



Suspension and Expulsion Procedures

All students and staff have the right to be treated fairly and with dignity in an environment free from disruption, intimidation, harassment, and discrimination. To achieve this, all schools will maintain high standards of student behaviour.

There will be cases of unacceptable behaviour where it will be in the best interests of the school community and/or the student involved, for the student to be removed from the school for a period of time or completely. Suspension and expulsion are the options available to the principal in these situations.

At Liverpool West Public School, the grounds for suspension and expulsion are in line with the Department of Education's [Student Behaviour Procedures Kindergarten to Year 12 – 2022](#).

The principal ensures that the implementation of these procedures, considering a range of factors as outlined in [Table 1 pp 14](#) (see *Appendix O*) and with [Procedural Fairness](#) (see *Appendix P*). For more information on suspension go to [Student Behaviour Procedures Kindergarten to Year 12 – 2022](#) pp13-24.

GROUNDS FOR SUSPENSION

Principals may use suspension as a behaviour management response if appropriate alternative behaviour support measures have been unsuccessfully implemented or attempted, and believe that a student's behaviour/s of concern can:

- cause actual harm to any person
- pose an unacceptable risk to health and safety, learning, and/or the wellbeing of any person, including where such a risk is posed by:
 - a student's continuing, consistent, unproductive, and disruptive behaviour that results in a detrimental impact on the educational interests of other students and all possible interventions and supports to redirect or minimise this behaviour have already been attempted
 - a student's behaviour that causes damage to or the destruction or loss of property.

Actual harm or unacceptable risk to health, safety, learning and/or the wellbeing of any person may include the student exhibiting the behaviour/s of concern.

SUSPENSION TIMEFRAMES

Principals must determine the appropriate number of school days for a suspension and will give the shortest number of days needed to implement supports for the student. The maximum number of days for any suspension are:

- for students in Kindergarten to Year 2, the maximum number of consecutive school days for a suspension is 5 school days
- for students in Year 3 to Year 12, the maximum number of consecutive school days for a suspension is 10 school days.



STUDENT WELLBEING

EXPULSION

In serious circumstances of misbehaviour, the principal may expel a student of any age from their school.

For more details refer to the [Student Behaviour Procedures Kindergarten to Year 12 – 2022](#) pp25-29.

STUDENT WELLBEING



APPENDIX O

Factors when Considering Suspension

Factors to consider	Elements
The behaviour of concern	<ul style="list-style-type: none"> the nature of the behaviour for which suspension is being considered, including but not limited to: <ul style="list-style-type: none"> whether it is developmentally appropriate the context or circumstances in which the behaviour occurred functional analysis of the behaviour (what is the behaviour's purpose? What is driving the behaviour? What is the behaviour of concern trying to achieve for the student?) whether it meets the grounds for suspension (see section 3.3) whether it was required to issue a valid formal caution to the student for the behaviour of concern (see section 3.2) any previous incidents or interventions to address prior behaviour/s of concern.
The student	<ul style="list-style-type: none"> the student's educational and safety needs the student's individual circumstances, including but not limited to: <ul style="list-style-type: none"> disability and any reasonable adjustments already in place or required to be implemented in line with the Disability Standards for Education 2005 before deciding to suspend (see Inclusive Education Policy for students with disability and Legal Issues Bulletin – Disability Discrimination) trauma background cultural and linguistic background interactions with out of home care socioeconomic disadvantage the potential impact on the student's learning and wellbeing, or that of other students around them whether the student has been suspended before, and the circumstances of that prior suspension any child protection issues or considerations (see Child Protection Policy: Responding to and reporting students at risk of harm).
Additional principal responsibilities	<ul style="list-style-type: none"> ensuring the early involvement of appropriate support personnel available within the school system and externally considering whether the principal's intended action is proportionate to the behaviour of concern embedding procedural fairness and inclusive education principles.

If, after considering all factors in Table 1, a principal determines that a suspension is appropriate, the principal must also consider:

- the student's wellbeing, risk and potential vulnerability before implementing a suspension
- the timeframe of the suspension (see [section 3.5](#))
- where feasible, whether students may continue to attend alternate programs while on suspension (see [section 3.5.7](#)).

STUDENT WELLBEING



APPENDIX P

Procedural Fairness

Procedural fairness, also known as natural justice, is generally recognised as having two elements.

The right to be heard which includes:

- the right to know the purpose of the particular decision-making process and the consequences that flow from it
- the right to know the way in which the issues will be determined
- the right to be fully informed of the allegations and of any other information which will be taken into account in making a decision
- the right to have a reasonable opportunity to respond to the allegations and any other information that will be taken into account in making a decision
- the right to an appeal.

The right of a person to an impartial decision which includes:

- the right to impartiality in the investigation and decision-making process
- the right to an absence of bias in the decision maker.