



White Hall

Academy & Nursery

Positive Relationships and Behaviour Policy Including Exclusions Policy

Implemented September 2022 Reviewed September 2023

Signed by:

Headteacher

Date:

Chair of governors

Date:

Philosophy

All children need a well ordered, disciplined environment in which to learn and develop their self-control, respect and appreciation of others. We believe that in order to promote good behaviour, and thus work to the best of their abilities, children need to be offered positive role models. They need to feel secure in the knowledge that approaches to their behaviour will be consistent and fair.

Aims

- To encourage a calm, purposeful and happy atmosphere within school
- To foster positive, caring attitudes towards everyone, where achievements at all levels are acknowledged and valued
- To encourage increasing independence and self-discipline so that each child learns to accept responsibility for his/her own behaviour
- To ensure safety by making boundaries of acceptable/appropriate behaviour clear
- To create a common sense of direction and feeling of purpose for pupils, staff and parents
- To ensure that our children experience success which can be developed through the National Curriculum and broader curriculum
- To ensure that our children recognise their own personal development and mental health as a priority

Objectives

- Expectations of good behaviour are made clear
- We encourage sociable behaviour by promoting mutual respect
- Children are encouraged to take responsibility for their own actions and behaviour
- Positive behaviour is recognised and rewarded both publicly and private (stickers, dojo awards, special assembly mentions, praise)
- A whole school approach is used when dealing with inappropriate behaviour
- Parents are involved in any support programmes
- Children are encouraged to report examples of positive behaviour
- Where appropriate, the support of other agencies, such as Educational Psychologist, Behaviour Support Service and Learning Support Service is enlisted

Roles and Responsibilities

To develop a consistent, positive approach to behaviour, it is important to establish clear responsibilities of children, staff and parents. These are as follows:

Children's responsibilities:

- To work to the best of their abilities and allow others to do the same
- To treat others with respect
- To comply with the instructions of members of staff
- To take care of the school property and environment
- To cooperate with other children and adults

Staff responsibilities:

- To offer good role models
- To provide a challenging, interesting and relevant curriculum

- To create an environment that is safe, secure, interesting and pleasant
- To treat all children fairly and with respect
- To use rules and sanctions clearly and consistently.
- To foster good relationships with parents/carers.
- To recognise that each child is an individual and to be aware of their needs.

Parents' responsibilities:

- To be aware of the school rules and expectations.
- To support staff in the implementation of the policy.
- To foster good relationships with the school.
- To make their child aware of appropriate behaviour at all times.
- To show an interest in all that their child does in school.
- To encourage independence and self-discipline.

Whole School Rules

Our school rules are:

- Be Kind
- Be Safe
- Be Responsible

Strategies for positive encouragement include (not exhaustive)

- Staff congratulating children
- Celebrating achievements with others, either in class or during Special Mentions Assemblies. Positive feedback to parents (verbal and written via Postcard home, for example). Stickers and recognition charts
- Presenting good work to the Headteacher or other class teacher

Class / School behaviour management

It is widely recognised that if children have a clear and consistent approach to behaviour they are more likely to also behave in a more consistent manner.

The following process is to be used by all staff:

Raise your hand and say the word	STOP
Then say	EVERYTHING DOWN
Finally say	EYES ON ME

As this system becomes more embedded in school we may simply raise our hand and children will know what we expect and react accordingly.

Coming into school

How the day starts sets the tone for the rest of the day. At White Hall Academy we firmly believe that all children should receive a warm welcome as they enter school. A member of staff will be on the gate each morning to say hello / good morning and the class teacher will be at the classroom door to welcome them into their class.

Staff/children can decide if they want to do handshakes, first pumps, air high 5's etc as they do this. Every child will be greeted with 'Good Morning'. The expectation will be to look at the person greeting them, unless there is an additional need that prevents doing so.

Coming in from Breaks and Lunches

As with the start of the day, how children re-enter the classroom has an impact on their next lesson and their readiness to learn. At White Hall Academy we operate the following system.

At the end of the break the whistle is blown – all children stop what they are doing and stand still. The whistle is blown a second time and children will make their way to their class assembly points. The class teacher (or if PPA the staff member covering) will go onto the playground and collect their class, bringing them into school in an orderly manner.

Encouraging good behaviour

Children's good behaviour is noticed, encouraged and often rewarded. Strategies include:

- Emphasis on encouraging and motivating pupil e.g. positive feedback, descriptive praise, give attention for success
- Promoting respect for individuals by:
 - including their culture and background
 - modelling desired behaviour
 - listening to children and communicating that you have heard what they have said
- Creating safety, both physical and emotional, with clear and consistent use of rules and consequences.
- Raising self-esteem by ensuring pupils experience and recognise their own success
- Maximising opportunities for pupils to take responsibility for themselves in their behaviour by providing choices wherever possible
- Ensuring that feelings are part of the PSHE curriculum and included in assembly themes
- Teachers to reward classes when they feel it is appropriate, for example, after extended writing sessions or when the class follow instructions throughout a whole day. This can be done through short breaks on the play equipment or games in class

Managing incidents of unacceptable or inappropriate behaviour

We follow the following stepped behaviour code:

1. Tactical ignoring as appropriate
2. Non-verbal warning – establishing eye contact
3. Reminder of expected behaviour
4. Final verbal warning
5. Send to another teacher within the year group
6. Consequence issued: 5 minutes missed break time / lunchtime

At any point, a child may move to the TeePee Room and have 'time-out' where they do not face consequences, but can use the time to calm down or consider alternative behaviour choices. The child will complete that lesson's work within the TeePee Room.

A 'time out' request could be issued where a child consistently fails to conform to behaviour rules. The Assistant head will collect the pupil and they will work in the TeePee room. An incident record within CPOMS should be filled in when a member of staff requests such a time out.

