

Hampton Vale Primary Academy

Exclusions Policy

Date Approved	17th September 2019
Date Reviewed	November 2022
Date of next review	November 2025

Introduction and General Principles

At Hampton Vale Primary Academy, we have high expectations of the behaviour of our children. Our ambition is to create high standards of behaviour so that our children are protected from disruption and can learn and thrive in a calm, safe, and supportive environment. Permanent exclusion will only be used as a last resort when all other sanctions in line with the school **Behaviour Policy** have been exhausted along with any other reasonable steps and adjustments. This could include being sent to another class, Senior Leaders in the school, or internal exclusion (this is where the child will spend time out of class with a member of the Senior Leadership Team for a period of time).

Permanent exclusion may, on extremely rare occasions, be the only possible response to a single incident of very extreme misconduct, which if allowing the child to remain in school would be to the serious detriment of the education and/or welfare of students and staff.

In applying this exclusion policy, we will follow the latest guidance and advice from the Department of Education and the Local Authority and have consulted the DFE [Guidance from September 2022](#).

**Terminology: use of the term suspend in this policy is a reference to what is described in the legislation as an exclusion for a fixed period.*

Each incident of suspension will be recorded in a standard format on CPOMS (letter to parents), which should detail;

- the name of the student
- the year group and class
- the gender of the student
- the ethnicity of the child
- the type of suspension
- in the case of suspensions, the number of days given

Headteacher's responsibility to use exclusion

Only the Headteacher will decide if a student is to be suspended for a fixed period. Where The Headteacher is absent, this power to suspend for a fixed period is delegated to The Deputy Headteacher. A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

Each individual case will be determined on its merit and circumstances will be investigated, considered and taken into account. The degree of severity of the offence, the frequency of occurrence and the likelihood of recurrence will be taken into account, as will the previous record of the student involved. When establishing the facts in relation to a suspension or permanent exclusion decision, the Headteacher will apply the civil standard of proof (meaning that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen).

The Headteacher will take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so. Whilst we recognise that an exclusion may still be an appropriate sanction, the headteacher will also take account of any contributing factors identified after an incident of misbehaviour has occurred and consider paragraph 45 of the DFE **Behaviour in Schools guidance** (acceptable forms of sanctions).

Suspensions

A suspension, where a pupil is temporarily removed from school, is an essential behaviour management tool that is clearly set out within our school's Behaviour Policy.

A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.

If a student is to be suspended for the first time, the length of the suspension will normally be between 1-3 school days. Longer periods may be used for more serious offences, extreme circumstances or a reoccurrence of misbehaviour following previous suspension. A suspension can also be for parts of the school day (e.g. if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period). Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.

Suspension is used to provide a clear signal of what is acceptable behaviour as part of our Behaviour Policy and show the pupil that their current behaviour is putting them at risk of permanent exclusion. Suspension will be considered as an option where verbal or physical abuse is directed towards staff and students and in serious cases of unprovoked violence towards fellow students or staff. It will also be considered in case of the bringing of dangerous objects or illegal substances onto the school premises. A student's behaviour outside of school can be considered grounds for suspension or permanent exclusion.

Other circumstances which warrant a suspension or permanent exclusion include, but are not limited to the following:

- Physical assault against a pupil or an adult
- Verbal abuse or threatening behaviour against a pupil or an adult
- Use, or threat of use, of an offensive weapon or prohibited item
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability

We recognise that it is important that during a suspension, pupils still receive their education. We will provide learning to complete during the suspension period and ensure that the work is set and marked for pupils during the first five school days of suspension.

When the Headteacher has decided that there is adequate ground for the suspension of a student, the parents will be informed by telephone as soon as possible. A letter will then be issued to the parent of the day of suspension. The letter should detail;

- the reason for the suspension
- the length of the suspension
- reference to the work which will be provided to complete during the suspension period
- links to support services for the family to access
- a suggested date on which parents may meet with the Headteacher or allocated Senior Manager to discuss the suspension and reintegration plan
- right to make representations to the Local Governing Committee and how the pupil may be involved in this
- how representations should be made
- parents duty to ensure that the pupil is not present in a public place at any time during school hours
- information about the alternative provision, if being arranged

Representations to the Local Governors concerning suspensions will normally be made in the first instance to the Chair of Governors. If the matter cannot be resolved by the Chair of Governors in the first instance, he/she may decide to refer the matter to a sub-committee of Governors.

Before the student returns to school, a reintegration meeting should be convened by the appropriate Senior Leader (Headteacher/ Deputy Headteacher) with the appropriate members of staff, parents and child. During the reintegration meeting the following will be discussed and documented;

- Name, Year Group
- Exclusion dates
- Reason/s for exclusion
- Date of reintegration meeting
- Agreed and set targets for the child

At the end of the meeting, all parties will be asked to sign the agreement and the child will be escorted back into class. The form is then stored on the record of the child (uploaded on CPOMS).

