

COMPTON



The Downland Federation

Exclusion Policy

Date of last review: September 2024

Date of next review: September 2025

Version: 6

Monitoring and Evaluation: The governing board will evaluate the impact of this policy by receiving data termly from the Headteacher/Director of Primaries analysed by year group, gender, disadvantaged and SEND status on:

- Suspensions and permanent exclusions – number of and analysis of behaviour
- Instances of bullying and action taken. Support provided for the victims.

The Downland Federation is committed to the safeguarding and welfare of its students and young people

Status: Statutory**Purpose:**

Suspension and permanent exclusion is a behaviour management strategy that is applied in only the most serious and/or persistent cases, as it has a major impact on the child's whole life. The purpose of this policy and guidelines are:

- To ensure that suspensions and permanent exclusions are managed in accordance with the law and national guidelines, so that they are 'lawful, reasonable and procedurally fair';
- To ensure that suspensions and permanent exclusions are used in accordance with the school's behaviour policy;
- To ensure that suspensions and permanent exclusions are managed consistently and fairly in all cases and that roles and responsibilities are clearly understood by all concerned.
- To ensure that suspensions and permanent exclusions are used to enable the Headteacher to fulfil their statutory duty under the Education and Inspections Act 2006, which requires headteachers to determine the measures to be taken with a view to:
 - promoting, among pupils, self-discipline, and proper regard for authority
 - encouraging good behaviour and respect for others on the part of pupils and, in particular
 - preventing all forms of bullying among pupils
 - securing that the standard of behaviour of pupils is acceptable
 - securing that pupils complete any tasks reasonably assigned to them in connection with their education, and
 - otherwise regulating the conduct of pupils.

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1 Consultation:

Staff, parents and carers, students, governors worked with students to agree what constitutes good behaviour and develop this policy. At the beginning of each academic year students are advised of the federation's rules, praise and consequences. Parents, carers are encouraged to support the policy through the home-school agreement.

2 Relationship to other policies:

- Substance misuse policy [Substance Misuse Policy.pdf](#)
- Teaching and learning [Teaching and Learning Policy 2021 25.3.21.docx](#)
- Equalities Policy and Equality Information Report (EPEIR)
 - Basildon [Equalities Policy and Equality Information Report \(EPEIR\) Basildon.pdf](#)
 - Beedon [Equalities Policy and Equality Information Report \(EPEIR\) Beedon.pdf](#)
 - Compton [Equalities Policy and Equality Information Report \(EPEIR\) Compton.pdf](#)
 - TDS [Equalities Policy and Equality Information Report \(EPEIR\) TDS.pdf](#)
- Home-school agreements
 - TDS [Home School Agreement.pdf](#)
 - Primaries [Home School Agreement.pdf](#)
- Behaviour policies
- [Behaviour Policy.pdf](#)

- [Primaries Behaviour Policy.pdf](#)
- Anti-bullying policy [Antibullying policy.pdf](#)
- Complaints policy [Complaints Policy.pdf](#)
- SEND policy
 - Basildon [SEN Information Report Basildon.pdf](#)
 - Beedon [SEN Information Report Beedon.pdf](#)
 - Compton [SEN Information Report Compton.pdf](#)
 - TDS [SEN Policy & Information Report TDS.pdf](#)
- Safeguarding policy [Safeguarding Child Protection Policy.pdf](#)
- IT policy [ICT Policy Federation.pdf](#)
- Finance policy [Financial Management Policy.pdf](#)

3 Roles and responsibilities of Headteacher/ Director of Primaries, other staff, governors and parents and carers:

Only the Headteacher/ Director of Primaries (or the Deputy/ Head of School, when designated as Acting Headteacher) can suspend or permanently exclude a student and this must be on disciplinary grounds. The Headteacher/ Director of Primaries will be responsible for ensuring that this policy is implemented and for reporting to governors on its impact.

