



January 2024

Exclusion & Suspension Policy

Next review: January 2025



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Background

This policy follows the Department for Education's current statutory guidance: 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' (2023). The guidance reflects the primary legislation around suspension and exclusion.

We will only permanently exclude a pupil as a last resort and in response to a serious breach or persistent breaches of the school's relationships policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. We will only suspend or exclude a pupil when to do so would be lawful, reasonable and procedurally fair. Appendix A details our Inclusion Pathway and identifies the strategies, we expect to use prior to any suspension / exclusion unless the Headteacher deems the behaviour warrants suspension or exclusion.

The decision to suspend or permanently exclude is a very serious one. As such, only the substantive Headteacher can make this decision in discussion with their Deputy Headteacher and where appropriate the local authority inclusion team. The decision to exclude can only be made on disciplinary grounds and not for non-disciplinary reasons such as a pupil's additional needs, academic attainment, or failure to attend a reintegration meeting.

The Equality Act (2010) and Special Educational Need

We have a statutory duty not to discriminate against pupils on the basis of protected characteristics. We will give particular consideration to pupils who are more vulnerable, based on national figures, to be excluded, and those groups who, in our academy, are vulnerable to exclusion.

For disabled children, we will make reasonable adjustments to policies and practices and the provision of auxiliary aids as appropriate. We will not create policies or use practices that discriminate against pupils with protected characteristics by unfairly increasing their risk of suspension or exclusion. We will comply with our statutory duties in relation to SEN when administering the suspension/exclusion process. This includes having regard to the SEND Code of Practice.

Where we have concerns about the behaviour, or risk of suspension/exclusion, of a child with additional needs, a pupil with an EHC plan or a looked after child, we will, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This will involve assessing the suitability of provision for a pupil's SEN. Where a pupil has an EHC plan, we will evaluate whether there is a need to request an early annual review or interim/emergency review.

Evaluating evidence

When establishing the facts in relation to a suspension or exclusion decision the Headteacher must apply the civil standard of proof; i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen.

Serious breaches of the behaviour policy

No policy can cover every circumstance and each case will be judged on its merits. The following list provides *examples* of what may constitute a serious breach (in or out of school). A key factor in considering each case will be the level of provocation. The list is neither exhaustive nor definitive and members of staff may use their discretion so long as they are following the School's Code of Conduct.

- Repeated visits to internal exclusion / restorative isolation for persistent breaches of the school's relationships policy.
- Serious violence, actual or threatened, against a student or member of staff
- Bringing onto school premises or being found in possession of anything that constitutes an offensive weapon or illegal substance
- Bullying/cyberbullying or other harmful online behaviour
- Bringing 'outsiders' onto school property
- Sexually inappropriate behaviour, sexual abuse or assault
- Threatening others – physical or verbal
- Cursing or inappropriate gestures – particularly towards an adult
- Deliberate involvement in or instigation of conflict

- Verbal aggressiveness towards a peer or adult
- Willful disobedience or serious disrespect to an adult
- Stealing
- Knowingly possessing stolen property
- Vandalism and destruction of property
- Consistently disrupting learning
- Playing with fire alarms or extinguishers
- Smoking (including shisha pens or e-cigarettes) or drinking alcohol, using or distributing drugs or other illegal substances
- Cheating in a test or exam
- Wearing, displaying or graffiti-ing 'gang' affiliated items and phrases
- Or any other one-off behaviour event considered by the Headteacher to be exceptionally serious.

Pupils' behaviour outside of school

Pupils' behaviour outside of school *can* be considered as grounds for suspension / exclusion.

Getting early support

When we have initial concerns about a pupil's behaviour, we will explore causal factors and intervene early to attempt to avoid a subsequent suspension/exclusion. Where appropriate, we will draw on the support of other agencies to assess whether support beyond a pupil's educational needs is required.

Suspensions

The maximum number of suspension days per academic year is 45. If a pupil's behaviour is such that they are sent home, this is a suspension. A suspension cannot be extended or converted into a permanent exclusion. However, in exceptional cases (for example, if new evidence comes to light), a new suspension (or, if appropriate, based on the evidence, a permanent exclusion) can start at the end of the first. If a pupil is suspended for part of a school day (for example, at lunch time) this will be recorded as half a day's suspension. We do not use informal suspensions or 'sending home to cool off' periods - with or without parents' agreement.

Where pupils have multiple suspensions, or the 45-day limit is being approached, it could be that the sanction of suspension is not effective in helping a pupil to behave well. In these cases we will explore different ways of supporting a pupil to behave well.

Pupils' participation

We will encourage pupils to take part in all stages of the suspension/exclusion process, according to their age and ability to understand that process. Where practical, the Headteacher will give a pupil the opportunity to present their case before deciding to exclude a pupil.

Pupils who are in social care or Looked After Children (LAC or PLAC)

If a Headteacher suspends or permanently excludes a pupil they will, without delay, notify the social worker, if a pupil has one, and the Virtual School Head, if the pupil is a LAC. These individuals will also be invited to attend any panel review meetings.