Managing incidents of unacceptable or inappropriate behaviour from playtimes

School staff will follow the same guidance as above.

If the negative behaviour takes place during lunch time they will then miss time the following day from that session and not the first playtime – this is a restorative intervention called 'Think it Through' which is run by Phase Leaders. This is recorded on CPOMS and the follow up action recorded by the Phase Leader.

If any pupil is struggling on the playground, either due to circumstances outside of school or for any reason in school they can access a variety of lunchtime provisions – this is accessed by referral to the Pastoral Lead.

Managing incidents of unacceptable or inappropriate behaviour outside of school

The DfE state the following in their guidance;

Pupils' conduct outside the school gates – teachers' powers What the law allows:

Teachers have the power to discipline pupils for misbehaving outside of the school premises "to such an extent as is reasonable"

Where behaviour outside the school grounds fall under the categories stated on the DfE guidance school will follow a proportionate response in line with how these behaviours would be managed in school as stated above.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1089687/Behaviour_in_Schools_guidance_July_2022.pdf

Restorative Discussions

Following any kind of disagreement or breach of school rules all parties take part in a restorative discussion:

- Everyone must be given enough time to calm down before the restorative discussion takes place
- Pupils can conduct the restorative discussions themselves depending on their age, and the severity of the disagreement. Otherwise it must be an adult that was involved in the incident who supports with the discussion
- All members of staff and children know that issues will be dealt with fairly with a 'no blame' approach, and the language used in discussions is fair, consistent and respectful
- Discussions are held in a calm, quiet, private place

Both the victim (if there is one) and perpetrator attend the restorative discussion and the following questions are asked:

- What happened?
- Drawing out each person's story one at a time, starting with the person who has caused the harm. The aim is not to come to a definitive conclusion on what has happened, but for each person to have their point of view listened to.
- Who did this affect? Staff, pupils and others. Include others who witnessed the incident.
- How did it make you feel? How did it make them feel? How has the victim been affected by what you did?
- What each person was thinking and feeling at the time, before and since.
- What needs to happen now to fix it? What are the consequences? What do you think needs to happen to make things right/to repair the relationship? How do those people agree and negotiate meeting the needs identified above and what support might they need to do this? With support the pupils form their own agreement. When possible, and as appropriate to their age and stage of development the children identify appropriate consequences.
- How can we stop this happening again in the future? How can we work together to prevent this happening again? What could the pupil do differently next time? At what point in the sequence does different action ne? Does the child need a reminder e.g. social story, visual/written plan of action etc?

Managing Behaviour over time:

The headteacher / Deputy headteacher, Assistant headteacher, SLT and Pastoral Lead monitor patterns of behaviour.

Parents will be contacted at any point if their support is deemed necessary, and to inform them of particular incidents. Classroom staff should inform the headteacher of steps already taken and seek support as soon as they realise that strategies are not bringing about rapid improvements. (Recorded on CPOMS)

Generally, the class teacher retains responsibility for managing behaviour of children in his/her class. Strategies implemented by class teachers, teaching assistants and mid-day supervisors would include:

- Positive reinforcement through reminders of expectations in line with the values of the school
- Supporting conflict resolution by mediating with children; encouraging children to talk and explain what has happened, helping them to see how conflict has occurred and to support children to find a resolution agreeable to all parties

The headteacher / deputy headteacher's involvement will include:

- A formal conversation with the child when the child has had repeated reportable incidents
- A Pupil Voice conversation with child, parents and teacher to identify any hidden causes of behaviour
- Referral to the SENCO / Pastoral Lead to identify possible strategies moving forward
- Issuing of consequences such as isolation from break times, lesson times or needing to go home at lunchtimes
- Creation of behaviour improvement plan and regular review meetings
- Liaison with SENDCO to discuss possible SEND
- Liaison with external agencies for support
- Consideration of fixed term or permanent exclusion if all other strategies have proved unsuccessful

How children can resolve their own difficulties

Children should be encouraged to take responsibility for sorting out their own conflicts. This means that adults must take responsibility for teaching them and modelling strategies for doing this, and for seeing that children carry them out and reach a successful conclusion. Children should be encouraged to be assertive, to express their feelings and to resolve conflict without resorting to violence, swearing or abuse. Children learn about such strategies and how to relate to each other as part of our RSE/PSHE curriculum.

Suggested Strategy for resolving conflict

Children are encouraged to tell others if their behaviour is upsetting them. Children should seek the support of an adult if their own efforts to solve a problem have not worked.

When a more formal conversation between children is required, the following structured conversation might be used:

Each child is allowed his/her say, while the others listen with no interruptions. Each child has a turn to say:

1. what the other(s) has/have done to upset them
2. how they feel about it
3. how they would like them to behave in future

Nobody is allowed to interrupt or argue. They continue taking turns until everyone has finished. The adult is there to act as facilitator, not as part of the discussion. She/he makes sure that:

- the turns are taken,
- children adhere to the three steps
- they listen to each other and maintain eye contact.

If the children cannot resolve the conflict after a reasonable time, then the adult can decide to make a judgement and take appropriate action.

Use of Force

Key Points Regarding Use of Force

- School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action
- Senior school leaders should support their staff when they use this power
- Some staff are trained in Safer Handling Techniques. On occasions these staff may need to use reasonable and proportionate force to reduce the risk presented by unsafe behaviours. Any occasion must be recorded and is kept in the Headteachers office

What is Reasonable Force?

- The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils
- Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight, or where a student needs to be restrained to prevent violence or injury
- 'Reasonable in the circumstances' means using no more force than is needed
- As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention
- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil

Summary

It is by accentuating the positive and dealing firmly and consistently with the negative that we will promote the values of respect, hard work and friendship amongst our pupils. We want our school to be a happy environment, where learning can take place in a harmonious environment, and children enjoy coming to school because they feel safe and secure.