3.1 The Headteacher/ Director of Primaries will ensure that:

- the student's parents or carers are informed, in writing, of serious indiscipline and the sanctions, the period of any suspension, and when permanent exclusion is judged to be necessary;
- if the decision to suspend or permanently exclude is made, the student's parents or carers will be notified without delay;
- an investigation is carried out to identify the reasons for the suspension or permanent exclusion;
- the parents or carers are advised that they may make representations about the suspension or permanent exclusion to the governing board's discipline meeting;
- the parents or carers are advised as to how representations may be made, that they are responsible to ensure their child is not found in a public place, and what alternative education will be provided;
- the local authority is notified of any suspension or permanent exclusion;
- the governing board is notified of any suspension or permanent exclusion;
- the student who has been suspended is still provided with resources to support their learning;
- the school's staff will under no circumstances use any practices that could be considered as 'off-rolling';
- the school acts in accordance with its duties under the Equality Act of 2010 to:
 - eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act
 - advance equality of opportunity between people who share a relevant protected characteristic and people who do not; and
 - foster good relations between people who share a relevant protected characteristic and people who do not share it
 - comply with the provisions of the Act when deciding whether to exclude a pupil, ensuring that that any provision, criterion, or practice does not discriminate against pupils by unfairly increasing their risk of exclusion.
- the school's staff act in accordance with the school's policies and with guidance issued by the Secretary of State.

3.2 Governors will ensure that:

- The Governing board challenges and evaluates the school's data on suspensions and permanent exclusions, considering the level of student movement and ensuring the sanctions are only used when necessary as last resorts;
- The Governing board reviews suspensions and permanent exclusions, students taken off roll and those on roll but attending education off-site;
- The Governing board considers both the cost implications of directing children to be educated off-site in AP and whether there are any patterns to the reasons or timing of moves. For example, if high numbers of children with SEND are moving, the school, may wish to consider reviewing its SEND support.

The Headteacher/ Director of Primaries and staff will apply the principles identified above when implementing whole-school approaches to positive behaviour as set out in the behaviour policy.

Students will be consulted when rules are being decided and will be expected to observe them.

Once the decision to suspend or permanently exclude has been made, the Headteacher may cancel the suspension or exclusion provided it has not reached the stage of having been reviewed by the Governing Board. This practice is known as withdrawing/rescinding a suspension or permanent exclusion. If this occurs, parents or carers, the governing board and the local authority should be notified, and if relevant, the social worker and Virtual School Headteacher.

When a student is permanently excluded or receives suspensions of more than 15 days in any one term, the Governing Board will establish a panel of three members to undertake a Governor Discipline Meeting (GDM) and ensure that they receive training to fulfil their role. The Headteacher will not be a member of this committee. Prior to the Governor Discipline Meeting, the Headteacher/ Director of Primaries will produce an evidence pack, including the details of the incident, the student's own account of the incident and any other relevant evidence, that will be distributed to all parties five days before the date of the GDM.

The Governor Discipline Meeting will have regard to any guidance given by the Secretary of State.

For permanent exclusions and suspensions of more than 15 school days in any one term, the meeting will meet no later than the 15th school day after receiving notice of the suspension or permanent exclusion.

For a suspension which does not bring the student's total number of days of suspension to more than five in a term, the governing board must consider any representations made by parents or carers, but it cannot direct reinstatement and is not required to arrange a meeting with parents or carers.

If requested to do so by the parents or carers, the discipline committee must consider the reinstatement of a suspended student within 50 school days of receiving notice of the suspension if a student would be suspended from school for more than 5 school days, but not more than 15, in a single term.

The minimum time limit will not apply to any suspension which would result in a student losing an opportunity to take a public examination. In such cases the committee will try to meet before the date of the examination, and if this is not practical the chair of the discipline committee will review the suspension before that date.

The Governor Discipline Meeting must also consider the reinstatement of a suspended student within 15 school days of receiving notice of the suspension if it is a suspension which would bring the student's total number of school days of exclusion to more than 15 in a term.

If the Governor Discipline Meeting decide that a student should be reinstated, they will give the appropriate direction to the Headteacher / Director of Primaries (who is under a duty to comply with it) and inform the parent or carer and LA of their decision. Where reinstatement is not practical because, for example, the student has already returned to school following the expiry of a suspension, or the parents or carers make clear they do not want their child reinstated, the governing board must, in any event, consider whether the Headteacher's decision to exclude the child was justified based on the evidence.

