



Exclusions/Suspensions Policy

Policy holder:	J Hocking (Assistant Headteacher)
To be reviewed by policy holder:	Every 3 years
Last reviewed by the Governing Board:	Summer 2023
Next review by the Governing Board:	Summer 2026

PENAIR SCHOOL EXCLUSIONS POLICY

Penair School's exclusion policy aims to set out the process that will be followed and the additional considerations around suspensions and exclusions that Penair will apply. Good behaviour and self-discipline lead to effective learning and help prepare pupils for life beyond the school gate.

Where our approaches towards behaviour management have been exhausted, then suspensions, managed moves and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in a safe, calm, and supportive environment.

Penair will always have regard to the Statutory Guidance on Suspensions and Exclusions (July 2022) when making decisions on suspensions and exclusions and will follow the law, as set out in the relevant School Discipline (Pupil Exclusions and Reviews) (England) Regulation 2012 (as amended).

This policy should be read in conjunction with the behaviour policy and the SEND policy for Penair School.

Application of our policy

This policy applies to all members of the Penair School community. We will apply suspensions and exclusions in accordance with this policy and ensure that its contents are relayed to all staff, parents, and pupils.

Roles and responsibilities

All members of staff involved in suspensions and exclusions are expected to follow this policy. The roles, responsibilities, and expectations of each section of the main personnel are set out in detail below.

Headteacher

All decisions to suspend or permanently exclude a pupil will be taken by the headteacher after considering all the circumstances as presented by the behaviour and pastoral team. Every decision made will be proportionate to the seriousness of the behaviour with reference to the school's behaviour policy. The Headteacher will also follow Part 5 of the guidance regarding the duty to inform parties about an exclusion in the Statutory Guidance on Suspensions and Exclusions (July 2022)

Governors

The board of governors are responsible for forming committees to review exclusions and suspensions when it is required to do so, it is requested by parents, or it is, in its view, prudent to review an individual decision. In each case, the decision of the relevant committee formed by the board of governors will be to decide whether to uphold the exclusion or suspension, or instead to reinstate the pupil to the school.

Parents

Parents will be informed without delay of any suspension or exclusion and there is an ability to make representations regarding any suspension or exclusion decision. Details will be provided on the rights parents have with every letter that is sent from the headteacher.

Pupils

All pupils at Penair School are expected to follow the expectations regarding their behaviour to ensure that all pupils can learn and participate in school life effectively. Where those expectations are breached, the behaviour policy will apply.

Types of exclusion

Suspensions and permanent exclusions are different:

Internal suspension is when a pupil is formally excluded from the rest of the school and must work away from their class for a fixed period. An internal suspension is a decision made by a member of staff, where a pupil's behaviour is escalating, and more serious measures need to be taken but does not warrant a suspension from school. Typically, a pupil receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them to avoid their behaviours escalating to a point where a suspension is necessary. In this case, the behaviour team and/or SWO (Student Welfare Officer) will provide some reflective resources for the pupil.

Suspensions (previously called fixed-term exclusions) are where a pupil is prevented from attending the school for a fixed period. This should be the shortest time necessary to ensure minimal disruption to the pupil's education, whilst mindful of the seriousness of the breach of policy. At the end of the period, they are expected to return to school following a reintegration meeting which needs to include representation by a parent or guardian. A pupil may receive a maximum of 45 days of suspension in an academic year before being permanently excluded.

Permanent exclusions are where, subject to a decision of the governing board to reinstate the pupil to the school, the pupil is prevented from attending the school again. A decision to permanently exclude will only be taken in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school. This is a very serious decision, and the Headteacher will consult with the behaviour team lead along with pastoral leads to ensure all necessary information has been considered.

Guiding principles

Pupils who show signs of emotional and behavioural difficulties which are not resolved by either internal and/or external collaborative interventions or the school's normal behaviour management procedures will move through the school-based stages of the behaviour management system. Consideration of any circumstances that may be a contributory factor to the pupil's behaviour will always be explored at each stage of our behaviour management procedures. Our early intervention enables the school to draw on increasing levels of support within the school and from external agencies at an early stage and can prevent any escalation through

our procedures. The prompt recognition of individual circumstances combined with effective preventative work may avoid the need for suspension later.

Only the Headteachers have the legal power to suspend or permanently exclude a pupil. If the Headteacher is absent, the power rests with the most senior teacher who should make clear that they are acting in the Headteacher's absence. The Headteacher must be informed as soon as is reasonably possible.

