



School Behaviour & Exclusions Policy

This policy should be read in conjunction with:

- DfE Behaviour in schools
- DfE School Suspensions and permanent exclusions
- Anti-bullying policy

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1. Policy Statement

At Hurst Drive Primary School, we are committed to creating an environment where exemplary behaviour is at the heart of productive learning. We have adopted a therapeutic approach to behaviour that prioritises the pro-social experiences and feelings of everyone within the school community.

The behaviour policy will also apply where behaviour outside of the premises may adversely impact the maintenance of good order and discipline within the school or where it may negatively affect the education and welfare of other members of the school community.

This policy is based on legislation and advice from the Department for Education (DFE) on:

- [Behaviour and discipline in schools: advice for headteachers and school staff, 2016](#)
- [Behaviour in schools: advice for headteachers and school staff 2022](#)
- [Searching, screening and confiscation at school 2018](#)
- [Searching, screening and confiscation: advice for schools 2022](#)
- [The Equality Act 2010](#)
- [Keeping Children Safe in Education](#)
- [Exclusion from maintained schools, academies and pupil referral units in England 2017](#)
- [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - 2022](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)

It is also based on the [Special Educational Needs and Disability \(SEND\) Code of Practice](#).

In addition, this policy is based on:

- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its pupils
- Sections 88 to 94 of the [Education and Inspections Act 2006](#), which requires schools to regulate pupils' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate pupils' property
- [DfE guidance](#) explaining that maintained schools must publish their behaviour policy online

2. Policy Aims

- To clearly explain the therapeutic approach to all stakeholders;
- To clearly explain The Hurst Drive Way to all stakeholders;
- To promote the link between teaching, learning and behaviour;
- To provide staff with strategies to promote pro-social behaviour to help children succeed in school and beyond;
- To empower staff to understand anti-social behaviour in order to prevent it;
- To ensure staff can respond to dangerous behaviour safely and with confidence; and,
- To ensure that excellent behaviour is a minimum expectation for all at Hurst Drive Primary School.

3. Definitions & abbreviations

- The Hurst Drive Way – the schools motto, rules, values and learning behaviours which we expect all children and adults to adhere to in order to promote a positive and consistent school culture
- Pro-social behaviour - behaviour that is positive, helpful and benefits other people.
- Anti-social behaviour - behaviour that causes harm to the individual, the community or to the environment
- Difficult behaviour - behaviour that is anti-social but not dangerous
- Dangerous behaviour - behaviour that will imminently result in injury to self or others, or damage property
- Bullying is defined as the repetitive, intentional harming of 1 person or group by another person or group, where the relationships involves an imbalance of power (please refer to our Anti-bullying Policy)
- MSA – Mid-day supervisor
- CPOMS – Our electronic system for recording and reviewing behaviour and safeguarding incidents
- HTLA – Higher Level Teaching Assistant
- LSA – Learning Support Assistant
- TA – Teaching Assistant

4. Roles and Responsibilities

The governing board

The governing board is responsible for:

- Reviewing and approving the written statement of behaviour principles
- Reviewing this behaviour policy in conjunction with the headteacher
- Monitoring the policy's effectiveness
- Holding the headteacher to account for its implementation

The Executive headteacher

The Executive headteacher is responsible for

- Reviewing this policy in conjunction with the governing board

- Giving due consideration to the school's statement of behaviour principles
- Approving this policy
- Ensuring that the school environment encourages positive behaviour by leading on implementation of The Hurst Drive Way
- Ensuring that staff deal effectively with poor behaviour
- Monitoring that the policy is implemented by staff consistently with all groups of pupils
- Ensuring that all staff understand the behavioural expectations and the importance of maintaining them
- Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all pupils to participate fully
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- Ensuring this policy works alongside the safeguarding policy to offer pupils both consequences and support when necessary
- Ensuring that the data from the behaviour log is reviewed regularly, to make sure that no groups of pupils are being disproportionately impacted by this policy

Teachers and staff

Staff are responsible for:

- Modelling, reinforcing and upholding The Hurst Drive Way
- Creating a calm and safe environment for all pupils
- Establishing and maintaining clear boundaries of acceptable pupil behaviour
- Implementing the behaviour policy consistently across the whole school
- Communicating the school's expectations, routines, values and standards through teaching behaviour and in every interaction with pupils
- Building positive relationships with parents to enable partnership work in relation to behaviour
- Modelling expected behaviour and positive relationships
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Recording behaviour incidents promptly on CPOMS and/or verbally to SLT where appropriate

The senior leadership team (SLT) will support staff in responding to behaviour incidents in line with the RAG rated levels of behaviour.

Our staff are provided with training on managing behaviour, including proper use of reasonable force, as part of their induction process. Behaviour management will also form part of continuing professional development.

Only paid members of staff are authorised by the headteacher to carry out consequences in line with the behaviour policy. Any volunteers to the school are directed to refer to the member of staff overseeing their work when encountering difficult or dangerous behaviour so that the staff member may address it.

