

## Behaviour for Learning and Exclusion Policy: EYFS - Year 6

### Policy Review and Approval

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**We have the highest aspirations for our school and every member of our school community. By promoting a culture of Ambition, Support, Perseverance, Integrity, Reflection and Empathy, we strive to Aspire, in all that we do.**

*This policy has been subject to a workload impact assessment as part of our commitment to reducing workload. The addition of student/staff values, supportive scripts, reflective sessions and Assistant Heads of Year will support both students and staff and reduce workload for the latter.*

Note: The values and ethos underpinned in the Behaviour for Learning and Exclusion Policies are outlined for the whole school. However, there are separate policies for Reception-Year 6 and Years 7-11. The differences between the age mindsets and logistical structures within the Primary phase and Secondary phase are the reasons behind having two policies.

This Behaviour for Learning and Exclusion Policy and procedures apply to all the children in Years 1-6, including those in Early Years Foundation Stage (EYFS) and supports the EYFS key themes and commitments.

## 1. Aims

Gildredge House staff, the Governing Board and the Senior Leadership Team are committed to creating an environment in which all students are well-motivated and self-aware learners, who conduct themselves appropriately in a range of situations.

This policy aims to:

- create a positive culture for learning that promotes excellent behaviour, ensuring that all students have the opportunity to learn in a calm, safe and supportive environment;
- establish a whole-school approach to maintaining high standards of behaviour that reflect the values of the school;
- outline the expectations and consequences of behaviour;
- provide a consistent approach to behaviour management that is applied equally to all students, taking into account their developmental and additional needs; and
- use restorative approaches while having clear boundaries on what we consider to be unacceptable behaviour.

### Home-school commitment

Working in a transparent and honest manner with families is essential to the creation of a positive learning environment in school. Our approach will be shared with families as part of a Home School Agreement. Through this, we intend to work in partnership with our community of families to give the very best school experience to all Gildredge House students.

## 2. Legislation, statutory requirements and statutory guidance

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

- [Behaviour in schools: advice for headteachers and school staff 2024](#)
- [Searching, screening and confiscation: advice for schools 2022](#)
- [The Equality Act 2010](#)
- [Keeping Children Safe in Education 2023](#)
- [Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement 2023](#)
- [Use of reasonable force in schools](#)
- [Supporting students with medical conditions at school](#)
- [Special Educational Needs and Disability \(SEND\) Code of Practice](#)

### 3. Definitions

**Misbehaviour** is defined as:

- Disruption to learning which may include task avoidance/time wasting, wrong choices, inappropriate behaviour in class (or the playground), misusing equipment, or not following the expectations agreed as part of class behaviour agreements.
- Rough play on the playground.
- Name calling/unkindness.
- Repeated blatant defiance, task refusal, or disruption to classroom learning,
- Rudeness/insolence, or unacceptable language.
- Poor attitude to peers, learning or the school environment.

**Serious misbehaviour** is defined as:

- Deliberate provocation, aggression - physical or verbal, or stealing.
- Fighting.
- Repeated breaches of the school rules.
- Any form of bullying, harassment or discrimination.
- Physical violence or verbal aggression directed towards other students or staff.
- Use of objects/weapons to hurt others.
- Serious/continued bullying incidents.
- Vandalism leading to significant damage of school property and/or resources.
- Possession of any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the student).

### 4. Bullying

**Bullying** is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power.

Bullying is, therefore:

- Deliberately hurtful.
- Repeated, often over a period of time.
- Difficult to defend against.