The first five days of suspension/exclusion

We will take all reasonable steps to provide and assess work in the first five days of a suspension/exclusion. We will arrange alternative provision, at the latest, on day 6 of a continuous suspension. The local authority is responsible for educational provision from day 6 following a permanent exclusion.

‘Reintegration’

When a pupil has a suspension, there will be a meeting with key staff on the pupil’s return to discuss any updated strategies and provision which may have been put into place to support the pupil to reintegrate successfully.

Communication:

With parents

We will make sure that, when we communicate with parents, we take reasonable steps to be clear and easily understood. Where a parent’s first language is not English, we will, where practical, take further steps to ensure that parents understand the information we give.

When the Headteacher suspends or excludes a pupil, on each occasion we will communicate the following information to parents without delay (by the end of the afternoon session), verbally or in writing:

- the reason(s) for the exclusion
- the length of the exclusion
- (where an excluded pupil is of compulsory school age) we will also notify parents of the days on which they must ensure that the pupil is not present in a public place at any time during school hours
- arrangements for the continuity of education.

We will then, without delay, give parents the following information in writing:

- the reason(s) for the exclusion;
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent;
- that parents’ have a right to make representations about the exclusion to the governors and how the pupil may be involved in this;
- (where an excluded pupil is of compulsory school age) we will also notify parents of the days on which they must ensure that the pupil is not present in a public place at any time during school hours
- details of arrangements for the continuity of education
- details of any alternative provision to be provided, where appropriate and where this information is available
- how any representations should be made; and
- where there is a legal requirement for the school to consider the suspension/exclusion, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring someone else with them
- sources of free and impartial information about exclusion as outlined in the [statutory guidance](#).

With the Local Authority

We will, without delay, notify the local authority of all suspensions and exclusions, but particularly:

- any permanent exclusion (including where a suspension is followed by a decision to permanently exclude the pupil);
- any exclusion which would result in the pupil being excluded for a total of more than five school days (or more than ten lunchtimes) in a term; and
- any exclusion which would result in the pupil missing a public examination or national curriculum test.

There is a formal process for all exclusions and these have to be reported to the Local Authority. Parents are informed through a formal letter. In the rare event of permanent exclusion, the school will follow the procedures outlined in the Local Authority guidance. Parents are able to seek advice from the Parent Partnership service if they have concerns, and may also contact the school’s governors following an exclusion if they wish to as outlined in the letter they receive.

Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from school, or, in more severe circumstances the school may contact Children's Services and/or the Police to safely take the pupil off site.

APPENDIX A – WATCOMBE INCLUSION PATHWAY

WAVE	Positive Action	Adult responsible	Time-frame
WAVE 1	IF SEND refer to ISP/ Regulation plan and any other documentation and ensure recommendations are in place.	CT	Ongoing
Initial response Universal provision	Ensure inclusive classroom learning environment, ASC friendly. As minimum: <ul style="list-style-type: none"> • whole class visual timetable, • consistent expectations, • Now/Next or individual visual timetable, • Considerate seating arrangements • Access to manipulatives, scaffolds and regulatory activities for SEND and whole class e.g. brain and movement breaks. • Planning adapted for SEND needs e.g. groupings, support and resources. • Zones of Regulation 	Class team	Ongoing
	Relationships – engage child, play with child, support child, understand child, connect with child, establish common bond / interest. PACE / PLACE CONNECTION BEFORE CORRECTION! POSITIVITY Daily Check in & follow up – Zones of Regulation	All adults	Ongoing
	Notice	Adult identifying behaviour	As required
	Reminder		
	Restorative Conversation – natural and logical consequences.		
If behaviours are not changing or escalating significantly then move to Wave 2			
WAVE 2	Repeated Restorative Conversations – need for further action – More than 2 RCs in 1 week.	Adult identifying behaviour	X2 weekly
Child still responsive and can recognise their mistakes. Regulates quickly Occasionally unsafe – respectful within RCs. Persistent low-level disruption	Contact parent 1 <ul style="list-style-type: none"> • Discuss and agree steps to address behaviour 	CT	Implementing changes for 2-3 weeks.
	Use of natural consequences e.g. you have refused to eat your lunch, therefore you are hungry, in conjunction with restorative conversation	CT / Adult identifying behaviour	
	Use of logical consequence e.g. repair damage, apology, tidy up, written apology etc in conjunction with restorative conversation.		
	Restorative consequence could include: breaktime / lunchtime isolation from peers (partial or full); work sent home; sent to SLT; privilege withdrawn e.g. football / ICT at lunchtime etc in conjunction with restorative conversation.	CT / Team Leader	
	Contact parent 2		
	Staff Reflection – what is causing behaviour? What can we change? <u>REFER to Watcombe SEND Strategy.</u> Is classroom environment effective and meeting needs of pupils? Are expectations consistent enough?	CT	
	Consider possible triggers e.g. seating arrangements, peer relationships, challenge or perceived challenge in work, staff relationships, recording, time in lesson.	CT	
If behaviours are not changing or escalating significantly then move to Wave 3			
WAVE 3	Team Child Conference	All involved	Implement changes for 2-3 weeks
Significant curricula adaptations Persistent & significant disruptions More frequently unsafe.	Focussed observation of child in classroom by member of SLT.	SLT	
	Ad hoc pastoral intervention	Pastoral	
	Consider Family Support – consult Family Mentor; what do we know? What can be done differently? What is happening for the child / has happened?	CT / Family Mentor	
	Create, introduce and share Social Stories or Comic Strip conversations linked to need / behaviour / trigger etc.	Class Team /	
	Conduct CPOMS behaviour analysis	HT / SENDCO	
	Repeat WAVE 1 & 2 actions	CT	
	Consult graduated response (likely SEND need) – update provision – these must be given time to embed.	CT	
	Embed new strategies	CT and team	
	IF SEND refer to ISP / Regulation plan and any other documentation and ensure recommendations are in place. Update Regulation plan.	CT	
Advice from SENCO	CT / SENDCO.		