Parents and carers

Parents and carers should:

- Seek to understand and support The Hurst Drive Way
- Get to know the school's behaviour expectations and reinforce it at home where appropriate
- Support their child in adhering to the school's behaviour policy
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly
- Take part in any pastoral work following anti-social behaviour (for example: attending reviews of specific behaviour interventions)
- Raise any concerns about the management of behaviour with the school directly, whilst continuing to work in partnership with the school
- Take part in the life of the school and its culture

The school will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the school's policy, and working in collaboration with them to tackle behavioural issues.

Pupils

Pupils will be made aware of the following during their induction into the behaviour culture:

- The Hurst Drive Way
- The expected standard of behaviour they should be displaying at school
- That they have a duty to follow the behaviour policy
- The rewards they can earn for meeting the behaviour standard
- The pastoral support that is available to them to help them meet the behavioural standards

5. School Values

The Hurst Drive Way

At Hurst Drive Primary School we expect all staff, parents and children to follow The Hurst Drive Way. The Hurst Drive Way clearly sets out our motto, school rules, values and learning behaviours which support a positive and safe culture in which all children are enabled to learn and develop.

Our School Motto

Our school motto is 'Success for All'. We strive for all of our children to be successful both academically and socially.

School Values

At Hurst Drive Primary School, we will instil five values in every child that will help them on their journey to achieving success for themselves and success for others:

- **Respect (Be respectful)**
- **Confidence (Be confident)**
- **Kindness (Be kind)**
- **Inclusivity (Be inclusive)**
- **Community (Be a positive member of our school community)**

School Rules

In accordance with the school values, we have seven, positively phrased school rules that every child must follow to create an environment that is conducive to learning:

- We work to the very best of our ability
- We listen to learn, achieve and stay safe
- We tell the truth
- We use kind words and actions
- We look after school and personal property
- We use our words to ask for help when we need it
- We live out our school values

Learning Behaviours

As a school community, we have agreed that the following learning behaviours are most supportive of all children in being successful in their learning. We expect our teachers to plan lessons that enable children to learn in this way and we expect our children to develop and commit to being successful learners through these behaviours:

- I love curiosity
- I love not knowing
- I love not giving up
- I love being supportive
- I love being independent
- I love taking risk

6. Behaviour Curriculum

Rather than controlling behaviour, we aim to teach pro-social behaviour that is positive, helpful and promotes social acceptance. We dedicate time to the teaching and re-teaching of behaviour expectations and routines at the beginning of each term as well as teaching this through the following:

- **Relationships** By getting to know the children and their families, for example, at the start or end of the school day, trust is built and through trust comes respect, creating a safe environment for every child.
- **Role Modelling** Consistent staff role-modelling of The Hurst Drive Way.
- **Positive Phrasing** Positive phrases are clear, uncomplicated, unambiguous instructions delivered with clarity and support children to understand and learn the behaviours expected in school. For example, "Stand next to me," "Walk inside," "Use a calm voice to explain."
- **Reward and Positive Reinforcement:** We recognise that positive experiences create positive feelings, which in turn encourages pro-social behaviour. We reward pro-social behaviour as follows:
 - ★ **Use of Individual Praise**
 - ★ **House System and House Points** Children receive house points for keeping The Hurst Drive Way. Awarded house points are recorded on a class chart and ahead of the weekly celebration assemblies, a house captain collates the house points so the member of the Senior Leadership Team leading the assembly may announce the winning house for the week. At the end of each half term, the house with the most wins is rewarded with a non-uniform day.
 - ★ **Attendance Reward** Each week, the class with the most pupils achieving 100% attendance will be allowed to select a reward such as playing a class game together. On a yearly basis, the children who have maintained 100% attendance receive a certificate during the final assembly of the school year.
 - ★ **Achievement Certificates** On a weekly basis, each class teacher (will nominate a child from their class who has demonstrated The Hurst Drive Way, and a child who has achieved well in an area of the school curriculum. These are then certificate presented to them during the weekly celebration assembly. Teachers are also able to award the 'reading award' for children based on reaching a number of books read. The rewards start at 20 books and progress through to 100.
 - ★ **Headteacher's Award** A Headteacher's Award Sticker is given to a child when he or she has been sent to the Headteacher to show particularly outstanding work (for that child). This is celebrated in the weekly assembly and the weekly newsletter. These are recorded across a child's time at Hurst Drive. Achieving high numbers of these awards results in being awarded bronze, silver and gold stars as follows:

15 Headteacher awards = bronze star

30 Headteacher awards = silver star

50 Headteacher awards = gold star

These awards must be for outstanding work and are intended to reward the hardest work and dedication. It is not expected that all children will receive enough awards to be given the gold star by the time they leave Hurst Drive.