Bullying can include:

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
Prejudice-based and discriminatory, including: <ul style="list-style-type: none"><li>- Racial</li><li>- Faith-based</li><li>- Gendered (sexist)</li><li>- Homophobic/biphobic</li><li>- Transphobic</li><li>- Disability-based</li></ul>	Taunts, gestures, graffiti or physical abuse focused on a particular characteristic e.g. gender, race, sexuality

TYPE OF BULLYING	DEFINITION
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps, gaming sites, devices or via images, audio, video, or written content generated by artificial intelligence (AI)

The school's Anti Bullying and the Prevention of Bullying Policy can be found on the school website: [www.gildredgehouse.org.uk/home/our-school/policies/](http://www.gildredgehouse.org.uk/home/our-school/policies/)

#### 4.1 Racism

Gildredge House believes that all students, regardless of their ethnicity, colour or creed should be treated equally. Any student found to be abusing minority groups on grounds of family background will be deemed to be racist. The school has adopted the definition of racism found in law following the Stephen Lawrence inquiry. This deems that if an incident is perceived to be racist by the victim, then it must be treated as such.

Racist remarks and behaviour ranging from the unintentionally hurtful comment to the outright malicious act, will always be challenged and, where necessary, sanctions will be applied. All racist incidents are recorded in EduLink to enable data to be tracked.

#### 4.2 Sexism

The school's Equality Policy underpins the school's position on discrimination on the grounds of gender and sexual harassment. Neither will be tolerated by anyone in the Gildredge House community, and incidents will be investigated in the same way as other breaches of the school's Behaviour for Learning and Exclusion Policy.

#### 4.3 Diversity and Minority

Forms of discrimination towards any other diverse or minority group will not be tolerated. As above, this will be investigated in the same way as other breaches of the school's Behaviour for Learning and Exclusion Policy. It is the school's aim to create a positive environment where students and teachers are respectful of any differing background, diversity and/or individual identity.

### 5. Roles and responsibilities

#### 5.1 The Governing Board

The Governing Board are responsible for:

- Monitoring this policy's effectiveness.
- Holding the Executive Head Teacher and Head of School to account for its implementation.

#### 5.2 The Executive Head Teacher and Head of School

The Executive Head Teacher and Head of School are responsible for:

- Reviewing and approving this policy.
- Ensuring that the school environment encourages positive behaviour.
- Ensuring that staff deal effectively with poor behaviour.
- Monitoring how staff implement this policy to ensure rewards and sanctions are applied consistently to all groups of students.

- Ensuring that all staff understand the behavioural expectations and the importance of maintaining them.
- Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all students to participate fully.
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy.
- Ensuring this policy works alongside the Child Protection and Safeguarding Policy and Procedure to offer students both sanctions and support when necessary.
- Ensuring that the data from the behaviour log is reviewed regularly, to make sure that no groups of students are being disproportionately impacted by this policy.

### 5.3 Staff

Staff are responsible for:

- Creating a calm and safe environment for students.
- Establishing and maintaining clear boundaries of acceptable student behaviour.
- Implementing this policy consistently.
- Communicating the school's expectations, routines, values, and standards through teaching behaviour and in every interaction with students.
- Modelling expected behaviour and positive relationships.
- Providing a personalised approach to the specific behavioural needs of particular students.
- Considering the impact of their own behaviour on the school culture and how they can uphold school rules and expectations.
- Recording behaviour incidents promptly using EduLink to inform parents/carers.
- Challenging students to meet the school's expectations.

Senior and Middle leadership teams will support staff in responding to behaviour incidents.

### 5.4 Parents and carers

Parents and carers should:

- Get to know this policy and reinforce it at home where appropriate.
- Support their child in adhering to this policy.
- Inform the school of any changes in circumstances that may affect their child's behaviour.
- Discuss any behavioural concerns with the school promptly.
- Take part in any pastoral work following misbehaviour, for example, attending reviews of specific behaviour interventions.
- Raise any concerns about the management of behaviour with the school directly, while continuing to work in partnership with the school.
- Take part in the life of the school and its culture.

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

### 5.5 Students

Students will be:

- Made aware of the rewards they can earn for meeting the school's behaviour standards, and the consequences they will face if they don't meet these standards.
- Supported to meet the school's behaviour standards and will be provided with repeated reminders wherever appropriate.

- Asked to give feedback on their experience of the behaviour culture to support the evaluation, improvement and implementation of this policy.