Penair School will take all reasonable steps to avoid suspending pupil's in line with the schools behaviour policy and will implement appropriate intervention strategies to support them as individuals. These may include:

- Identifying any special educational needs
- Interviewing the child/young person and parent/carer
- Negotiating agreements with pupils and parent/carer
- Restorative justice and mediation
- Using the detention system
- Removing the child/young person for a limited period from a specific activity
- Individual work with the pastoral teams
- Drawing up an Individual Behaviour Plan
- Referral to the early help
- Use of internal learning spaces
- involving other external agencies where appropriate

Suspension serves to make a clearly understood statement that certain behaviour is not to be tolerated within Penair school, and that pupil's along with parents/carers, need to reflect on their responsibilities in relation to the serious disciplinary issue concerned. Suspensions and/or permanent exclusion may be used for any 4-Point breach of our behaviour policy. This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction.

Decision to suspend or exclude

The decision to suspend and/or permanently exclude a pupil should be taken only:

- In response to serious breaches or persistent breaches of the school's behaviour policy, or
- If allowing pupils to remain in school would seriously harm the education or welfare of them or others in the school.

Suspensions/ permanent exclusions will not be imposed in the heat of the moment unless there is an immediate threat to the safety of others or to the pupils themselves.

Before a decision is made to suspend and/or permanently exclude a pupil, the Headteacher will ensure that a thorough investigation has been carried out, consider all the evidence available to support the allegations, provide an opportunity for the pupil to give their version of events, considering these in light of their age and understanding, and inform the pupil about how their views have been factored into any decision made.

Where relevant, the pupil will be given support to express their view, including through advocates such as parents or, if the pupil has one, a social worker. The headteacher will also take account of any contributing factors identified after an incident of misbehaviour has occurred.

Where witness evidence is relied upon, whether that be from a pupil or a staff member, the statement(s) will be provided at any governor review meeting. All statements will be signed and dated unless the headteacher has good reason to protect the anonymity of the relevant witness. Reasons may include threats of reprisals.

Check whether the incident may have been provoked e.g., by bullying or racial or sexual harassment, if necessary, consult others and keep a written record of the actions taken.

The standard of proof to be applied is the **balance of probabilities**. The more serious the allegation, the more convincing the evidence substantiating the allegation needs to be.

For behaviour outside school, the Headteacher may suspend and/or permanently exclude a pupil whose behaviour has brought the school into disrepute or if that pupil's actions would jeopardise the maintenance of good behaviour and discipline amongst the pupils.

During the period of suspension, the school will set appropriate age and ability-related work for the pupil to complete and arrange for it to be marked. The behaviour team will contact the parents on the day/s of the suspension to ensure that the pupil can access the work set.

Where a pupil is given a suspension of duration of six days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day.

During the suspension, the pupil is the responsibility of the parent/carer and may not enter the school buildings or grounds or be in the vicinity of the school. It is the parent's responsibility to ensure that the pupil is not present in a public place during school hours during the period of the suspension/exclusion unless there is a reasonable explanation. Parents can receive a penalty notice from the LA if they do not comply with this.

Suspensions and/or permanent exclusions will be recorded on the pupils records.

Children with Special Educational Needs and disabilities (SEND)

Other than in the most exceptional circumstances, the school will endeavor to avoid suspending or permanently excluding pupils with an Education Health Care Plan (EHCP).

The school will make every effort to avoid suspending or excluding pupils who are being supported on School Support (K) under the Special Educational Needs (SEN) Code of Practice, including those on intervention plans who are being assessed for an Education, Health Care Plan (EHCP).

The school will seek advice and support from the Local Authority and other professional agencies as appropriate.

The school has a legal duty under the Equality Act 2010 not to discriminate against disabled pupils by suspending or excluding them from school because of behaviour related to their disability.

The school will take reasonable steps to ensure that disabled pupils are not placed at a substantial disadvantage compared with their non-disabled peers. What constitutes a reasonable step will depend on the circumstances of each case.

Pupils who have a social worker, including looked after children (LAC), and previously looked-after children (PLAC).

The school will proactively support and co-operate with social workers, foster carers and the local authority as a corporate parent in doing everything possible to avoid suspending or excluding a pupil who has a social worker, LAC or PLAC.

Suspension and/or permanent exclusion of pupils who have a social worker, including LAC and PLAC would only be considered as an absolute last resort.

No pupil who has a social worker, LAC or PLAC will be suspended or permanently excluded without discussion with the Local Authority.

