors Meeting

In some cases parents may wish to challenge a suspension. This could be because you consider that:

- **Your child didn't do what they are accused of**
- **There were factors affecting your child that weren't taken into account**
- **It was an unfair or disproportionate punishment**

What you can do depends on the length of the suspension or suspensions your child has had. It's important to remember that it works on the amount of days that your child has been out of education in any one term. Responsibility for reviewing suspensions lies with the governors of the school.

Lunchtime suspensions

Pupils whose behaviour at lunchtime is disruptive may be suspended from the school premises for the duration of the lunchtime period. A lunchtime suspension is equivalent to half a school day suspension.

You have the right to make representation to the governors of the school but there will not normally be a meeting. If your child is suspended for more than 10 lunchtimes in one term then you can request that the governors meet to consider the suspension. This should be in writing to the governors at the school.

The governing body must then meet within 50 school days of the suspension to consider the decision made by the Head Teacher to suspend your child and you will be invited to attend the meeting.

The governors will hear all the evidence and consider whether the suspension was appropriate and if it should be upheld.

Suspensions of up to 5 school days

You have the right to make representation to the governors of the school but there will not be a meeting. Governors cannot return your child to school earlier unless your child will miss a public examination.

Suspensions of 6 school days but not more than 15 school days in one term

If your child has been suspended for a total of between 6 and 15 school days in one term you can request that the governors meet to consider the exclusion. Your request should be in writing to the governors at the school.

The governing body must then meet within 50 school days of the suspension to consider the decision made by the Head Teacher to suspend your child and you will be invited to attend the meeting.

The governors will hear all the evidence and consider whether the suspension was appropriate and if it should be upheld or, if your child is still out of school, the governors could decide that your child should return to school earlier.

If your child has already returned to school before the meeting, it is still important that you attend the meeting to give your view about the suspension. If the governing body cannot direct reinstatement because the period of suspension has expired and your child has returned to school, they can make a note on your child's school record of their findings.

Suspensions of 16 school days or more in one term

If your child is suspended for 16 days or more (or has had suspensions which total 16 days or more in one term) then the governing body **must** meet within 15 school days of the last suspension to consider the decision made by the Head Teacher to suspend and you will be invited to attend the meeting.

The governors will hear all the evidence and consider whether the suspension was appropriate and if it should be upheld or, if your child is still out of school, the governors could decide that your child should return to school earlier.

Will your child miss an exam?

If your child is suspended and will miss a public exam such as GCSE or national curriculum test, contact the school straight away to find out what the arrangements are.

In this case the governors must meet if possible before the date of the exam to consider whether to reinstate your child.

It may also be possible for a child to be allowed onto the school premises just to take an exam. In this case you might need to escort your child to and from school.

Meeting the governors – Summary table

No. of days suspension in term	5 or fewer	5 ½ - 15	More than 15
Right to make written representations	Yes	Yes	Yes
Right to meet with governors	No. Meeting entirely at Governor's discretion	Yes. If parents request	Yes. Governors must meet
Timescale for meeting	None	50 school days	15 school days
Reinstatement possible	No	Yes	Yes

The Governors' Discipline Committee Meeting (GDC)

The Head Teacher will provide you and the governors with a written report at least 48 hours in advance of the meeting, outlining the reasons why your child has been suspended and the evidence collected during the school's investigation of the incident(s) for which your child has been suspended.

The governors will consider the evidence provided in the Head Teacher's report and any information that you may provide at the meeting. They can decide to shorten the suspension if they believe that the suspension was not appropriate and place a letter with their decision on your child's school record.

Can I take someone with me?

You can take anyone of your choice with you; a friend; partner; relative; other supporter or legal representative to help you at the meeting.

If you need an interpreter, you can bring someone with you or the person who invited you to the meeting can arrange for someone to help you, if you let them know in advance.

Who else will be at the meeting?

- **3 or 5 governors** who act as the Discipline Committee.
- **The Head Teacher** and possibly additional staff who may be called as witnesses.
- **A Clerk** to take notes and advise the governors on procedure.
- **A Local Authority representative** may be invited to give their view of the exclusion.

Preparing for the meeting

You should read through the Head Teacher's report and make a note of any questions that you may wish to ask or anything that you do not understand or do not agree with. You can then raise these at the meeting.

You do not have to attend the meeting as the suspension can be considered without you. If you are unable to attend you can send a letter to the governors with any information or points which you would like them to consider.

However, we strongly encourage you to attend so that you can support your child and you can both give your views about the suspension and ask any questions. Governors usually ask questions about your child and it can be difficult to make the best decision without all the information.

Information / questions that may help you prepare for the Governors' Meeting

How do you feel about the suspension and are there any points that you disagree with?

Does your child have a view about what happened?

Has the school kept you fully informed about your child's behaviour?

Does your child have special educational needs? (If yes, do they have a support plan and when was it last reviewed?)

What support has the school put in place to help your child before deciding to suspend?

Was suspending your child reasonable given your child's age, health and any personal issues?

Was anything upsetting your child?