### 5.6. Supply Teachers and Trainee Teachers / Apprentices

Practitioners such as supply teachers, trainee teachers and apprentices coming in to teach and support within Gildredge House will read the documents set out in the Induction Pack so they are aware of the school's expectations and ethos. These practitioners will provide a positive model of behaviour and ensure high expectations are continued in line with other staff members. Practitioners should inform the relevant Class Teacher of any inappropriate behaviour and record patterns and incidents in line with the school's reporting mechanisms.

## 6. Attitudes to Learning

Our school is founded upon high standards and high expectations of students' attitude to learning. We expect a commitment from all students to the Gildredge House Way in being Ready, Respectful, and Safe.

The Gildredge House Way		
Student values	Adult values	Over and above recognition
<p><b>Ready</b> Being ready for learning and allowing others to learn</p> <p><b>Respectful</b> Doing the right thing for the right reasons</p> <p><b>Safe</b> Staying safe and allowing others to stay safe</p>	<ul style="list-style-type: none"> <li>• Calm, consistent and fair.</li> <li>• Give first attention to the best conduct.</li> <li>• Be relentlessly bothered and build relationships.</li> <li>• Meet and greet with a smile at the door.</li> <li>• Recognise over and above.</li> <li>• Provide a sharing time.</li> <li>• Prep for best - making sure they are ready for learning at the start of every lesson.</li> </ul> <p><b>Consistency of these values is the key.</b></p>	<p>Aspire Points Non-verbal praise Verbal praise Phone call home Email home Assemblies</p>
<b>ASPIRE, in all that we do.</b>		

Students are expected to:

- Show respect to all members of staff and each other.
- In class, make it possible for all students to learn.
- Move quietly and respectfully around the school.
- Treat the school buildings and school property with respect.
- Wear the correct school uniform with pride.
- Accept that there will be a consequence for their actions.
- Ensure that they complete all sanctions given.
- Refrain from behaving in a way that brings the school into disrepute, including when outside school or online.

Where appropriate and reasonable, adjustments may be made to routines within the curriculum to ensure all students can meet behavioural expectations in the curriculum.

## 6.1 Mobile phones

The use of mobile phones during school hours is forbidden. Any student seen using their mobile phone without permission will have their phone confiscated immediately. This includes the use of smart watches or Apple watches - the use of these is not allowed as they are effectively mobile phones and will be treated as such.

Any student who brings a mobile phone into school for safety reasons should leave it in their teachers' desk and **does so at their own risk. School will not be held responsible for any loss or damage.**

## 6.2 Uniform

A student not wearing the correct uniform will have a communication sent home via EduLink. Items that do not comply with our uniform policy will be confiscated.

## 7. Responding to behaviour

An incident that does not meet the school's expectations or values will be entered electronically into EduLink. This is entered by the member of staff that has dealt with or witnessed the behaviour.

### 7.1 Classroom management

Teaching and support staff are responsible for setting the tone and context for positive behaviour within the school. They will:

- Create and maintain a stimulating environment that encourages students to be engaged.
- Share the school's expectations of Ready, Respectful and Safe.
- Develop a positive relationship with students, which may include:
  - Greeting students in the morning/at the start of lessons.
  - Establishing clear routines.
  - Communicating expectations of behaviour in ways other than verbally.
  - Highlighting and promoting good behaviour.
  - Concluding the day positively and starting the next day afresh.
  - Having a plan for dealing with low-level disruption.
  - Using positive reinforcement.

### 7.2 Safeguarding

The school recognises that changes in behaviour may be an indicator that a student is in need of help or protection. We will consider whether a student's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, we will follow the school's Child Protection and Safeguarding Policy and Procedure, and consider whether pastoral support, an early help intervention, or a referral to children's social care is appropriate.

The school's Child Protection and Safeguarding Policy and Procedure can be found on the school website: [www.gildredgehouse.org.uk/home/our-school/policies/](http://www.gildredgehouse.org.uk/home/our-school/policies/)

### 7.3 Rewarding good behaviour

When a student's behaviour meets or goes above and beyond the expected behaviour standard, staff will recognise it with positive recognition and rewards. This provides an opportunity for all staff to reinforce the school's culture and ethos.