- **Responsibilities** Giving a child responsibility is a pro-social experience that creates the feelings vital for behaving in a pro-social way. We look for many ways to give the children responsibilities in school, including, but not limited to, the following roles:
 - School Council (i.e. a representative from each class who meet regularly to affect positive change in school)
 - Year 6 House Captains who support in Celebration assemblies and help to organise whole school events
 - Teacher Helper (i.e. supporting a teacher during lunchtime)
 - Office Helper (e.g. delivering letters or leaflets for distribution that day)
 - Classroom Responsibilities (e.g. book monitor who maintains the reading area)
 - Playground buddies (children are able to apply and be trained as buddies to support pro-social behaviour at playtimes)
- **Restorative Conversation** In order to support children to empathise and understand the impact of their anti-social behaviour on others, staff members will carry out restorative conversations after the incident and when a child is calm and able to reflect. Staff members are expected to model forgiveness through these conversations remembering it is the behaviour that a staff member is unhappy with, and not the child.

7. Supporting Behaviour in the Classroom

Teachers should use a variety of strategies to maintain good behaviour for learning in all lessons, including:

- non-verbal cues (e.g. 'The Look');
- waiting for children to all attend to the teacher and not allowing children to talk over them;
- Use of 'thankyou' after an instruction to convey an expectation that this will be complied with;
- proximity praise (i.e. praising a child who is doing the correct thing near to a child who is not);
- consistent routines (e.g. lining up routines, how children should enter the classroom, how to access help and resources);
- explicit behavioural expectations shared with pupils (e.g. "I know you'll be ready to begin when you...");
- sharing and adhering to age-appropriate time limits to complete tasks (e.g. "You have 2 minutes to draw your margin, stick in your learning objective sticker and write the short date.") and,

- ensure all resources pupils require to complete tasks are available before the lesson begins to avoid pupils becoming disengaged whilst waiting for resources to be distributed which may lead to anti-social behaviour.

8. Consequences for Anti-social Behaviour

Staff, who observe the behaviour will always deliver consequences calmly and with care. To support consistency in response to anti-social behaviour, the school have developed a RAG rating system which all staff follow.

There are two types of consequences: educational and protective.

Protective consequences are necessary to measure the risk of harm that results in dangerous behaviours. **Protective consequences limit freedoms.**

When we use protective consequences, we must evidence the educational consequences that are in place to progress the child to a point where we can return any freedoms limited by the use of protective consequences. **Educational consequences return freedoms.**

Educational Consequences

This involves learning, rehearsing or teaching so the protective consequence can be removed, and a freedom may be returned to a child. To decide an educational consequence, the staff member needs to answer two questions:

1. What does the child need to learn?
2. How am I going to teach them?

Examples of educational consequences include the following:

- Restorative conversation to support children to empathise and understand the impact of their anti-social behaviour on others
- Conversation and exploration (e.g. comic strip stories to discuss what happened and how the child should have responded and will respond next time a similar incident occurs)
- Completing tasks (e.g. unfinished schoolwork)
- Rehearsing (e.g. role play with dolls)
- Assisting with repairs (e.g. fixing a damaged classroom display)
- Educational opportunities (e.g. reading intervention if difficult behaviour occurs during guided reading sessions)
- Research (e.g. researching Paralympians after disability abuse)

Protective Consequences

This involves limiting freedoms. Protective consequences are used in the short-term to manage harm.

Examples of protective consequences include the following:

- Increased staff ratio
- Additional support at lunchtime to develop social skills.
- Escorted in social situations
- Differentiated teaching space
- Part-time timetable
- Exclusion

Levels of behaviour	Examples of anti-social behaviours	Protected/Educational Consequences	
		In Classroom	Outside of the classroom
Level 1 (Low level anti-social behaviours)	<ul style="list-style-type: none"> • Calling out / talking over others • Disruption to others • Time delaying • Unwillingness to remain on task • Reluctance to follow instructions (refusal/defiance) • Non-compliance with general class expectations • Not speaking respectfully to peers/adults by answering back or using a rude tone. • Name calling • Use of inappropriate language (not directed at an individual) • Leaving the classroom without permission* 	<p>Step 1: Educational Non-verbal warning- look or gesture followed by “Thank you.”</p> <p>Step 2: Educational Polite reminder (Verbal warning): “[Name] Listen, thank you.”</p> <p>Step 3: Educational & Protective Child offered a choice to work in an alternative place within the classroom. Self-regulation time if needed. Relevant intervention and support offered including a restorative debrief with Class Teacher or TA.</p> <p>Step 4: Educational & Protective Child moves to a space inside a neighboring classroom (within year group) for a maximum of 10 minutes with their learning (timer used). A restorative debrief should follow with Class Teacher or TA.</p> <p>*Additional staff member should observe at a distance to ensure child’s safety. If no additional adult, alert the School Office via phone-call (for children who struggle to remain in the classroom, encourage the use of a timeout card to communicate need). An educational and restorative conversation will be needed once child returns/is calm enough to talk.</p>	<p>Step 1: Educational Non-verbal warning- look or gesture followed by “Thank you.”</p> <p>Step 2: Educational Polite reminder (Verbal warning): “[Name] Listen, thank you.”</p> <p>Step 3: Educational & Protective Child offered a choice to play somewhere else on the playground. Self-regulation time if needed Relevant intervention and support offered including a restorative debrief with member of staff on duty.</p> <p>Step 4: Educational & Protective Child completes timeout outside on the playground for a maximum of 10 minutes.</p>