The school will not use a part time timetable to manage a pupil's behaviour, but can be used for a short time (with an agreed time limit) as a pastoral support programme, with the aim for the children to attend full-time by agreed time, either at school or an alternative provision.

In extreme and rare circumstances, the school reserves the right to use suspension up to the maximum period allowed in the current legislation. In the case of suspension exceeding the maximum period a meeting of the Governors Sub Committee will be convened.

If the exclusion is for 6 days or more the Headteacher (or appropriate Senior Leader) will plan full-time, offsite, educational provision from day 6 of the exclusion.

The Headteacher will inform the Governing board of any permanent exclusion where (including where a suspension is followed by a decision to permanently exclude the pupil):

- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a national curriculum test.

The Headteacher will inform the Local Authority, without delay, of all school exclusions regardless of the length of the exclusion. This will include the reason (s) for the suspension or permanent exclusion and the duration/ the fact it is permanent.

Procedures for Permanent Exclusions

The Headteacher alone will decide if a student is to be permanently excluded. Where the Headteacher is absent and the Deputy Headteacher feels that permanent exclusion may be the appropriate response, the Deputy Head may suspend the student for a fixed-term period to allow the Headteacher to consider the case on his/ her return.

Permanent exclusion is a very serious decision to come to and should only be used when all other sanctions, reasonable adjustments have failed to produce the desired outcomes for the student. It may also be an appropriate response to a single incident of extreme misconduct, for example extreme violence towards a fellow student or assault on a staff member.

The Headteacher will inform the parents of a permanent exclusion immediately by telephone and followed up in writing. The letter will give parents at least seven days notice of a hearing before the Governors Sub Committee to consider the exclusion.

The letter will state;

- that the student has been permanently excluded
- the reasons for the permanent exclusion
- the parents right to examine the record of the student
- the purpose of the hearing
- that the parent and student should attend the hearing and have the right to be accompanied by a friend
- that if they do not attend the hearing it may proceed in their absence
- that if the Governors confirm the exclusion, the parents have a right of appeal to an Independent Appeals Committee

A copy of this letter should be sent to the Chair of Governors and Sub Committee.

The Headteacher will make arrangements for a hearing before a Governors' Sub Committee to take place within 14 days of the exclusion. Normally, three members of the Governors will sit on the sub committee. No Governor who has any prior knowledge or involvement in the case should sit on the panel.

The procedure followed at the hearing will be as informal as possible. It will normally follow the format set out as below;

- The Sub Committee will meet jointly with the Headteacher and the parent, Student and any accompanying companion.
- The Governors will invite the Headteacher to give his/her reasons for recommending permanent exclusion
- The parent/s will be invited to ask questions of the Headteacher
- The parent/s will be given the opportunity to explain why they think permanent exclusion is inappropriate.
- The Headteacher will be given an opportunity to ask questions of the parents.
- The Headteacher and parents will be given the opportunity to sum up and ask further questions of the Governors. The Governor may wish to ask further questions to either the Headteacher or the parents.
- The Governors should be given time to convene to allow them to consider their decision. At this point, the Headteacher, parents and students should withdraw from the meeting.
- It is important that all parties in the meeting are aware that an adjournment can be called at any time. This could be for discussion, to compose themselves or seek advice from a professional advisor.
- The Governors will decide to either;
- Uphold the decision of the permanent exclusion
- To order the immediate reinstatement of the student
- The decision of the Governors Sub Committee will be communicated to the parents by letter on the same day. If the Governors decide to uphold the decision to permanently exclude, the letter should inform the parents of their right to appeal to an Independent Appeals Committee.

Pupils with disabilities and Special Educational Needs (SEN)

As a school, we will make reasonable adjustments for disabled pupils in relation to suspensions and the permanent exclusions process. We will ensure that the appropriate special educational provision is made for pupils with SEN, which will include any support in relation to behaviour management that they need because of their SEN. We will engage proactively with parents in supporting the behaviour of pupils with additional needs. Where there is a concern about the behaviour, or risk of suspension and permanent exclusion, of a pupil with SEN a disability or an EHCP, we will consider what additional support or alternative placement may be required. This will involve assessing the suitability of provision for a pupil's SEN or disability.

Pupils who have a social worker, including looked-after-children, and previously looked-after children

Where a pupil is subject to a Child in Need Plan or Child Protection Plan, and they are at risk of suspension or permanent exclusion, the Headteacher will inform the social worker, the Designated Safeguarding Lead (DSL) and the pupil's parents to involve them all as early as possible in relevant conversations.

Where a looked-after-child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) will contact the local authority's VSH as soon as possible. We will work together to consider what additional assessment and support needs to be put in place to help school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion.

Monitoring and review

Each incident of suspension will be brought to the attention of the Chair of the Governors. If for no other reason, this policy will be reviewed in three years in conjunction with statutory and local requirements.

Further information

See page 71 in guidance:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101498/Suspension_and_Permanent_Exclusion_from_maintained_schools_academies_and_pupil_referral_units_in_England_including_pupil_movement.pdf