It is up to all of us, Staff, Governors and Parents to ensure that the children of White Hall Academy are educated in a caring, friendly and orderly School. We strive to work together to ensure that we achieve these worthwhile goals.

Appendices

- Paul Dix – Quotes to support our approach to behaviour management
- The Restorative Approach compared to other approaches
- Understanding ACE's
- Six stages of a Crisis
- Reframe the Behaviour
- Flowchart of behaviour Policy

WHEN THE ADULTS DO MAHJ EVERYTHING CHANGES

SOME OF THE REASONS WHY

It is a consistency routed in kindness, not in the machismo of zero tolerance. Outstanding management of behaviour and relationships is simply not skills led. Neither is it imperfect with 'magic' behaviour systems, bought with data tracking software or instantly achieved by calling a school an academy.

It might be comforting to think that we reach a certain age and suddenly know how to behave. The reality is that there is no such age. Behaviour management is a team sport. It needs a team disciplines, ethos and looks. To get the behaviour you want there can be no gaps between the adults on what matters. It is this consistency that is most important.

But why crush behaviours with punishment when you can grow them with love? Visible consistency with visible kindness allows exceptional behaviour to flourish. They don't need their name on the board or a tick/cross/ cloud against their name. It reconfirms their poor self-image, re-stamps a label of low expectation and provides a perverse incentive to the more subversive mind. Some children's names still appear on the board even when they have been rubbed off.

Token economies, where a credit or merit system is used to reward individuals, can never be consistent. It always rewards the highest achievers or the worst behaved...They do not add anything to behaviour practice that can't be done with a sincere 'well done' or a round of applause from the class.

THE COST OF ADULT EMOTION - When adult behaviour is wobbly there are lots of hidden costs. If we don't address the language we use by default then we risk the greatest inconsistency of all: managing poor behaviour with improvised responses.

The knock-on effect on the workload of others is considerable. You can land a sanction with a hard edge or you can land a sanction with an immediate reminder of the child's previous good behaviour. Done well, with good timing and perfect tone, there is a little magic here:

"It was the rule about ... (lining up/staying on task/bringing military hardware into school) that you broke. You have chosen to ... (move to the back/catch up with your work at lunchtime/ speak to the man from Scotland Yard). Do you remember last week when you ... (arrived on time every day/got that positive note/received the Nobel Prize)? That is who I need to see today ... Thank you for listening.

(Then give the child some 'take up' time.)" ...Save your finest performance for when it has **most impact**: when children do the right thing. Then reward them with your enthusiasm, encouragement, humour, time and attention. Adults who manage the behaviour of angry children brilliantly understand that the first principle is to manage their own response so it is predictable, consistent and empathetic.

Great policies embed basic expectations with absolute certainty while allowing professionals the autonomy to meet the needs of individuals. There is a reason why the UK has the highest imprisonment rates in the European Union, and it is the same reason why sticking children in silent detentions or imprisoning them in isolation booths doesn't solve anything... Consistent, calm, adult behaviour. First attention for best conduct. Relentless routines. Scripting difficult interventions. Restorative follow-up.

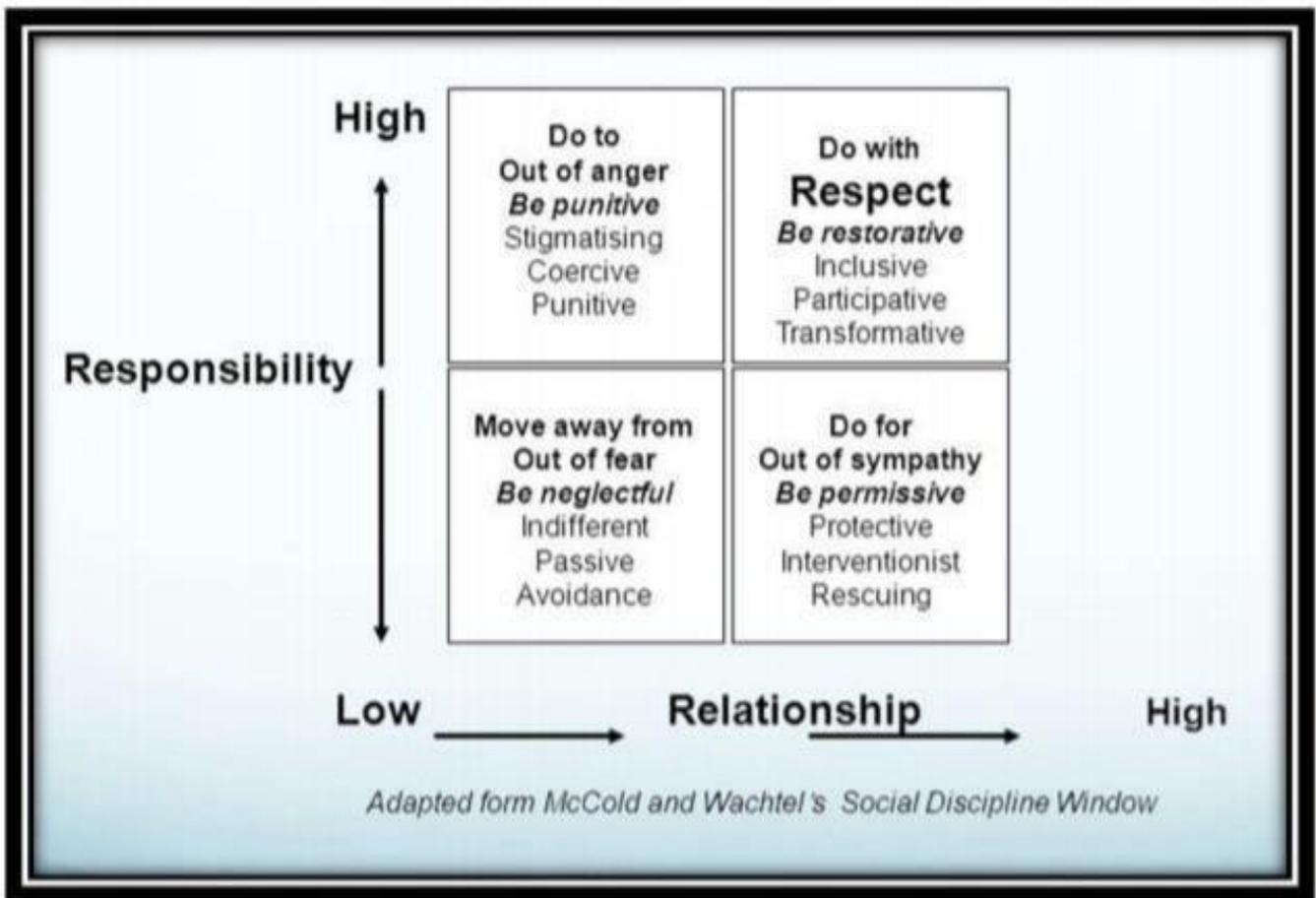
Damaged children need people, not punishment. Expecting restorative meetings to be a quick fix. It takes time for pupils to be able to answer questions fully and reflect properly. It takes time to change behaviour. Persist and gradually trust is built, conscience is developed and everyone is more aware of their behaviour.