<p>Level 2</p> <p>Parents must always be alerted.</p> <p>All Level 2 incidents and consequences must be recorded on CPOMS.</p>	<ul style="list-style-type: none"> Continuation of level 1 anti-social behaviours after level 1 consequences <p>Or a single incident of:</p> <ul style="list-style-type: none"> Physically or emotionally hurting another deliberately (a single occurrence) Verbal or physical retaliation Deliberate damage to school or personal property Throwing objects around a classroom Verbally threatening Repeated use of inappropriate language and/or swearing Sexualised language Use of racist/sexist/homophobic/transphobic/discriminatory language 	<p>Step 5: Educational & Protective - Child moves to a space in the neighbouring classroom for remainder of the session with their learning. A restorative debrief should follow with Class Teacher or Phase Leader and further educational consequence may be appropriate (see list of examples).</p> <p>Step 6: Educational & Protective - Child moves to a space in the neighbouring classroom for the remainder of the day with their learning. A restorative debrief should follow with Class Teacher or Phase Leader and further educational consequence may be appropriate (see list of examples)..</p> <p>Step 7: Educational & Protective – Internal exclusion – Child is sent to a member of SLT for the remainder of the half day/full day. A restorative debrief should follow with Class Teacher or Phase Leader and further educational/protective consequence may be appropriate (see list of examples). A parent meeting may be held.</p>	<p>Step 5: Educational & Protective - Continued level or 2 behaviour – Child to miss the rest of that break or lunch. If the incident occurs towards the end of break or lunch, it may be appropriate for them to miss their break/lunch the following day. This must be communicated in person to SLT if required to support this. A restorative debrief should follow with the lead MSA, Miss Ackland and further educational consequence may be appropriate (see list of examples).</p> <p>Step 6: Educational & Protective - Internal Exclusion – Depending on incident child may need to be sent to SLT for the remainder of the half day/full day. A restorative debrief should follow with the lead MSA, Miss Ackland and the child’s class teacher/phase leader as appropriate. Further educational/protective consequence may be appropriate (see list of examples).</p>
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<p>Level 3</p>	<ul style="list-style-type: none"> Continuation of level 1 or 2 anti-social behaviours after step 6 consequence despite staff intervention and support Inappropriate language - swearing and persistent rudeness after step 6 consequence despite staff intervention and support <p>Or a single incident of:</p> <ul style="list-style-type: none"> Absconding from the school grounds Serious physical/emotional harm Deliberate serious damage to school or personal property Bringing in, physically threatening or using a weapon Bringing in harmful substances/illegal drugs 	<p>Call SLT if required</p> <ul style="list-style-type: none"> Where any consequences from level 2 have not had an impact over time or for an isolated serious incident, the following procedures should be followed: Educational and Protective Internal Exclusion- Persistent level 2 behaviours demonstrated will result in internal exclusion for up to 5 school days. Educational consequence may involve support from pastoral team, phase leader and/or SLT. Educational and Protective - Suspension- Between 1-3 days at the discretion of the Headteacher for repeated level 2 behaviours and Level 3 behaviour. Exclusions beyond 3 days will be based on continuing threat to the safety of the child or others. Reintegration meetings and possible further pastoral support will support the educational aspect of the consequence. Educational & Protective - Permanent Exclusion <p>NB: Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds.</p>
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- All level 2 & 3 incidents to be reported via CPOMS the same school day. Phase leaders should be alerted.
- Parents to be informed following all Level 2 & 3 incidents. Level 1 incidents will be reported to parents at the discretion of the teacher.
- For persistent Level 2 behaviours consider behaviour support plan via STEPS Toolkit.

9. Scripts for Supporting Behaviour

Staff members should employ these four approaches when scripting their language:

1. Positive phrasing (e.g. Come sit next to me for a story)
2. Limited choice (e.g. Would you like to sit on the chair or bean bag?)
3. Disempowering the behaviour (e.g. You can listen to the story from there.)
4. Consequence (e.g. We will check you understand the story before going out for break time)

In line with the Hertfordshire Steps, when dealing with a child in crisis, we use the script below to support them and defuse a potentially harmful situation:

De-escalation Script

- Child's name,
- I can see something is wrong.
- I am here to help.
- Talk and I will listen.
- Come with me and...