Positive reinforcements and rewards will be applied clearly and fairly to reinforce the routines, expectations and norms of the school's behaviour culture.

Positive behaviour will be rewarded with:

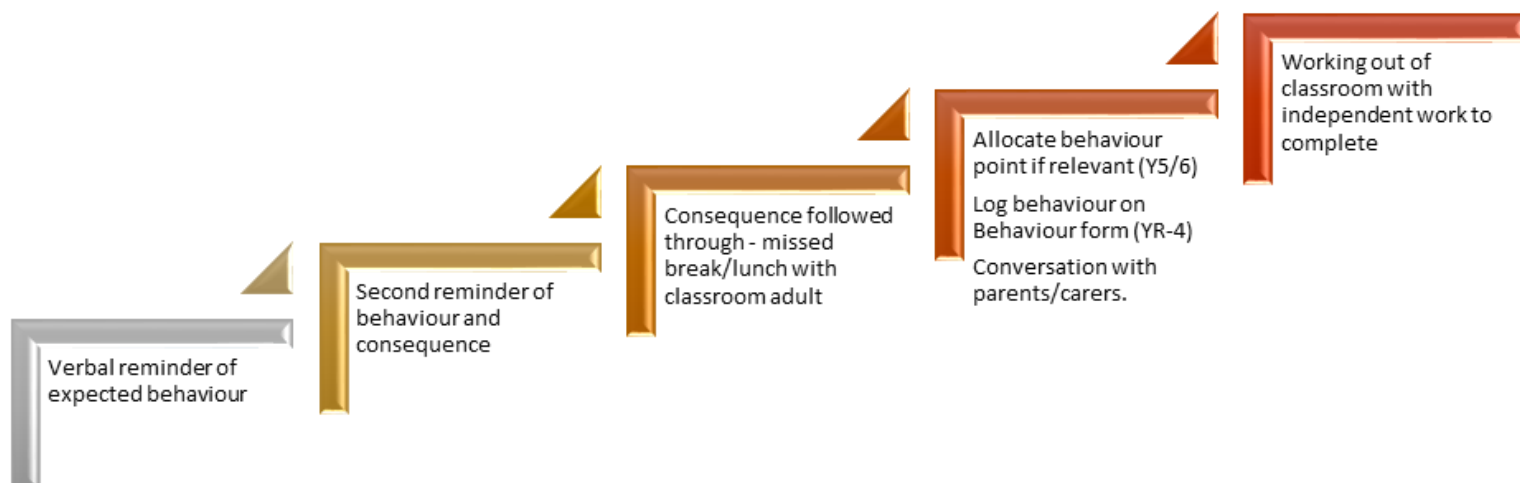
- Verbal and non-verbal praise.

- Recording ASPIRE points on EduLink.
- Communicating praise to parents/carers via a phone call or written correspondence.
- Certificates, prize ceremonies, or special assemblies.
- Bronze, Silver, Gold, and Platinum Award badges.

#### 7.4 Responding to misbehaviour

When a student’s behaviour falls below the standard that can reasonably be expected of them, staff will respond in order to restore a calm and safe learning environment, and to prevent recurrence of misbehaviour. Staff will endeavour to create a predictable environment by always challenging behaviour that falls short of the standards, and by responding in a consistent, fair and proportionate manner, so students know with certainty that misbehaviour will always be addressed.

De-escalation techniques, including the use of pre-arranged scripts and phrases, can be used to help prevent further behavioural issues arising. All students will be treated equitably under the policy, with any factors that contributed to the behavioural incident identified and taken into account.



Reminders	Behaviour type	Action Taken - All Years
	<ul style="list-style-type: none"> <li>• Minor disruption to flow of learning</li> <li>• Not following GH Way</li> <li>• Minor break/lunch incident e.g. arguing with peers</li> </ul>	Verbal reminder of expected behaviour, followed by verbal reminder of consequence if behaviour continues.



