



Exclusion & Suspension Policy

Approved by the Directors: November 2022

School Mission Statement

“To create and sustain, with God’s help, a learning, caring and serving community where all people are valued for who they are and who they may become in the light of Jesus Christ.”

This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

1. Aims
2. Definition
3. The decision to exclude
4. Roles and responsibilities
5. Considering a reinstatement of a student
6. Independent review
7. School registers
8. Returning from a suspension
9. Monitoring arrangements

1. Aims

Our school aims to ensure that:

- The exclusion process is applied fairly, consistently and only as a last resort;
- The exclusion process is understood by directors, staff, parents/carers and students;
- Students in the school are safe and happy
- Students do not become NEET (not in education, employment or training)

2. Definition

'Excluded' status is not the same as short-term isolation or removal from mainstream lessons. Exclusion is noted on a student's 'record' and has to be reported on transfer to other schools. It can be a fixed term or permanent (see below).

Suspension is a serious sanction and can be given for a period of 1 to 5 school days depending on the seriousness of the incident. In exceptional circumstances, a student could be fixed term excluded for more than 5 days, however, the school would make education provision from the 6th day of exclusion. For the purposes of exclusions, the 'school day' is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

A suspension can also be for part of the school day, for example, if a student's behaviour at lunchtime is disruptive, they may be excluded from the school premises for the duration of the lunchtime period. The legal requirements relating to exclusion, such as the Headteacher's duty to notify the parents/carer apply in all cases. Lunchtime exclusions are counted as half a school day for statistical purposes.

Following a suspension, parents/carers are invited to a re-admission meeting before a student is reinstated in mainstream lessons. However, where a parent/carer refuses to come to a meeting, the school would not further punish the student for that parents/carers actions.

The kinds of behaviour that could result in an exclusion are:

- Theft
- Major environmental damage
- Verbal/physical abuse including racial, sexist, religious and homophobic abuse towards student(s)/staff;
- Despite all sanctions, students persist in blatant disregard of the schools Code of Conduct
- Students are caught in possession of alcohol, weapons or illegal substances
- Disruption of an examination

Permanent exclusion at St Bedes Inter-Church School means a decision has been made by the Headteacher to exclude a student permanently from the school. Under the Cambridgeshire Behaviour and Attendance Improvement Partnership (BAIP) this could mean that any of the following could result:

- Permanent exclusion could be avoided because the school, the LA and parent/carers agree a managed move to another school using the Managed Move Protocol
- The student's case could be referred to the Cambridgeshire Inclusion Partnership panel to determine an educational placement outside of the school;
- The school could provide alternative education via an IAEP (Individual Alternative Education Plan) and EIO (Education Inclusion Officer)
- Permanent exclusion from St Bedes Inter-Church School

3. The decision to exclude

Only the Headteacher or acting Headteacher can exclude a student from the school.

A decision to exclude a student will be taken as a last resort and only:

- In response to serious or persistent breaches of the schools Behaviour and Discipline Policy
- If allowing the student to remain in the school would seriously harm the education or welfare of others

Before deciding to exclude a student, either for a fixed period or permanently the Headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked;
- Allow the student to give their version of events'
- Consider if the student has special education needs (SEN)
- Review previous involvement of the schools Learning Support Teams and if there has been an Early Help Assessment completed and strategies deployed
- Consider who else might need to be consulted (for example SENCo, ESLAC teachers, social worker, designated safeguarding lead).

4. Roles and responsibilities

4.1 The Headteacher

Informing parents/carers

A senior member of staff will contact parents/carers as soon as the decision to exclude has been made by the Headteacher. Within 24 hours this will be followed up in writing to the parents/carers of the excluded student in which the following information should be included:

- The reason(s) for the exclusion;
- The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent;
- Information about parents/carers right to make representations about the exclusion to the board of directors and how the student may be involved in this
- Where there is a legal requirement for the board of directors to meet to consider the reinstatement of a student, and that parents/carers have the right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend.

The Headteacher will also notify parents/carers by the end of the afternoon session on the day of their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents/carers are legally required to ensure that their child is not present in a public place during school hours without good reason. Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this.

If an alternative provision is being arranged, the following information will be included when notifying parents/carers of an exclusion:

- The start date for any provision of full-time education that has been arranged;
- The start and finish times of any such provision, including times for the morning and afternoon sessions, where relevant;
- The address where the provision will take place;
- Any information required by the student to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertained by the end of the afternoon session, it may be provided in a subsequent notice, but will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents'/carers' consent.