10. De-escalating Body Language

The following approaches should be employed to help de-escalate a potentially harmful situation:

- Outside of an outstretched arm (i.e. not invading the child's personal space)
- Sideways stance (i.e. not confrontational)
- Leaving an open door (i.e. the child does not feel threatened and 'fenced in')
- Relaxed hands
- Managing height (i.e. not towering over a child – e.g. consider crouching if safe to do so)

11. Wider Support

We look for many ways to support children's personal development in school, including, but not limited to, the following

- Nurture groups /Friendship Groups/ Protective Behaviour Groups/1:1 run by our pastoral team
- Mental Health Support (from the external Mental Health Practitioner Team - by referral only)
- Safe Spaces Counselling (from an external trained counsellor - by referral only)
- The Mentoring Lab (in-school mentoring provided by an external trained mentor (years 4-6 only))

- CHEXS Growth Programme - Years 5 & 6 (nomination only)
- CHEXS Family Support for parents - this can include help with behaviour (by parent request and referral only)
- Family Support from Mrs Chanter
- Referral to RIVERS Outreach Behaviour Support Team
- Referral to The Phoenix Centre alternative provision
- Referral to the School Nursing Team - referrals include support with anger management and anxiety
- Referral to the school Inclusion Lead if it is thought the behaviour may be linked to an undiagnosed special educational need

All of the support available is provided in a sensitive and individualised manner in order to meet the individual needs of children.

12. Therapeutic Thinking – A Graduated Approach

At Hurst Drive, we have adopted the Therapeutic Thinking Graduated Response to supporting pro-social behaviour. Most children's behaviour will be supported and through Universal Support by consistent implementation of the Behaviour Curriculum and Behaviour Policy but where a more individualised approach is required, staff follow the steps outlined below:



Therapeutic Thinking Graduated Response

<p>Universal Behaviour Curriculum</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Teach pro-social behaviour. <input type="checkbox"/> Include within pupil induction. <input type="checkbox"/> Establish routines. <input type="checkbox"/> Staff role-model expectations. <input type="checkbox"/> Create positive relationships. <input type="checkbox"/> Use positive phrasing to communicate expectations.
<p>Targeted Behaviour Policy</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Predict and prevent anti-social behaviour, progress to pro-social behaviour - a plan for the majority. <input type="checkbox"/> Check if the identified behaviour is covered in policy. <input type="checkbox"/> Follow the policy. <input type="checkbox"/> Record the impact of policy on pupil's behaviour. <input type="checkbox"/> Analyse the dynamic using the inclusion circles. <input type="checkbox"/> If an individual plan, additional to or different from policy, is needed, move on to Early Prognosis.
<p>Targeted Plus Early Prognosis</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Describe the behaviour factually and unemotionally. <input type="checkbox"/> Gather appropriate and authentic pupil voice. <input type="checkbox"/> Gather information from relevant parties, including multi-agency colleagues, in respect of: <ul style="list-style-type: none"> <input type="checkbox"/> Function of behaviour <input type="checkbox"/> Health and wellbeing <input type="checkbox"/> Context <input type="checkbox"/> Cultural expectations <input type="checkbox"/> Use the collated information to Assess, Plan, Do, Review. <input type="checkbox"/> Where further intervention is needed, move to Predict & Prevent.
<p>Specialist Predict, Prevent & Progress</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Update Early Prognosis document. <input type="checkbox"/> Complete Risk Calculator. <input type="checkbox"/> Identify any protective consequences needed. <input type="checkbox"/> Identify educational consequences needed. <input type="checkbox"/> Complete Subconscious and Conscious checklists. <input type="checkbox"/> Complete Anxiety Analysis over a period of time. <input type="checkbox"/> Identify factors the child can't cope with and which they can't cope without. <input type="checkbox"/> Use all preceding analysis to create a Predict, Prevent & Progress plan. <input type="checkbox"/> Review the plan regularly. <input type="checkbox"/> Where further intervention is needed move to Therapeutic Plan.
<p>Specialist Plus Therapeutic Plan</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Ensure all preceding analysis documents are updated (Early Prognosis, Risk Calculator, Subconscious & Conscious checklists, Anxiety Analysis). <input type="checkbox"/> Complete the Therapeutic Tree for the individual pupil, taking into account all the preceding analysis when populating the planned pro-social experiences and planned pro-social behaviours. <input type="checkbox"/> Complete a Therapeutic Plan as a result of the completed analysis documents. <input type="checkbox"/> Continue Assess, Plan, Do, Review cycles. <input type="checkbox"/> Involve multi-agency colleagues in a review of the effectiveness of meeting need.

13. Responding to anti-social behaviour from pupils with SEND

Recognising the impact of SEND on behaviour

The school recognises that pupils' behaviour may be impacted by a special educational need or disability (SEND).

When incidents of anti-social behaviour arise, we will consider them in relation to a pupil's SEND, although we recognise that not every incident of anti-social behaviour will be connected to their SEND. Decisions on whether a pupil's SEND had an impact on an incident of anti-social behaviour will be made on a case-by-case basis.