If the Governor Discipline Meeting decides that a student should not be reinstated, they will inform the parent or carer, the Headteacher/ Director of Primaries and the LA of their decision. In the case of a permanent exclusion, they will notify the parent or carer in writing of their decision and the reasons for it within one day of the committee meeting. The letter will advise the parent or carer of their right to appeal against their decision, whom they should contact to lodge an appeal, the final date for this, and that the notice of appeal should set out the grounds of appeal. It will also advise the date of the reintegration meeting.

Governing board reinstatement meetings and Independent Review Panels (IRPs) can now be held via the use of remote access (for example, live video link) for suspension and permanent exclusions if requested by the parents or carers, provided certain criteria are satisfied. Meetings held via the use of remote access should not be a default option and face to face meetings should always be encouraged.

4 Responsibilities Towards Vulnerable Children

The Virtual Headteacher at West Berkshire must be notified if any child in care is suspended or permanently excluded. If the child in care comes from another local authority, the relevant local authority must be informed.

When considering whether to suspend or exclude, the circumstances of other vulnerable students, including those with Special Educational Needs, mental health issues or who were formerly in local authority care, should be carefully considered. If a student has Special Educational Needs or is likely to have undiagnosed Special Educational Needs, advice from the SENCO should be taken regarding the decision to exclude and whether the student requires additional support.

School staff must ensure that they carefully consider how best to safeguard vulnerable children if they are suspended or permanently excluded, having due regard for the guidance provided by West Berkshire and the DFE
https://assets.publishing.service.gov.uk/media/66be0d92c32366481ca4918a/Suspensions_and_permanent_exclusions_guidance.pdf :

- If a student has a social worker, or if a student is looked-after, the headteacher must, without delay after their decision to suspend or permanently exclude has been made, ensure that the student's social worker and / or the Virtual School Headteacher, are notified;
- The students' local authority (in the case of students residing in West Berkshire, the Exclusions Officer) should be notified of the decision to suspend or permanently exclude without delay;
- Given that safeguarding is everyone's responsibility, and that students who are suspended or permanently excluded from school are particularly vulnerable, all those working with the student or family, however tangentially, should check with school staff, social workers, parents and carers and other colleagues, to assure themselves of the student's safety whilst out of school;
- Any concerns expressed should be passed on to the Children's Services of the relevant local authority
- Where previously looked-after children face the risk of being suspended or permanently excluded, school staff should engage with the child's parents or carers and the school's Designated Teacher for Looked After Children. The school may also seek the advice of Virtual Schools Headteacher (VSH) on strategies to support the student;
- Good practice would be to discuss safeguarding concerns with more than one person from the school, family and other colleagues so that a decision is not made based on one person's opinion;
- If WBC's Exclusions Officer is involved, the officer will record that any safeguarding concerns have been discussed with the school and others;
- If Education Welfare Officers (EWOs), Educational Psychologists (Eps), SEND Dept, Youth Offending Team (YOT) and other colleagues are involved then they should routinely record, within their normal note-taking system, that safeguarding concerns have been discussed and acted upon if appropriate;
- Schools should take the same approach whenever they exclude a pupil.

5 Cancelling suspensions or exclusions

- The Headteacher/ Director of Primaries can cancel any suspension or permanent exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the student should be reinstated
- Where a suspension or permanent exclusion is cancelled:
 - The Headteacher/ Director of Primaries must notify the parents and carers, the governing board, the LA and the student's social worker and VSH as applicable, without delay
 - The notification must also provide the reason for the cancellation
 - The governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement
 - Parents/Carers (or the excluded student if they are 18 years or older) should be offered the opportunity to meet the Headteacher to discuss the circumstances that led to the suspension or permanent exclusion being cancelled, which should be arranged without delay
 - The student must be allowed back into the school from which they were suspended or permanently excluded without delay
 - Any days spent out of school as a result of any suspension or permanent exclusion prior to the cancellation will count towards the maximum of 45 school days permitted in any school year

- A permanent exclusion cannot be cancelled if the student has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