<p>Defiant and disrespectful to all staff – unable to recognise impact on others.</p> <p>Limited response to Wave 2 interventions</p> <p>Dysregulation x2 weekly</p>	Parents conference	CT / SLT (SENDCO if SEND)	
	Adapt planning; consider task design and lesson structure e.g. small group support; 1:1 check in or safe space.	CT	
	Personalised Reward System e.g. cubes	CT / Pastoral	
	Team Leader to contact parent	Team Leader	
	Report Card	DHT / HT	
	Restorative Isolation – (internal exclusion) ½ day; day working outside the classroom without access to peers or in another year group (Y56 to EYFS, Y34 to Y56, Y12 to Y34, EYFS to Y12, where appropriate), in conjunction with restorative conversations.	SLT	
	DHT / HT contact parents / carer	DHT / HT	
	Staff Reflection – what is causing behaviour? What can we change? RE-REFER to Watcombe SEND Strategy.	CT / Class Team / Team Leader	
Is classroom environment effective and meeting needs of pupils? Are expectations consistent enough?			
IF SEND refer to ISP and Watcombe SEND Strategy and any other documentation and ensure recommendations are in place.	CT		
If behaviours are not changing or escalate significantly then move to Wave 4			
<p>WAVE 4</p> <p>As above, yet sustained for 2-3 weeks and / or considered more disruptive, defiant, disrespectful and unsafe.</p>	Second Focused observation of child in classroom by SLT / HT.	SLT / HT	Implement changes for 2-3 weeks
	Review WAVE 1, 2 & 3	CT / SENDCO / SLT	
	<ul style="list-style-type: none"> Triggers Learning Environment 		
	Revisit graduated response – further adapt provision (consider Wave 3 recommendations) – these must be given time to embed.	CT / SENDCO	
	Write / review regulation plan – child’s plan and implement	CT / SENDCO / SLT	
	Review adult support / provision in class	HT / SENDCO	
	Restorative Isolation – (internal exclusion) ½ day; day working outside the classroom without access to peers or in another year group; extended lunchtime monitoring / rota / timetable / isolation in conjunction with restorative conversations.	SLT	
	Educated in small group	CT	
	Educated individually	CT / SLT	
	Access Alternative Provision in house	HT / SENDCO	
Referral to agency e.g. EP, Chestnut Outreach, School Nurse, SEND and Inclusion teams (At Risk of Exclusion referral / meeting)	SENDCO / HT / CT		
Formal Pastoral support / intervention	HT / SENDCO		
Is school able to meet the needs of this pupil effectively? If unable to meet the needs of the pupil, then school move to Wave 5 options.			
The above ‘WAVE 1,2,3,4 Actions’ should have been rigorously and consistently embedded over a period of 6-9 weeks before suspension / exclusion is considered, UNLESS a one-off behaviour is deemed extremely dangerous or harmful to pupils or staff and therefore suspension and exclusion would be considered immediately.			
Pupil behaviour will peak and trough. If actions have positive impact for a 2-4 week period, then any re-escalation would see the 6-9 week process restart. NB – behaviours unlikely to completely stop, so positive impact could be represented by a desired change in behaviour, reduction in incidents, increased levels of engagement etc.			
<p>Wave 5</p> <p>Repeated W4 restorative isolations</p> <p>Uncontrollable or unprovoked, extremely violent incidents causing significant harm or intent to do so.</p>	Suspension	HT	
	<ol style="list-style-type: none"> Intervention has had no impact after 6-9 weeks. One-Off incident or multiple incidents within a 10 day period, where behaviour consists of uncontrolled, unprovoked assaults on adults / children and/or intent to deliberately harm (see Exclusion and Suspension Policy for further details). Could be verbal / physical and include online incidents. Consult and work with local authority e.g. SEND team / inclusion lead. 		
	Managed Move in conjunction with local authority.	HT	
	Exclusion	HT	
	<ol style="list-style-type: none"> Repeated suspensions with minimal impact – up to a maximum of 45 suspension days per calendar year are permitted (DFE guidance). One-Off Extreme behavioural incident considered worthy of permanent exclusion. 		