When dealing with anti-social behaviour from pupils with SEND, especially where their SEND affects their behaviour, the school will balance their legal duties when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled pupil caused by the school's policies or practices ([Equality Act 2010](#))
- Using our best endeavours to meet the needs of pupils with SEND ([Children and Families Act 2014](#))
- If a pupil has an education, health and care (EHC) plan, the provisions set out in that plan must be secured and the school must co-operate with the local authority and other bodies

As part of meeting these duties, the school will anticipate, as far as possible, all likely triggers of anti-social behaviour, and put in place support to prevent these from occurring.

Any preventative measures will take into account the specific circumstances and requirements of the pupil concerned. The school will put in place measures to anticipated and remove triggers of anti-social behaviour on a case by case basis, such as:

- Short planned movement breaks for a pupil with SEND who finds it difficult to sit still for long periods
- Adjusting seating plans to allow a pupil with visual or hearing impairment to sit in sight of the teacher
- Training for staff in understanding conditions such as autism
- Use of separation spaces within or outside the classroom where pupils can regulate their emotions during a moment of sensory overload

Adapting consequences for pupils with SEND

When considering a behavioural consequence for a pupil with SEND, the school will take into account:

- Whether the pupil was unable to understand the rule or instruction?
- Whether the pupil was unable to act differently at the time as a result of their SEND?
- Whether the pupil is likely to behave aggressively due to their particular SEND?

If the answer to any of these questions is yes, it may be unlawful for the school to consequence the pupil for the behaviour.

The school will then assess if it is appropriate to use a consequence and if so, whether any reasonable adjustments need to be made to the consequence.

Considering whether a pupil displaying challenging behaviour may have unidentified SEND

The school's special educational needs co-ordinator (SENCO) may evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.

Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

Pupils with an education, health and care (EHC) plan

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies.

If the school has a concern about the behaviour of a pupil with an EHC plan, it will make contact with the local authority to discuss the issue. If appropriate, the school may request an emergency review of the EHC plan.

14. Safeguarding

The school recognises that changes in behaviour may be an indicator that a pupil is in need of help or protection.

We will consider whether a pupil's behaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, we will follow our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

Please refer to our child protection and safeguarding policy for more information.

15. Suspension and Exclusion

Please refer to the Exclusions Policy (Appendix 1).

16. Reasonable Force

To maintain the safety and welfare of our children, it may sometimes be necessary to use reasonable force on a child, as permitted by law. This is only to be used when all possible options for giving the child time/space to regain self-control have been exhausted.

Force is generally used for two different purposes: to control children or to restrain them. Control can mean either passive contact (standing between two children or blocking a child's path) or active physical contact (leading a child by the hand or arm, ushering a child away by placing a hand in the centre of the back etc.).

All members of school staff have a legal power to use reasonable force. This power also applies to people whom the Headteacher has temporarily put in charge of children, such as volunteers or parents/carers accompanying children on a school trip.

Any use of force by staff will be reasonable, lawful and proportionate to the circumstances of the incident. Reasonable force will be used only when immediately necessary and for the minimum time necessary to prevent a child from doing one of the following:

- Causing disorder
- Committing a criminal offence;
- Injuring themselves or others;
- Causing damage to property, including their own, and/or,
- Engaging in behaviours harmful to good order and discipline at the school.

Incidents of reasonable force must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded (via CPOMS) and reported to parents

Whether it is reasonable to use force and to what degree, also depends on the age and understanding of the child and whether they have special educational needs or disabilities.

As staff members are trained in the Hertfordshire Steps strategies for physical intervention, these are the forms reasonable force is likely to take at Hurst Drive Primary School and include the following:

- Open Mitten – used to guide a child away
- Closed Mitten – used to draw a child closer
- Offering an Arm – used to guide a child away
- Supportive Hug – used to escort a child away
- Supportive Arm – used to support, guide or escort a child away

Staff should regularly familiarise themselves with these methods, consulting the guides stored on the staff shared area and practising with a colleague as needed so that they are able to use reasonable force safely if the situation presents itself.

If a member of school staff has used what they deem to be reasonable force on a child, an impartial record must be made on CPOMS by the staff member/s involved

17. Mobile Phones

The school permits children in KS2 to bring their mobile phone into school if they walk to or from school alone and their parents/carers agree to their bringing it.

All mobile phones brought into school must be handed into the class teacher at the beginning of the school day and stored in the school office.

Any child who is found with their mobile phone in their possession during the school day will have it confiscated.

When walking through the school playground to enter or exit the school, all mobile phones must be away in a pocket or bag and may not be looked at or used for any purpose including the taking of photos. If a child is seen in possession of a phone as they walk to and from class they will be reminded to put the phone in their school bag. If they repeatedly attempt to use their phones as they walk to and from class, they will be confiscated as they should be out of sight.

18. Online Behaviour

The school can issue behaviour consequences to pupils for online anti-social behaviour when:

- It poses a threat or causes harm to another pupil
- It could have repercussions for the orderly running of the school
- It adversely affects the reputation of the school
- The pupil is identifiable as a member of the school

Consequences will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member.