Was there pressure from others?

Could anything else have affected their behaviour?

Have they been bullied, racially or sexually harassed or faced discrimination inside or outside of school?

The school's policies must include how they deal with bullying and harassment. How well does the school deal with this, in general, and for your child?

If others were involved, were their sanctions in line with your child's?

**Tell the governors
about your child's
good points.**

Example letter to send to the Governing Body

An example of a letter you can send to the Governing Body to **request** a meeting.

To the Clerk of Governors' Discipline Committee
c/o (the school's address)
Date
Dear Sir/Madam
Child's Name: _____ DOB: _____
No. of days excluded: _____
I request a meeting of the governors to consider the exclusion of (put in name of your child) from (put in name of the school).
Yours sincerely

An example of a letter you can send if you are **unable to attend** the Governors' meeting.

To the Clerk of Governors' Discipline Committee
c/o (the school's address)
Date
Dear Sir/Madam
Child's Name: _____ DOB: _____
I will not be attending the governors' meeting to consider my child's suspension. I would like the governors to know the following (write down the good things you want them to know) about my child.
and / or
My child disagrees with some / all of the evidence presented. My child's views of what actually happened are as follows: (write down everything your child has told you about the incident)
I would like to complain about the following: (this may include anything that you consider unfair or not managed properly)
I would like this information to be considered when the Governors' Discipline Committee meeting is held.
Yours sincerely



What will happen at the meeting?

The meeting will be held in private and will be as informal as possible but will follow a set procedure to make sure that every school deals with exclusion in the same way. The Head Teacher can decide to withdraw the exclusion at this stage if they wish.

Governors understand that this is a difficult and stressful time for you. They are used to dealing with parents and carers at this difficult time, so don't worry if you need extra time to think about all the things that you want to say.

Introductions by the Chair and explanation of the purpose and conduct of the meeting.

The Head Teacher will go through their report and give the reasons and evidence for the decision as to why your child has been excluded.

You can then ask questions about the report. Do not be afraid to ask about anything you do not understand or do not agree with. The governors will usually ask the Head Teacher questions as well.

You will have an opportunity to put forward your (your child's) views and comments.

The Head Teacher and the governors may ask you (and your child) questions.
The governors may ask if it's appropriate for your child to wait outside as they will not be required to answer any more questions.

If a Local Authority representative has been invited they may also ask questions and give advice of how other schools have responded to similar incidents. The governors, parent(s) and Head Teacher may ask questions of the Local Authority representative.

The Head Teacher will summarise the reason for the exclusion.

You (and your supporter/legal representative, if appropriate) can sum up.

The governors decide whether to uphold the exclusion or reinstate the pupil and will then inform all parties of their decision and the reasons behind reaching this decision.

This decision must be confirmed in writing within 1 school day to the parents/ carers and the Local Authority.

Minutes of the meeting will be placed on your child's record with a copy of the Head Teacher's exclusion letter.

The outcome of the Governors Meeting



There are two possible outcomes following the GDC meeting:

1. If governors decide to reinstate

This means that the governors have decided that your child should not have been suspended for the number of days stated by the Head Teacher and can return to the school sooner. The letter informing you of the decision will give a date when your child should return.

2. If governors decline to reinstate

This means that the governors have decided that your child should be suspended for the number of days stated by the Head Teacher. Your child should to school on the date given by the Head Teacher in the letter informing you of the suspension.

Returning to school after a suspension

You and your child may be required to attend a reintegration meeting at the school. The purpose of the meeting is to discuss how best your child's return to school can be managed.

Staff at school appreciates the support that you can give and do understand that it may not always be easy for you to attend the meetings when you have to take time off work or because of family commitments. It will help your child a great deal if you and the school can work closely together, to support your child and to avoid any difficulties in the future.

Further information and help

If you have any questions call us on 0115 876 4700 or visit www.mynottingham.gov.uk

You may also find it useful to contact sources of impartial advice such as the **Coram Children's Legal Centre** who aim to provide free legal advice and information to parents on education matters. They can be contacted on 0300 330 5485 or visit <https://childlawadvice.org.uk/information-pages/school-exclusion/>.

Ask Us Nottinghamshire is part of the Information, Advice and Support Service (IASS) established in the County. They provide impartial information, advice and support for parents/carers of children with SEND. They can be contacted on **0800 1217772** or enquiries@askusnotts.org.uk

The Department for Education (DfE) The Department for Education is responsible for education and children's services in England. They work to achieve a highly educated society in which opportunity is equal for children and young people, no matter what their background or family circumstances, visit www.gov.uk/school-discipline-exclusions

The Advisory Centre for Education (ACE) is an independent national advice centre for parents to answer questions on all aspects of education. ACE offer a practical guide to parent's legal rights on the exclusion process and an exclusion advice line 0300 0115 142 is available for further independent support, visit www.ace-ed.org.uk

For information on making a claim under the Equality Act 2010 to the First-tier tribunal (Special Educational Needs and Disability), visit www.justice.gov.uk/tribunals/send/appeals