Punishment doesn't teach better behaviour, restorative conversations do.

The Restorative Approach compared to other approaches

A useful way of looking at how the restorative approach works in schools is by using the social discipline window below.

The model's 4 quadrants identify four sets of attitudes and responses to behaviour.



Understanding ACEs

ACEs (**Adverse Childhood Experiences**) are serious childhood traumas that can result in toxic stress. Prolonged exposure to ACEs can create toxic stress, which can damage the developing brain and body of children and affect overall health. Toxic stress may prevent a child from learning or playing in a healthy way with other children, and can cause long-term health problems.



The infographic features a central illustration of a child with a brain diagram showing various colored regions and a red heart on their chest. Arrows point from text boxes to these elements. A speech bubble from the child's mouth contains the text: "I can't hear you! I can't respond to you! I am just trying to be safe!".

Effects of ACEs:

- Lowers tolerance for stress, which can result in behaviors such as fighting, checking out or defiance.
- Increases difficulty in making friends and maintaining relationships.
- Increases stress hormones which affect the body's ability to fight infection.
- May cause lasting health problems.
- Increases problems with learning and memory.
- Reduces the ability to respond, learn, or figure things out, which can result in problems in school.

Exposure to childhood ACEs can increase the risk of:

- Adolescent pregnancy
- Alcohol and drug abuse
- Asthma
- Depression
- Heart disease
- Intimate partner violence
- Liver disease
- Sexually-transmitted disease
- Smoking
- Suicide

ACEs (Adverse Childhood Experiences) can include:

- Abuse: Emotional/physical/sexual
- Bullying/violence of/by another child, sibling, or adult
- Homelessness
- Household: Substance abuse/mental illness/domestic violence/incarceration/parental abandonment, divorce, loss
- Involvement in child welfare system
- Medical trauma
- Natural disasters and war
- Neglect: Emotional/physical
- Racism, sexism, or any other form of discrimination
- Violence in community

SURVIVAL MODE RESPONSE

Toxic stress increases a child's heart rate, blood pressure, breathing and muscle tension. Their thinking brain is knocked off-line. Self-protection is their priority.

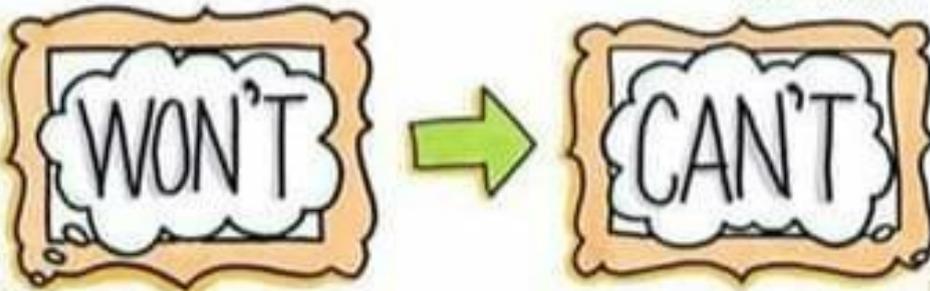
Six Stages of a Crisis

Stage description	Need for	Behaviours	Positive handling responses
1. Anxiety/Trigger	Diversion, support and reassurance.	Low Level Shows signs of anxiety, hiding face in hands, bent over/under table, becoming red in the face, rocking or tapping, withdrawing from group, refusing to speak or dismissive, refusing to co-operate, using a fixed stare.	Low Level Distraction. Offer a change of scenery or a special job to do. Read the body language and the behaviour, intervene early, communicate; display calm body language, talk low, slow and quietly, offer reassurance, including positive physical prompts, assess the situation, divert and distract introducing another activity or topic. Remind about token or reward that is being worked for.
2. Defensive/Escalation	Diversion, reassurance, clear limits, boundaries and choices.	Medium Level Displays higher tension, could be abusive, making personal and offensive remarks or swearing, talking louder, higher, quicker, adopting aggressive postures, changes in eye contact, pacing around, breaking minor rules, low level destruction, picking up objects which could be used as weapons, challenges; 'No I wont...!', 'Go away' etc. May try to run/escape.	Medium Level Continue to use level one strategies + state desired behaviours clearly, offer alternatives and options, offer clear but limited choices – A or B, give a get out with dignity, assess the situation and consider making the environment safer and getting help, guide towards safety using a 'big gesture'.. Give him/her space. Remove audience.
3. Crisis	Possibly for physical intervention.	High Level Shouting and screaming, crying, spitting, biting, head banging, scratching pulling hair damaging property, picking up objects which can be used as weapons, hurting self, grabbing or threatening others, hurting others, kicking, slapping, punching.	High Level Continue to use level 1 and 2 de=escalation responses + make the environment safer, Reduce your use of language, move furniture and remove weapon objects, guide assertively, hold or restrain if absolutely necessary, ensure face, voice and posture are supportive, not aggressive., use fresh face if needed. Ensure privacy. No unnecessary people present.