19. Confiscation, searches, screening

Searching, screening and confiscation is conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

Confiscation

Any prohibited items listed below found in a pupil's possession as a result of a search will be confiscated. These items will not be returned to the pupil.

We will also confiscate any item that is harmful or detrimental to school discipline. These items will be returned to pupils after discussion with senior leaders and parents, if appropriate.

Prohibited items:

- Knives or weapons
- Alcohol
- Vapes or e-cigarettes
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person including the pupil.

Searching a pupil

Searches will only be carried out by a member of staff who has been authorised to do so by the headteacher, or by the headteacher themselves.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the pupil, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the pupil can carry out a search without another member of staff as a witness if:

- The authorised member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; **and**
- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the pupil; **or**
- It is not reasonably practicable for the search to be carried out in the presence of another member of staff

When an authorised member of staff conducts a search without a witness they should immediately report this to another member of staff, and ensure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will seek the advice of the headteacher, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the pupil. During this time the pupil will be supervised and kept away from other pupils.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the pupil is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the pupil has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other pupils. The search will only take place on the school premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other pupils or staff at risk
- Consider whether the search would pose a safeguarding risk to the pupil
- Explain to the pupil why they are being searched
- Explain to the pupil what a search entails – e.g. I will ask you to turn out your pockets and remove your scarf
- Explain how and where the search will be carried out
- Give the pupil the opportunity to ask questions
- Seek the pupil's co-operation

If the pupil refuses to agree to a search, the member of staff can give an appropriate behaviour consequence.

If they still refuse to co-operate, the member of staff will contact the headteacher, to try and determine why the pupil is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the pupil. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the pupil harming themselves or others, damaging property or from causing disorder.

The authorised member of staff can use reasonable force to search for any prohibited items identified in section 3, but not to search for items that are only identified in the school rules.

The authorised member of staff may use a metal detector to assist with the search.

An authorised member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers.

Outer clothing includes:

- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, boots

Searching pupils' possessions

Possessions means any items that the pupil has or appears to have control of, including:

- Bags
- Lunch boxes

A pupil's possessions can be searched for any item if the pupil agrees to the search. If the pupil does not agree to the search, staff can still carry out a search for prohibited items above and items identified in the school rules.

An authorised member of staff can search a pupil's possessions when the pupil and another member of staff are present.

If there is a serious risk of harm if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff.

Informing the designated safeguarding lead (DSL)

The staff member who carried out the search should inform the DSL without delay:

- Of any incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item as listed in section 3
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items (listed in section 3), including incidents where no items were found, will be recorded in the school's safeguarding system.

Informing parents

Parents will always be informed of any search for a prohibited item (listed above). A member of staff will tell the parents as soon as is reasonably practicable:

- What happened
- What was found, if anything
- What has been confiscated, if anything
- What action the school has taken, including any consequences that have been applied to their child

Support after a search

Irrespective of whether any items are found as the result of any search, the school will consider whether the pupil may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

If this is the case, staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

20. Monitoring and Review

The monitoring and evaluation of this policy is the responsibility of the Senior Leadership Team in consultation with teaching staff and the Governing Body.

Evaluation of the policy will be continuous, and changes will be made to reflect school practice and any changes in legislation.

Suspensions & Exclusions Policy

Person/s Responsible: Mireilli Forrest (Headteacher)

Policy Reviewed: November 2023

Policy Review: November 2024

1. Aims

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become NEET (not in education, employment or training)
- All suspensions and permanent exclusions are carried out lawfully

A note on off-rolling

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

We will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils to attend school:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting
- By exerting undue influence on a parent to encourage them to remove their child from the school

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion guidance September 2023 \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101222/suspension_and_permanent_exclusion_guidance_september_2023.pdf)

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 51a of the [Education Act 2002](#), as amended by the [Education Act 2011](#)
- [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'

- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)
- The [School Inspection Handbook](#), which defines 'off-rolling'.

3. Definitions

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.

Parent – any person who has parental responsibility and any person who has care of the child.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

5. Roles and responsibilities

The headteacher

Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort.

A decision to suspend or exclude a pupil will be taken only:

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

Before deciding whether to suspend or exclude a pupil, the headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)

- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

The headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so. Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

The headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.

Informing parents

If a pupil is at risk of suspension or exclusion the headteacher will inform the parents as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or exclude a pupil, the parents will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend
- That parents/the pupil have the right to request that the meetings be held remotely, and how and to whom they should make this request

The headteacher will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged, the following information will be included, if possible:

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

If the headteacher does not have the all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and 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 a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents without delay, and provide a reason for the cancellation.

Informing the governing board

The headteacher will, without delay, notify the governing board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation.