6 Responsibilities of Parents or Carers

Parents/Carers have a duty to ensure that their child is not present in a public place in school hours during the first 5 days of any suspension unless there is reasonable justification for this. This applies whether or not a parent/carer is with the child. A failure to comply with this is an offence for which parents/carers may be prosecuted or receive a penalty notice from the local authority. It will be for parents/carers to show reasonable justification if they are issued with a penalty notice or prosecuted. Further information regarding the use of penalty notices during the first 5 days of any exclusion is contained in the West Berkshire Code of Conduct available to view at www.westberks.gov.uk/

7 Reintegration Meeting

The Headteacher/Director of Primaries will ensure that a reintegration meeting with parents/carers is held before the student returns to school. A meeting is not necessary where the pupil is leaving school within the period of the suspension for a reason unconnected with his or her behaviour or where the first day of suspension falls within the last ten school days in the school year. The pupil should normally attend all or part of the meeting. The meeting should be conducted by the Headteacher/Director or Primaries or a senior member of staff. In some circumstances it may be helpful for another person to be present such as the designated teacher or governor for Children In Care or children with SEND. The purpose of the reintegration meeting is to assist the reintegration of the pupil and the improvement of their behaviour. It provides an opportunity to:

- a) emphasise the importance of parents/carers working with the school to take joint responsibility for their child's behaviour;
- b) discuss how behaviour problems can be addressed;
- c) explore wider issues and any circumstances that may be affecting the child's behaviour;
- d) reach agreement on how the child's education should continue, how best they can be reintegrated and what measures could be put in place to prevent further misbehaviour; and
- e) create a useful forum to consider with parents/carers the possibility of a parenting contract.

The meeting must be held during the period beginning with the first school day to which the suspension relates and ending with the fifteenth school day following the day on which the pupil returns to school. If possible the meeting should be held on the day the pupil returns to school. The meeting date suggested by the Headteacher/Director or Primaries/teacher in charge should be a school day, but the meeting can be held on a non-school day if the Headteacher/Director of Primaries/Head of School and parents/carers agree. At least one of the child's parents/carers is expected to attend the meeting. A parent's failure to attend will be one factor taken into account by a magistrates' court when deciding whether to impose a parenting order, if at any future date a parenting order has been applied for by the school or local authority. Schools must keep records of the failure to attend a reintegration meeting, and of any explanation given by the parent/carer for failure to attend, as the court may need to see them. However, a suspension must not be extended if such a meeting cannot be arranged in time or the parents/carers do not attend. The meeting must be conducted on school premises. The notice relating to a reintegration meeting can be combined with the notice informing the parent/carer of the suspension or relating to the alternative educational provision that the

pupil must attend whilst suspended (see the Education (Reintegration Meeting) (England) Regulations 2007). The notice must be given no later than six school days before the date of the reintegration meeting.

8 What are students suspended for?

Offences for which students could be suspended include the following, although this is not an exhaustive list:

- Physical assault against a student
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a student
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by the school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Criminal acts
- Substance misuse (decisions must be made in accordance with the substance misuse policy)
- Criminal acts
- Persistent ongoing disruption to their own and the learning of others
- Inappropriate behaviour of a sexual nature
- Extremely serious offences or offences that form a sustained pattern of disruption and defiance.

9 What are students permanently excluded for?

Permanent exclusion is always a last resort and will only be taken:

- in response to a serious breach, or persistent breaches, of the school's behaviour policy;
and
- where a student's behaviour means that allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Offences for which students could be permanently excluded include the following, although this is not an exhaustive list:

- Extremely serious offences or offences that form a sustained pattern of disruption and defiance
- Extremely serious or persistent abusive behaviour towards members of the school community
- Substance misuse (decisions must be made in accordance with the substance misuse policy)
- Persistent bullying of others
- Serious aggression
- Possession of weapons
- A high number of fixed term exclusions in a short space of time

- A number of fixed term exclusions totalling more than 45 days in one academic year.