Stage description	Need for	Behaviours	Positive handling responses
4. Recovery	Co-ordinated letting go and reassurance.	Recovery behaviours May cry, go into a confined space, curl up into a ball. Can easily be confused with anxiety stage. People may sit quietly in a hunched position, the difference is they can revert to extreme violence without the build up associated with the normal escalation in stage 2.	Recovery positive handling responses Support and monitor, this may not be a good time to touch as it may provoke a reversion to crisis, give space, look for signs that the person is ready to talk.
5. Depression	Observation, support and monitoring.	After a serious incident people can become depressed, they may not want to interact.	Depression positive handling responses Support and monitor, respond to any signs that the person may want to communicate, show concern and care but do not attempt to resolve residual disciplinary issues at this stage.
6. Follow up	Listening and learning.	Follow up Listening and learning, recording, reporting and communicating, planning to avoid similar events in the future.	<ul style="list-style-type: none"> • Listen to views of child • What can be learned from this? • Keep appropriate record of incident and responses • Share reports as appropriate – child's file • Appropriate professionals meet to discuss plan/risk assessment/care and control plan.

REFRAME THE BEHAVIOUR

"KIDS DO WELL IF THEY CAN"
~ ROSS GREENE



"SEE A CHILD DIFFERENTLY, YOU SEE A DIFFERENT CHILD"
~ Dr. Stuart Shanker

When kids exhibit challenging behaviour we can be "STRESS DETECTIVES"... finding and removing barriers.

- FIND STRESSORS → REDUCE THEM
 - FIND UNMET NEEDS → MEET THEM
 - FIND SKILLS DEFICITS → TEACH THEM
- @kwtens62

Behaviour Management at White Hall Academy

'TeePee Room' to be offered throughout

Employ tactical ignoring where appropriate and reward the positives.

Establish eye contact

Reminder of expected behaviour

Verbal Warning

Send to another teacher within Year Group

Loss of 5 minutes of break / lunchtime

Send to Phase Leader

'Send to Assistant Head'
Behaviour Support Meeting set up
SENCO INFORMED—ASSESSMENT OF WORK LEVEL

Should undesirable behaviour continue—telephone
Deputy Headteacher, internal exclusion with Deputy
and strategies instigated from Policy.

Update headteacher with behaviour plan outcomes—
consideration of fixed term and permanent exclusion.

Parents Informed

EXCLUSIONS POLICY

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Appendix 1: Model Letters

Appendix 2 - Exclusions Flow Diagram

1. Aims

At this school we aim to ensure that:

- Students at the school are safe and happy
- The exclusion process (suspensions and permanent) is applied fairly and consistently within the school
- The exclusion process (suspension and permanent) is understood by governors, staff, parents and students (or pupils)
- Students are not at risk of becoming NEET (Not in Education, Employment or Training)
- Amongst other disciplinary sanctions, the school recognises that exclusion of pupils may be necessary where there has been a serious breach, or persistent breaches, of the school's Behaviour Policy

2. Legal Framework

This policy is based on the Statutory guidance [on Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England including Pupil Movement 2022](#) being the statutory guidance for those with legal responsibilities in relation to exclusion. This advice should not be read in isolation. It is important for schools to consider [Behaviour in Schools Guidance; Keeping Children safe in Education; Mental Health and Behaviour in Schools; Understanding your data: a quick guide for school governors and academy trustees](#) Links to relevant supplementary guidance can be found at Annex A of the DFE Exclusions Guidance 2022. The principal legislation to which this guidance relates is:

- the Education Act 2002, as amended by the Education Act 2011
- the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- the Education and Inspections Act 2006
- the Education Act 1996
- 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

This policy will be implemented in conjunction with the following school policies and procedures:

- Behaviour Policy
- Anti-Bullying Policy
- Special Educational Needs and Disabilities (SEND) Policy
- Social, Emotional and Mental Health (SEMH) Policy
- Child Protection and Safeguarding Policy

3. **Grounds for exclusion**

The school can only exclude a pupil where it is absolutely necessary, and where all other possible disciplinary sanctions, as detailed in the school's Behaviour Policy, have failed to be successful. Pupils can be excluded on a fixed-period basis, i.e. up to 45 school days within a year, or permanently. Similarly, pupils can be permanently excluded following a fixed-period exclusion, where further evidence is presented.

Under no circumstances can a pupil be 'sent home to cool off'. This is an illegal exclusion. Any pupil sent home must be excluded legally as set out in this document.

Neither will the school off-rolle a pupil. Off-rolling is the practice of removing a pupil from the school roll without using a permanent exclusion, this includes pressuring a parent to remove their child from the school roll. See ['Exploring the issue of off rolling'](#) for further details.

In all cases, the headteacher will decide which exclusion period a pupil will be subject to, depending on what the circumstances warrant. The school/academy has the power to direct a pupil off-site to improve their behaviour. (Para 35 DFE Guidance)

In most cases a range of alternative strategies will have been tried before excluding a child permanently for persistent disruption. Where a one-off incident of sufficient gravity has taken place, this may not apply.