Informing the board of directors and local authority

The Headteacher will immediately notify the board of directors and the local authority (LA) of:

- A permanent exclusion;
- Exclusion which would result in the student being excluded for more than 5 school days (or more than 10 lunchtimes) in a term;
- Exclusions which would result in the student missing a public examination

For permanent exclusions, if the student lives outside the LA in which the school is located, the Headteacher will also immediately inform the students 'home authority' of the exclusion and the reason(s) for it without delay.

For all other exclusions, the Headteacher will notify the board of directors and the LA once per term.

4.2 The Board of directors

The responsibilities regarding exclusions are delegated to a Discipline Panel consisting of at least 3 directors.

The Discipline Panel has a duty to consider the reinstatement of an excluded student (see section 5)

For a fixed-period exclusion of more than 5 school days, the board of directors will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of exclusion.

Provision does not have to be arranged for students in the final year of compulsory education who do not have any further public exams to sit.

5. Considering the reinstatement of a student

The Discipline Panel will consider the reinstatement of an excluded student within 15 school days of receiving the notice of exclusion if:

- The exclusion is permanent;
- It is a fixed-term exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term
- It would result in a student missing a public examination

If requested to do so by parents/carers in writing, the Discipline Panel will consider the reinstatement (it would not be possible to reinstate as the exclusion will have long passed all directors can do is decide whether they believe the exclusion was appropriate, and if they felt it was not, then a letter stating that should be sent to the parents and put in the student's file) of an excluded student within 50 school days of receiving notice of the exclusion if the student would be excluded from school for more than 5 school days but less than 15, in a single term.

Where an exclusion would result in a student missing a public examination, the Discipline Panel will consider the reinstatement of the student before the date of the examination. If this is not practicable, the Discipline Panel will consider the exclusion and decide whether or not to reinstate the student.

The Discipline Panel can either:

- Decline to reinstate the student;
- Direct the reinstatement of the student immediately or on a particular date

In reaching a decision, a Discipline Panel will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the Headteacher followed their legal duties. They will decide whether or not a fact is true 'on balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken at the meeting, and a record of the evidence considered kept. The outcome will also be kept on the student's educational record.

The Discipline Panel will notify, in writing, the Headteacher, parents/carers and the LA of its decision along with reasons for its decision without delay.

Where an exclusion is permanent, a Discipline Panels decision will also include the following:

- The fact that it is permanent
- Notice of parents/carers' right to ask for the decision to be reviewed by an independent review panel, and:
 - The date by which an independent review must be made
 - The name and address to whom an application for a review should be submitted
 - That any application should be set out on the grounds on which it is being made and that, where appropriate, reference to how the students SEN are considered to be relevant to the exclusion;
 - That, regardless of whether the excluded pupil has recognised SEN, parents/carers have the right to appoint an SEN expert to attend the review;
 - Details of the role of the SEN expert and that there would be no cost to parents/carers for this appointment.
 - That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for review
 - That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review.
- That if parents/carers believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim for discrimination made under these routes should be lodged within 6 months of the date in which the discrimination is alleged to have taken place.

6. Independent Review

Applications for an independent review must be made within 15 school days of notice being given to parents/carers by the Discipline Panel of its decision not to reinstate a student.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5 member panel is constituted, 2 members will come from the school Directors' category and 2 members will come from the Headteachers' category.

- A lay member to chair the panel who has not worked in the school in any paid capacity, disregarding any experience as a school director or volunteer.
- School directors who have served as a director for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time.
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they are:

- A member of the board of directors of the excluding school
- A headteacher of the excluding school, or held this position in the last 5 years
- A connection with the board of directors, parent or pupil, or the incident leading to the exclusion which might reasonably be taken to raise doubts about their impartiality

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the board of directors's decision
- Recommend that the board of directors reconsiders reinstatement
- Quash the governing bodies decision and direct that they reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

7. School Registers

A student's name will be removed from the school admissions register if:

- 15 school days have passed since the parents/carers were notified of the exclusion panel's decision not to reinstate the student and no application has been made for an independent review panel, or
- The parents/carers have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review has been made, the board of directors will wait until that review has been concluded before removing a student's name from the register.

Where alternative provision has been made for an excluded student and they attend it, code B (education off site) or code D (dual registration) will be used on the attendance register.

Where excluded students are not attending alternative provision, code E (absent) will be used.

8. Returning from a fixed-term exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the student, parents/carers and a member of senior staff where appropriate.

The following measures may be implemented when a student returns from a fixed-term exclusion:

- Agreeing a behaviour contract
- Putting a student 'on report'
- Internal isolation
- Additional 'bespoke' reintegration support

9. Monitoring arrangements

The Senior Leadership Team monitors the number of exclusions every term and reports to the board of directors. They also liaise with the local authority to ensure suitable full-time education for excluded students.