Pupils at risk may be offered:

- Pupil Placement Panel as an alternative to permanent exclusion
- Direction Off Site to another school
- Managed Move to another school

10 Suspensions Longer Than Five Days

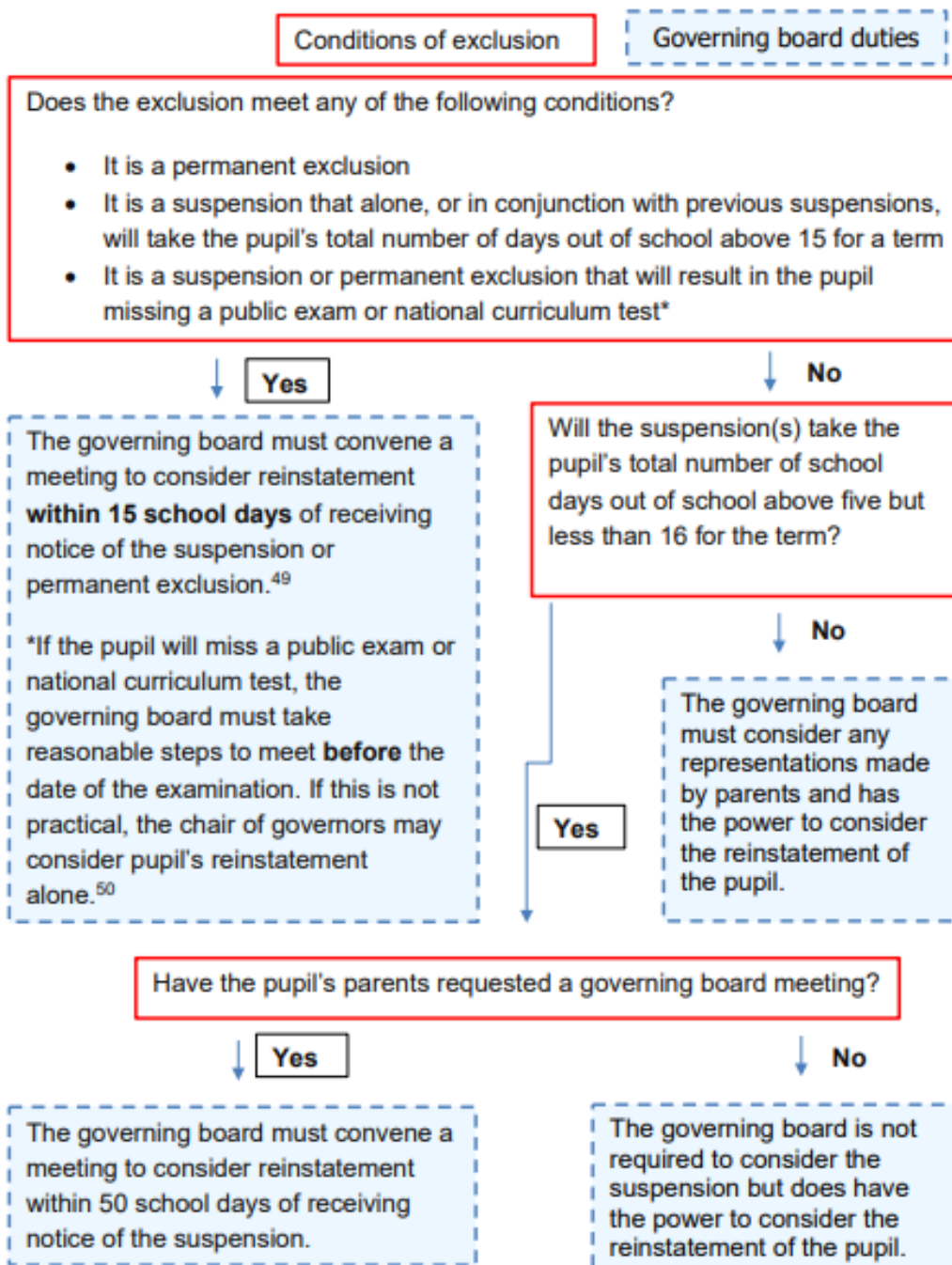
For suspensions longer than five days, the school is required to arrange for students to be educated off-site after the fifth day of suspension.

11 Lunchtime Suspension

Students whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. In such cases the legal requirements in relation to exclusion, such as the Headteacher/ Director of Primaries' duty to notify parents/carers, still apply. Lunchtime suspensions are counted as half a school day for statistical purposes and in determining whether a governing board meeting is triggered.

Appendix 1

A summary of the governing board's duties to review the headteacher's exclusion decision



⁴⁹ The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

⁵⁰ The ability for a chair to review in the case of public exams refers only to maintained schools.