4. **The headteacher's power to exclude**

- Only the headteacher (or the acting headteacher if the headteacher is absent) has the power to exclude a pupil from the school and is able to decide whether this is for a fixed-period (suspension), or on a permanent basis. Any exclusion must be issued on disciplinary grounds
- The headteacher is able to exclude pupils from the premises where their behaviour is disruptive during lunchtime. All lunchtime exclusions will be counted as half of a school day
- The headteacher is able to consider a pupil's disruptive behaviour outside of the school premises as grounds for exclusion, in accordance with the school's Behaviour Policy
- Any decision made to exclude a pupil must be lawful, reasonable, fair and proportionate, with respect to legislation relating directly to exclusions and the school's wider legal duties, including the ECHR
- All exclusions will be formally recorded on the pupil information system
- When sending a pupil home following any exclusion, the headteacher will ensure that they exercise their duty of care at all times and will always inform the parents
- The headteacher will apply the civil standard of proof when responding to the facts relating to an exclusion, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true

- The headteacher may withdraw any exclusion that has not already been reviewed by the governing board. Parents, the governing board, and the LA should be notified without delay and, if relevant, the social worker and VSH.
 - Parents should be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled
 - Schools should report to the governing board once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight and;
 - The pupil should be allowed back into school.
- At all times, the headteacher will take into account their legal duties under the Equality Act 2010 and the 'Special educational needs and disability code of practice: 0 to 25 years', ensuring that they do not discriminate on any grounds, e.g. race, sex, disability, and will not increase the severity of a pupil's exclusion on these grounds
- The headteacher will not issue any 'informal' or 'unofficial' exclusions, e.g. sending a pupil home to 'cool-off', regardless of whether or not the parents have agreed to this
- The headteacher will not use the threat of exclusion as a means of instructing parents to remove their child from the premises. (Off-rolling)

It is unlawful to exclude for a non-disciplinary reason. For example, it would be unlawful to exclude a pupil simply because they have additional needs or a disability that the school feels it is unable to meet, or for a reason such as: academic attainment/ability; the action of a pupil's parents; or the failure of a pupil to meet specific conditions before they are reinstated, such as to attend a reintegration meeting. However, a pupil who repeatedly disobeys their teachers' academic instructions could be subject to exclusion.

5. **The decision to exclude**

When considering the exclusion of a pupil, the headteacher will:

- Allow the pupil the opportunity to present their case
- Take into account any contributing factors that are identified after a case of poor behaviour has occurred, e.g. if the pupil's wellbeing has been compromised, or they have been subjected to bullying
- Take into consideration whether the pupil has received multiple exclusions or is approaching the legal limit of 45 excluded days per school year, and whether exclusion is serving as an effective sanction
- Consider early intervention to address underlying causes of disruptive behaviour, including liaising with external agencies, to assess pupils who demonstrate consistently poor behaviour

- The headteacher will consider what extra support may be available for vulnerable pupil groups whose exclusion rates are higher, to reduce their risk of exclusion, including the following:
 - LAC
 - Pupils eligible for FSM
 - Pupils with SEND
 - Pupils with an EHCP
 - Certain ethnic groups
- The headteacher will consider avoiding permanently excluding LAC pupils, those with SEMH issues, or pupils with an EHC plan
- Where any member of staff has concerns about vulnerable pupil groups and their behaviour, they will report this to the headteacher who will instigate a multi-agency assessment to determine whether the behavioural issues might be a result of educational, mental health or other needs and vulnerabilities
- Where SEND or SEMH issues are identified, an individual behaviour plan will be created using the graduated response outlined in the school's Behaviour Policy. If the pupil continues to endanger the physical or emotional wellbeing of other pupils or staff, despite exhausting the graduated response process, then exclusion may be considered.
- In accordance with the Equality Act 2010, under no circumstances will a pupil with identified SEND or SEMH issues be excluded before the graduated response process has been completed.
- Where a pupil with SEND or SEMH issues is permanently excluded because of a SEND or SEMH related need that could not be met at the school, detailed records will be kept highlighting that these pupils are closely tracked and showing that the school has a close relationship with the pupil's next destination.
- The headteacher will work in conjunction with the parents of any pupil with additional needs to establish the most effective support mechanisms.

6. **Duty to inform parties about an exclusion or potential exclusion**

Where a pupil has a social worker and they are at risk of suspension or permanent exclusion the Headteacher should inform the social worker, the Designated Safeguarding Lead and the pupil's parents as early as possible to involve them in relevant conversations.

Where a looked after child is likely to be subject to a suspension or permanent exclusion, the Designated Teacher should contact the local authority's Virtual School Head as soon as possible to decide what additional support can be put in place (Para 59 DFE Guidance).

Following the decision to exclude, the Headteacher (or designated representative) will notify parents/carers by telephone and provide the following information in writing, to the parents of an excluded student as soon as possible and no later than 24 hours after the decision has been made:

- the reason(s) for the exclusion
- the period of a fixed-period exclusion or, for a permanent exclusion, the fact that it is permanent
- parents' right to make representations about the exclusion to the governing board (in line with the requirements set out in paragraphs 95-105) 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 consider the exclusion, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend

Where an excluded pupil is of compulsory school age the headteacher must also notify the pupil's 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. These days would be the first five school days of an exclusion (or until the start date of any alternative provision, or the end of the exclusion where this is earlier). Any parent who fails to comply with this duty without reasonable justification commits an offence and may be given a fixed penalty notice or be prosecuted.

If alternative provision is being arranged, then the following information must be included with this notice where it can reasonably be found out within the timescale:

- the start date for any provision of full-time education that has been arranged for the child during the exclusion
- 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 required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it must be provided 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 an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

When notifying parents about an exclusion, the headteacher should draw attention to relevant sources of free and impartial information. This information should include:

- a link to this statutory guidance on exclusions:
<https://www.gov.uk/government/publications/school-exclusion>
- a link to sources of impartial advice for parents such as the Coram Children’s Legal Centre (www.childrenslegalcentre.com), or ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10.00 am to 1.00 pm during term time)
- where considered relevant by the headteacher, links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) (<https://councilfordisabledchildren.org.uk/information-advice-and-supportservices-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>).