The headteacher will notify the governing board once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

Informing the local authority (LA)

The headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion

- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

Informing the pupil's social worker and/or virtual school head (VSH)

If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the headteacher will inform **the social worker** as early as possible
- **Pupil who is a looked-after child (LAC)** is at risk of suspension or exclusion, the headteacher will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or permanently exclude a pupil with a social worker / a pupil who is looked after, they will inform the pupil's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupils ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker / VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents, governing board and LA will be notified without delay

- Where relevant, any social worker and VSH will notified without delay
- The notification must provide the reason for the cancellation
- The governing board’s duty to hold a meeting and consider reinstatement ceases
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation without delay
- The pupil will be allowed back in school without delay

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Google Classroom or Oak Academy may be used for this. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn’t possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

The governing board

Responsibilities regarding suspensions and permanent exclusions are delegated to a panel of the governing board consisting of at least 3 governors – a local authority governor and two co-opted governors.

The panel have a duty to consider parent’s representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil see sections 5 and 6) in certain circumstances.

The governing board has a duty to consider parents’ representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 & 6) in certain circumstances.

Within 14 days of receipt of a request, the governing board will provide the secretary of state and the LA with information about any exclusions in the last 12 months.

For any suspension of more than 5 school days, the governing board, in liaison the LA, will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

Monitoring and analysing suspensions and exclusions data

The governing board will challenge and evaluate the data on the school’s use of suspension, exclusion, off-site direction to alternative provision and managed moves.

The governing board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

The Local Authority (LA)

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

For pupils who are LAC or have social workers, the LA and the school will work together arrange suitable full-time education to begin from the first day of the exclusion.

5. Considering the reinstatement of a pupil

The panel of governors will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension if:

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

Where the pupil has been suspended and the suspension does not bring the pupil's total number of suspension to more than 5 in a term, the panel of the governing board must consider any representations made by parents. However it is not required to arrange a meeting with parents and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5 days, but no more than 15 schools days, in a single term, and the parents make representations to the board, the panel of the governing board will consider and decide on the reinstatement of a suspended pupil within 50 school days

of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, panel of the governing board will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the chair of the governing board (or the vice-chair, if necessary) may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the governing board and allowed to make representations or share information:

- Parents
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- A representative of the local authority

Governing board meetings can be held remotely at the request of parents. See section 9 for more details on remote access to meetings.

The governing board will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The panel of the governing board can either:

- Decline to reinstate the pupil; or,
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the panel of the governing board will consider

- Whether the decision to suspend or permanently exclude was lawful, reasonable and procedurally fair
- Whether the headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the governing board

They will decide whether or not a fact is true 'on the balance of probabilities'.

The clerk will be present when the decision is made.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record and copies of relevant papers will be kept with this record.

The governing board will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents
- The headteacher
- The pupil's social worker, if they have one
- THE VSH if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the panel of the governing board has decided not to reinstate the pupil, the notification of decision will also include the following:

- Notice of parents' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the Local Authority to appoint an SEN expert to advise the review panel
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful 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. Also that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

6. Independent review

If parents apply for an independent review, the LA will arrange for an independent panel to review the decision of the governing body not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the panel of the governing board of the decision not to reinstate a pupil or, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents. See section 9 for more details on remote access to meetings.

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 governor category and 2 members will come from the headteacher category. At all times during the review process there must be the required representation on the panel.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- Current or former school governors who have served as a governor 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 LA of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the LA, or the governing board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the Local Authority, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover).

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.

Taking into account the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

Following its review, the independent panel will decide to do 1 of the following:

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

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing board to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing board reconsider reinstatement.

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

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the governing board does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the governing board to place on the pupil's educational record

7. School registers

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

- 15 school days have passed since the parents were notified of the panel of the governing board's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents 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 within 15 school days, the governing body will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

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

Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

8. Returning from a suspension

Reintegration strategy

Following suspension, the school will put in place a strategy to help the pupil to reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

The following measures may be implemented when a pupil returns from a suspension

- Review or introduction of a safety and support plan;
- Drawing and Talking therapy;
- Daily contact in school with a designated pastoral professional;
- Increased staff ratio (i.e. a teaching assistant taken off timetable to support the pupil's return);
- Referral to outside services (e.g. Rivers Education Support Centre);
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage;
- Internal exclusion (i.e. working outside the classroom under adult supervision); or,
- A part-time timetable with clear dates for review implemented.

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

Reintegration meetings

The school will explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents in the event that they cannot or do not attend.

The school expects all returning pupils and their parents to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

9. Remote access to meetings

Parents can request that a governing board meeting, or independent review panel be held remotely. If the parents don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely. Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The governing board and the should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology which will allow them to hear, speak, see and be seen
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

- Compromise the ability of participants to contribute effectively, or
- Prevent the meeting from running fairly and transparently

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10. Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors and other stakeholders on their perceptions and experiences

The data will be analysed every term by the deputy headteacher who will report back to the headteacher and governors at Full Governing Board meetings.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

11. Links with other policies

This exclusions policy is linked to our

- School Behaviour Policy
- SEN Policy and Information Report
- Equality Information and Objectives Policy
- Anti-bullying Policy

[Appendix 1: Independent review panel training](#)

The LA must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of a headteacher, governing body and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act