



Exclusion Policy

Approved January 2018

**Reviewed by CEO Spring 2020, Summer 2021, Summer 2022, Summer 2023,
Summer 2024, Summer 2025**

Next Review - Summer 2026

Britannia Education Trust (BET) has an inclusive ethos and is committed to supporting all pupils towards success. A decision to exclude a pupil, either for a fixed period or permanently is seen as a last resort by the school while always bearing in mind our duty of care to all pupils and staff. In the first instance we will always try to identify the causes of behaviour issues and to set up strategies to support the child to modify their behaviour. However there are some rare incidents or circumstances where exclusion will be the only appropriate step. These incidents and behaviours are deemed serious enough to bypass the School Behaviour policy and procedures.

Reasons for exclusion:

- Serious breach of the school's rules or policies
- Risk of harm to the education or welfare of the pupil or others in the school

This policy is specifically on exclusion, but it should be read in conjunction with the trust's Behaviour and anti-bullying policy.

The Headteacher alone is responsible for the decision to exclude a child from school. However, some responsibility may be delegated to the deputy or assistant head for fixed term exclusions.

When exclusion is used

Exclusion is when a pupil is not allowed in school for a fixed period or permanently.

- **Fixed period exclusion** (suspension) - this is when a headteacher excludes a pupil for a fixed period, ranging from half a school day up to a maximum of 45 school days during the school academic year. The pupil can return to school at the end of the exclusion period or in exceptional circumstances, where further evidence has come to light, the exclusion may be extended or converted to a permanent exclusion.
- **Permanent exclusion** (expelled) - this is when a headteacher decides that the pupil cannot return to the school.
- **Multiple exclusions** – a headteacher can exclude a pupil more than once. This can

be for a number of fixed periods and the total number of school days cannot exceed 45 in any school academic year. If the exclusion exceeds 45 school days, this becomes a permanent exclusion. When the number of days a pupil is excluded exceeds 15 days in a school term, the school must arrange for the governing body to review the exclusion.

Fixed period exclusions are used when other strategies and sanctions (for example, internal exclusion) have not been effective over time or when there has been a single clear and serious breach of discipline.

Physical assault of staff or pupils by a pupil, other acts of violence, including severe verbal bullying, fire setting, bringing a weapon on the premises, persistent and frequent high-level disruption to lessons come within this category as well as actions which may jeopardise the health and safety of the individual/others and some cases of theft. In all cases the Headteacher gathers evidence and views and takes advice from staff who are working with a child.

The Headteacher alone makes the decision to proceed to permanent exclusion in consultation with the Executive Headteacher. Wherever possible, the school seeks to avoid permanent exclusions and an exclusion may not be enforced if doing so could put the safety of the pupil at risk.

In cases where the child attends more than one school i.e. dual registration, consultation will be carried out with the other school to consider whether the exclusion should be from one or both schools.

Managed Moves

Newham local authority operates a managed move process as an alternative to permanent exclusion via the Pupil Placement Panel (PPP) which meets regularly. If the headteacher decides that a managed move would be beneficial for a pupil to have a fresh start in a new mainstream school to prevent a permanent exclusion, the headteacher may request another headteacher to admit the pupil. This is done with the full knowledge and co-operation of all parties involved including parents/carers, governors and the LA (Behaviour Support Service). There is a managed move referral form to be used when considering a pupil for a managed move to another school which must be signed by the parents and the school and submitted to the Chair of the PPP.

When considering alternatives to exclusion, the headteacher also has the power to direct a pupil off site to an alternative provision to improve their behaviour.

How parents and carers are informed about exclusions

When the decision has been made to proceed with a fixed term exclusion, the school will contact the parents/carers as soon as possible, ideally on the same day.

It is expected that parents will collect their child as soon as possible on the day of the issuing of the exclusion. If this is not possible, then the child will be kept away from their class, and the exclusion will be postponed to commence the next day.

A letter will be sent home within 24 hours outlining the reason(s) for and the length of the exclusion.

The letter will outline the following:

- The reason for the exclusion.
- Whether the exclusion is for a fixed period or permanent.
- If fixed period, how many days.
- The arrangements made by the school or other educational provision for your child's education to continue during the first five school days of an exclusion, including the setting

and marking of work. It is the parents' responsibility to ensure that work sent home is completed and returned to school.

- Parents' responsibility during the first five days of any exclusion to ensure that the child is not present in a public place during school hours without reasonable justification.
- The arrangements made by the school to provide suitable full-time educational provision for the child if excluded for more than 5 days. For example, start date, start and finish times, the address of the provision and the person to report to at the provision (see below).
- The parents' rights to make a representation to the board of trustees and how the pupil may be involved in this.
- Details of the reintegration interview (parents and child) with a member of the Leadership Team upon the child's return to school.

Language Interpretation

Where parents require translation of letters or an interpreter present at a meeting, the school will ask if they have a trusted friend or relative who could provide this service for them. If this is not the case, the school can arrange this through the Newham Language Shop which offers interpreting, translation and British Sign Language services.

Off Site Education for excluded pupils

Newham provides places for primary age excluded pupils at The Phoenix Provision in North Woolwich.

If a fixed term exclusion of more than 5 days is deemed the appropriate consequence, then the school will endeavour to obtain a place for the pupil to attend during this period. The Phoenix is a Newham provision specialising in supporting pupils who have been excluded or are in danger of being so. Attendance provides the opportunity for pupils to explore the events that led to the exclusion and identify different choices which could have been made.