The headteacher should ensure that information provided to parents is clear and easily understood. Where the parents’ first language is not English consideration should be given, where practical, to translating the letter or taking additional steps to ensure that the details of the exclusion and their right to make representations to the governing board have been understood

7. **Duty to inform the governing board and Local Authority about an exclusion**

The headteacher must, without delay, notify the governing board and the local authority of:

- any permanent exclusion (including where a fixed-period exclusion 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
- any exclusion which would result in the pupil missing a public examination or national curriculum test.

For a permanent exclusion, if the pupil lives outside the local authority area in which the school is located, the headteacher must also notify the pupil’s ‘home authority’ of the exclusion and the reason(s) for it without delay.

- The local authority must be informed without delay of all school exclusions regardless of the length of the exclusion
- The headteacher must also notify the local authority and governing board once per term of any other exclusions not already notified
- The headteacher must without delay notify the pupil’s social worker and the Virtual School Head if the pupil is LAC of the exclusion and the reasons for it. Both the social worker and VSH must be informed when the Governing Board meeting is to take place. The Social worker and VSH can attend the meeting should they wish to do so

- In addition, within 14 days of a request, a governing board must provide to the Secretary of State and (in the case of maintained schools and PRUs) the local authority, information about any exclusions within the last 12 months.

8. **The governing boards and Local Authority's duties to arrange education for excluded pupils**

The Local Governing Board

- The Local Governing Board has a duty to consider the reinstatement of an excluded student
- Responsibility regarding exclusions is delegated to the pupil disciplinary committee of the Local Governing Board– the committee hearing any representation should comprise of 3 or more governors.
- For a fixed-period exclusion of more than 5 school days, the Headteacher, on behalf of the Local Governing Board will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of the exclusion. Provision does not have to be arranged for students in the final year of compulsory education who do not have any further public examinations to sit

Local Authority

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

9. **Statutory guidance on the education of pupils prior to the sixth day of an exclusion**

Whilst the statutory duty on governing boards or local authorities is to provide full-time education from the sixth day of an exclusion, there is an obvious benefit in starting this provision as soon as possible. In particular, in the case of a looked after child or a child with a social worker, the school and the local authority should work together to arrange alternative provision from the first day following the exclusion.

Where it is not possible, or not appropriate, to arrange alternative provision during the first five school days of an exclusion, the school should take reasonable steps to set and mark work for the pupil. On-line pathways such as Google Classroom or Oak Academy can be used. Work that is provided should be accessible and achievable by the pupil outside school.

10. **The governing board's duty to consider an exclusion**

The governing board may delegate to a smaller sub-committee if the trust's articles of association allow them to do so.

The governing board must consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if:

- the exclusion is permanent
- it is a fixed-period exclusion 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 or national curriculum test

- In the case of a fixed-period exclusion where the pupil's total number of excluded days is more than 5 but less than 15 school days within a term, if requested by the parents, the governing board will consider exclusions within 50 school days of receiving notification.
- In the case of a fixed period exclusion, where the pupil's total number of excluded school days does not amount to more than five, in the absence of any representations by the parents, the governing board can consider reinstatement on their own.

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

The Committee can either:

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

The governing board will also consider whether it would be appropriate to allow the excluded pupil to enter the premises to take the examination.

Time scales and decisions to be made by Governing Bodies

<i>No. of days exclusion in term</i>	5 or fewer	5.5 to 15	More than 15 in one term	Pupil will miss public exam	Permanent exclusion
Parents have the right to make written representations	Yes	Yes	Yes	Yes	Yes
Parents have the right to meet with Governors	No. Governing board must consider representation in 50 days and has power to reinstate	Yes, if parents request	Yes. Governors must meet.	Yes. Governors must meet.	Yes. Governors must meet.
Timescale for meeting	None	50 school days	15 school days	15 school days where possible before the exam	15 school days
Reinstatement possible	Yes	Yes	Yes	Yes	Yes

The following parties must be invited to a meeting of the governing board and allowed to make representations:

- parents (and, where requested, a representative or friend)
- the headteacher
- Virtual school head and or social worker

A parent may invite a representative of the local authority to attend a meeting of an Academy's governing board as an observer; that representative may only make representations with the governing board's consent

11. **Statutory guidance to a governing board in preparing for the consideration of an exclusion**

When considering the reinstatement of an excluded pupil, the governing board will:

- Only discuss the exclusion with the parties present at the meeting
- Consider any representations made by or on behalf of:-
 - Parents
 - The Headteacher
 - The pupil's social worker if they have one
 - If the pupil is looked after, the VSH
- Ask for any written evidence prior to the meeting
- Circulate any written evidence and information to all parties, at least five school days in advance of the meeting
- Allow pupils and parents to be accompanied by a person of their choice to the meeting
- Consider what reasonable adjustments need to be made to support the attendance and contribution of parties at the meeting
- Identify the steps needed to enable and encourage the excluded pupil to attend the meeting and speak on their behalf, or how they may contribute personal views by other means if attendance is not possible
- Consider the interests and circumstances of the excluded pupil, including the grounds for exclusion

12. The governing board's duty to notify people after its consideration of reinstatement

Where a meeting has been legally required, the governing board must notify the parents, the headteacher, the local authority and any social worker or VSH of their decision, and the reasons for their decision, in writing and without delay. Where a pupil lives in a different local authority, the governing board must also inform the home authority.