Where a pupil with a social worker, LAC or PLAC is suspended and/or permanently excluded, the school will attempt to arrange alternative provision from the first day of the suspension and/or permanent exclusion.

CCTV

The school uses Close Circuit Television (**CCTV**) within its premises. This is to provide a safe and secure environment for pupils, staff, and visitors. If behavioural incidents are recorded on CCTV, the footage may be viewed as part of the investigation and the content considered before imposing a sanction. If CCTV is relied upon for a decision on a suspension or exclusion, then it will be shown in some format (redacted as necessary) at any governor review meeting. Please see the school CCTV policy and privacy notices for more information.

Reintegration strategy meetings following suspension or off-site direction

Where a pupil is suspended or is directed to be educated off-site, upon return to the school both the pupil and parents will be invited to a reintegration strategy meeting. The purpose of the meeting is to:

- offer the pupil a fresh start,
- help them understand the impact of their behaviour on themselves and others,
- teach them to how meet the high expectations of behaviour in line with the school culture,
- foster a renewed sense of belonging within the school community; and build engagement with learning so that further suspensions are not needed

School staff will work with the pupil to understand what led to the behaviour and to establish if any changes can be made or further support implemented, from a pastoral or practical perspective that might reduce the chance of repeat behaviours. Previous behaviour is not seen as an obstacle to future success.

The school used various measures to support a pupil's successful reintegration including:

- contact with a designated pastoral professional in-school;
- use of a report card with personalised targets leading to personalised rewards;
- ensuring the pupil receives academic support upon return to catch up on any lost progress;
- planned pastoral interventions;
- mentoring by a trusted adult

- regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage; and informing the pupil, parents and staff of potential external support

Whilst reintegration meetings are highly encouraged by the school, pupils will not be prevented from being admitted to the school or being put in mainstream classes because a meeting has not taken place.

Cancelling exclusions

The headteacher may cancel an exclusion that has already begun, but this will only be done where it has not yet been reviewed by the governing body.

Suspensions before a permanent exclusion

In exceptional circumstances, pupils may receive a suspension prior to a permanent exclusion. For each decision, the headteacher will send the relevant letter setting out the rights of parents.

A suspension cannot be converted into a permanent exclusion and so any subsequent permanent exclusion would be a fresh decision due to commence immediately after the suspension had ended. Exceptional circumstances may include where further evidence has come to light or where the incident was serious, and time is required to fully investigate the circumstances and consider alternatives.

Directing off-site and managed moves

Before taking any decision to permanently exclude a pupil, the headteacher will consider whether a direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.

In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the school's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions would take place with parents to feed in their views about the options.

For a managed move to take place there needs to be an agreement between the school, the parents and the new school that a managed move should occur. A managed move leads to the transfer of a pupil to another mainstream school permanently. The local authority managed move processes will be followed.

In the case of a managed move there will be information sharing between the old school and the new school including prior and current attainment, risk assessment and advice of effective risk management strategies.

Safeguarding

Before a decision is taken to exclude a pupil, senior leaders will consider the safety and wellbeing of the pupil. Reasonable adjustments will be made to the sanctions as appropriate, and discussions will be held with the Designated Safeguarding Lead (DSL).

The DSL will follow the safeguarding processes as outlined in Keeping Children Safe in Education.

Complaints

If parents have any concerns or complaints over the application or implementation of this policy or feels that they are being pressured into a managed move, they should raise their concerns with a staff member or the headteacher in accordance with Penair School's complaints policy. If the concern relates to an exclusion, the statutory procedure set out in the exclusions statutory guidance will be followed.

Equality impact

Penair School does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics. This includes race, religion, disability, sexual orientation, and sex.

Monitoring arrangements

The governors review data on suspensions and exclusions to ensure that the use of suspensions and exclusions is appropriate.

The following are monitored by the governors to ensure the processes and support for pupils are appropriate including:

- the interventions put in place for pupils at risk of suspension and permanent exclusion.
- the processes in place for determining and reviewing directions to alternative provision and that such placements are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it.

The full-time educational provision for pupils of compulsory school age from the sixth consecutive school day of a suspension, in particular checking the provision is suitable and quality-assured to ensure that:

- any previous placements have been evaluated, including support for any applicable SEND;
- there is a process in place to monitor the pupil's attendance and behaviour at the provision
- the correct attendance code is being used
- the pupil's child protection file and any other information relevant to the pupil's safeguarding and welfare has been securely transferred to their new setting as early as possible.