If an off-site place cannot be found then the child must be supervised at home for the period of the exclusion and complete their work at home. The letter which is issued when a child is excluded explains clearly the responsibility that a child should not be in a public place during the period of the exclusion.

Attendance Codes

When a pupil has been excluded, he/she should be marked absent using Code E from the period during which the child has been excluded. Where alternative provision has been provided, and the pupil is attending, they will be marked using Code B (educated off site).

Pupils with Special Educational Needs and Disability (SEND)

The trust must take into account any special educational needs when considering whether or not to exclude a pupil. Britannia Education Trust has the duty under the Disability Discrimination Act 2005 as amended, not to discriminate against SEND pupils. Any exclusion related to pupils with SEND will be discussed in depth by the Leadership Team and, if appropriate, outside agencies. Their needs will be taken into consideration and each case will be dealt with on an individual basis.

Pastoral Support Plans

It may be felt that a child is at risk of permanent exclusion due to the inappropriate behaviour being displayed. In this circumstance the school will put a Pastoral Support Plan (PSP) into place in order to support the pupil and try to prevent this occurring. This is a 16 week plan that involves the pupil, school and parents working together to establish clear targets for improvement and the support measures (both at home and school) needed to achieve these. There are then regular reviews to

assess progress and make amendments as needed. Where appropriate, other agencies will also be part of this process to ensure that specific professional expertise is accessed in order to meet the needs of the pupil.

Challenging an Exclusion decision

Parents have a right to make a representation to the school's Board of Trustees, whether it is a fixed period exclusion or a permanent exclusion. Advice would be outlined in the initial exclusion letter. In the case of a suspension which does not bring the pupil's total number of days of suspension to more than five in a term, the governing board must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents. The governing board will consider any representations made and place a copy of their findings in the pupil's record.

In the case of a suspension for 5 to 15 days, parents may request a meeting with up to three trustees, including the headteacher, and a representative from the board of trustees. They will also be given the option to bring a friend, adviser or legal representative. During the meeting, the Board of Trustees must consider any representations made by the parents, the child, the headteacher and the representative. They will use the information to decide whether or not the exclusion by the Head Teacher was justified. Following this decision the child will either be excluded or reinstated to the school. Trustees must decide within 50 school days of the notice of suspension whether the suspended pupil will be reinstated.

If the exclusion would result in a pupil missing 15 days or more in a term or missing a national curriculum test, the governing board must convene a meeting to decide within 15 days of the notice of suspension whether to uphold the suspension or not.

Challenging the Board of Trustees' decision – Independent Review

In the case of a fixed period exclusion, the decision of the Board of Trustees cannot be challenged. However, in the case of a permanent exclusion, an appeal can be made to an Independent Review Panel (IRP) to request a review of the decision reached by the Board of Trustees.

Decision letters sent by any of the Trust schools to the parent(s) will include the details of the right of independent review and who to contact to arrange one. The parent(s) have 15 school days (from the date of receipt of the decision to permanently exclude) to seek an independent review. On receipt of such a request, the trust will engage the services of an external agency, such as NPW (Newham Partnership Working) to arrange the panel members and clerk for the independent review which must take place within 15 school days of the parents application.

The panel will include someone from each of the following 3 categories:

- 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
- School governors who have served as a governor for at least 12 consecutive months in the last five years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last five years

The panel members must be completely independent of the school, have no knowledge of the case and have undergone appropriate training. Parents also have the right to request the attendance of an SEN expert at the IRP meeting.

Following the review, the IRP will do one of the following:

- uphold the exclusion of the child
- recommend the Board of Trustees reconsiders their decision
- quash the original panel's decision and direct the Board of Trustees to reconsider the exclusion

Monitoring

The headteacher, Leadership and Inclusion teams monitor behaviour and the effectiveness of policies relating to behaviour and exclusions regularly. The Board of Trustees receives reports on the effectiveness of the policy and, if necessary, makes recommendations for further improvements.

The schools keep a variety of records of incidents of misbehaviour. The class teacher records classroom incidents through the tracking and consequences system. Any persistently unacceptable behaviour is followed up by the Behaviour Lead and SENCO who will refer to outside agencies such as the Behaviour Support or Educational Psychology Services if necessary.

The school keeps a record of any pupil who is suspended for a fixed period or who is permanently excluded.

It is the responsibility of the Board of Trustees to monitor the rate of exclusions and to ensure that the school's policy is administered fairly and consistently.

REVIEW OF THIS PROCEDURE

The CEO will review this policy annually or earlier if the board receives recommendations on how the policy might be improved.

Appendix 1

A summary of the governing board's duties to consider reinstatement:

Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England

August 2024

https://assets.publishing.service.gov.uk/media/66be0d92c32366481ca4918a/Suspensions_and_permanent_exclusions_guidance.pdf

Conditions of exclusion

Governing board duties

Does the exclusion meet any of the following conditions?

- It is a permanent exclusion
- It is a suspension that alone, or in conjunction with previous exclusions, will take the pupil's total number of days out of school above 15 for a term. This includes suspensions that total 15.5 days
- It is a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test*

↓ **Yes**

The governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.⁶³

*If the pupil will miss a public exam or national curriculum test, the governing board must take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone.

⁶⁴

↓ **No**

Will the suspension(s) take the pupil's total number of school days out of school above five but less than 16 for the term?

↓ **No**

The governing board must consider any representations made by parents but does not have the power to decide whether to reinstate the pupil.

Yes

Has the parent made representations?

↓ **Yes**

The governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

↓ **No**

The governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.

⁶² Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

⁶³ The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

⁶⁴ The ability for a chair to review in the case of public exams refers only to maintained schools.