In the case of a permanent exclusion the governing board's notification must include the following:

- The fact that it is permanent
- Notice of the parents' right to ask for the decision to be reviewed by an independent review panel and the following information:
 - a) the date by which an application must be made (i.e. 15 school days from the date on which notice in writing of the decision was given to parents)
 - b) where and to whom an application for review (and any written evidence) should be submitted
 - c) that any application should set out the grounds on which it is being made and that, where appropriate, this should include a reference to how the pupil's special educational needs are relevant to the exclusion
 - d) that, regardless of whether the excluded pupil has recognised special educational needs, parents have a right to require the local authority/Trust to appoint an SEN expert to attend the review to advise the review panel
 - e) details of the role of the SEN expert and that there should be no cost to parents for the appointment
 - f) that parents must make clear if they wish for a SEN expert to be appointed in any application for a review
 - g) that parents may, at their own expense, appoint someone to make written and/or oral representations to the panel and that parents may also bring a friend to the review

That, in addition to the right to apply for an independent review panel, if parents believe that the exclusion has occurred as a result of discrimination, then they 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.

That a claim for discrimination made under the Equality Act 2010 should be lodged within 6 months on which the discrimination is alleged to have taken place e.g. the date on which the pupil was excluded

13. The governing board's duty to remove a permanently excluded pupil's name from the school register

The headteacher must remove a pupil's name from the school admissions register if:

- 15 school days have passed since the parents were notified of the governing board's decision to uphold a permanent exclusion and no application has been made for an independent review panel

- The parents have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review panel has been made within 15 school days, the headteacher must wait until the review has been determined, or abandoned, before removing a pupil's name from the register.

Where a pupil's name is removed from the school register and a discrimination claim is subsequently made, the First-tier Tribunal (Special Educational Needs and Disability) or County Court has the power to direct that the pupil should be reinstated.

14. **Marking attendance registers following exclusion**

Whilst a pupil's name remains on the admissions register, the appropriate code will be used to mark the pupil's attendance:

Code B: Education off-site

Code D: Dual registration

Code E: Absent and not attending alternative provision

15. **Statutory guidance to the local authority/academy trust duty to arrange a date and venue for a review**

The legal time frame for an application is:

- Within 15 school days of notice being given to the parents by the governing board of their decision to uphold a permanent exclusion (in accordance with the requirements in paragraph 149
- where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion

The LA/Academy Trust will constitute an independent review panel of three or five members that represent the following categories:

- A lay member to chair the panel. This individual will not have worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- A current or former school governor/directors of academy trusts who has served for at least 12 consecutive months in the last 5 years, provided that they have not been a teacher or headteacher during that time.
- A headteacher or individual who has been a headteacher within the last 5 years

The LA/Academy Trust will adhere to all statutory guidelines when conducting an independent panel review, as outlined in the DfE's statutory guidance document 'Suspensions and Exclusions 2022'. The LA/Academy Trust may appoint a clerk to provide advice to the panel and parties to the review on procedure, law and statutory guidance on exclusions as outlined in the DfE's statutory guidance document 'Exclusion from maintained schools, academies and pupil referral units in England' 2022

16. Appointing and SEN expert

If requested by parents in their application for an independent review panel, the LA/Academy Trust must appoint a SEN expert to attend the panel and cover the associated costs of this appointment. This appointment must fulfil all points referred to in section 8.5 of [Exclusion from maintained schools, academies and pupil referral units in England' 2017](#)

It will be noted that Parents have a right to request the attendance of an SEN expert at a review, regardless of whether the school recognises that their child has SEN.

17. The duties of independent review panel members, the clerk and the SEN expert in the conduct of an independent review panel

Section 9 on [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England including Pupil Movement](#) 2022 lays out the legal duties of all members of the independent review panel and will be followed by the school. The Clerk and the Panel will have received training within the last 2 years.

18. The duties of independent review panel members in the conduct of a review panel

The role of the panel is to review the governing board's decision not to reinstate a permanently excluded pupil. In reviewing the decision, the panel will consider the interests and circumstances of the excluded pupil, including the circumstances in which the pupil was excluded, and have regard to the interests of other pupils and people working at the school. The panel will apply the civil standard of proof, rather than the criminal standard of 'beyond reasonable doubt'. Following the review, the panel will do one of the following:

- Uphold the decision
- Recommend that the governing board reconsiders reinstatement
- Quash the decision and direct that the governing board reconsiders reinstatement

The panel's decision does not have to be unanimous and can be decided by a majority vote. It is binding on the pupil, parents, the governing board, headteacher and the LA/Academy Trust

19. Subsequent school meeting of the Governors Discipline committee

- Where a panel directs or recommends that a governing board reconsiders their decision, the governing board must reconvene within 10 school days of being given notice of the panel's decision
- If a governing board offers to reinstate the pupil within the specified timescale but the parents decline the offer, no readjustments can be made to the school's budget
- The governing board must comply with any direction of the panel to place a note on the pupil's educational record
- The parents, headteacher and local authority (or where relevant the home authority) must be informed of the governors' decision and the reasons for it immediately and in writing

- If the governing board subsequently fails to reinstate the pupil, the IRP then has power to order that an adjustment of £4,000 should be made to the school's budget, that would be in addition to any funding that would normally follow an excluded pupil (the only exception to this is where a school does not have a delegated or separate budget from which the readjustment can be made)

20. **Criminal investigations**

- The headteacher need not postpone taking a decision to exclude a pupil solely because a police investigation is underway, and/or any criminal proceedings may be brought. (Para 258 DFE Guidance)
- The headteacher will give particular consideration when deciding to exclude a pupil where evidence is limited by a police investigation, to ensure that any decision made is fair and reasonable.
- If the governing board is required to consider the headteacher's decision in these circumstances, they will not postpone the meeting and will make a decision based on the evidence available.

The headteacher will also take into consideration Part Thirteen: [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England including Pupil Movement](#) 2022: A non-statutory guide for headteachers.

Exclusions Process Flowchart