Reminders	Behaviour type	Action Taken - All years	Action Taken - Years 5 and 6
Level 1	<ul style="list-style-type: none"> <li>Continued disruption to flow of learning.</li> <li>Continued lack of engagement.</li> <li>Persistently not following GH Way.</li> <li>Antagonistic behaviour at lunch/break.</li> <li>Deliberately ignoring adult's instructions and/or answering an adult back/arguing.</li> </ul>	<ul style="list-style-type: none"> <li>Time out of breaktime for restorative conversation with adult involved in initial verbal reminders.</li> </ul>	+ 1 Behaviour point recorded on EduLink
Level 2	<ul style="list-style-type: none"> <li>Disrespectful behaviour to others e.g. physical or verbal hurt directed at another.</li> <li>Racist / derogatory comments.</li> <li>Disrespectful or threatening behaviour towards property of school or others - breaking items, graffiti etc.</li> </ul>	<ul style="list-style-type: none"> <li>Missed playtime - with a member of the Senior Leadership Team (SLT).</li> <li>Conversation with parents.</li> </ul>	+ 2 Behaviour points recorded on EduLink
Level 3	<ul style="list-style-type: none"> <li>Unprovoked physical harm to others or property.</li> <li>Fighting.</li> <li>Consistent poor behaviour.</li> <li>Persistent defiance or dangerous behaviour.</li> <li>Theft.</li> </ul>	<ul style="list-style-type: none"> <li>Half a day working out of class with SLT supervision.</li> </ul>	+ 3 Behaviour points recorded on EduLink
Level 4	<ul style="list-style-type: none"> <li>Setting fire alarm off.</li> <li>Verbal abuse to staff.</li> </ul>	<ul style="list-style-type: none"> <li>Half a day working out of class with SLT supervision.</li> </ul>	+ 4 Behaviour points recorded on EduLink
<b>EduLink Behaviour Points logged once final action has been completed</b>			

It is important to consider that young students often engage in fantasy play that have some aggressive themes, such as superheroes/weapons play; some children appear pre-occupied with these themes, but their behaviour is not necessarily a precursor to hurtful behaviour or bullying, although it may be inconsiderate at times and need addressing. These types of play give staff the opportunity to discuss concepts of right/wrong and safe choices with students.

When giving behaviour sanctions, staff will also consider what support could be offered to a student to help them to regulate their behaviour in the future.

The school may use one or more of the following sanctions in response to unacceptable behaviour:

- A warning and reminder of the expectations of behaviour.
- Sending the student out of the class for a reflective conversation.
- Relocating a student to a different classroom.

- Expecting missed work to be completed at home, or at break or lunchtime.
- Loss of privileges - for instance, the loss of a prized responsibility.
- School-based community service, such as tidying a classroom or litter picking.
- Referring the student to a senior member of staff.
- Email or phone call home to parents/carers.
- Use of report cards to monitor behaviour.
- Suspension.
- Permanent exclusion; in the most serious of circumstances.

Personal circumstances of the student will be considered when choosing sanctions, and decisions will be made on a case-by-case basis, but with regard to the impact on perceived fairness.

### **7.5 Reasonable force and Restrictive Physical Intervention**

Gildredge House believes that all children and young people should feel safe, secure and be in an environment free from abuse, bullying and violence. Boundaries and behavioural expectations in school are clear and provide opportunities for students to maximise their potential. The majority of students do not behave in an aggressive or unpredictable way; they attend school in an environment which is conducive to learning.

Decisions about the education, wellbeing and safeguarding of a student considers their views, personal context and any reasonable adjustments they may need to overcome barriers to learning. This is particularly important in relation to responding to and supporting difficult or dangerous behaviour. Behaviour is communication and in order to improve student behaviour and wellbeing and reduce incidents of restrictive physical intervention, the focus must always be on understanding and responding to the underlying needs that are leading to the behaviours displayed.

The vast majority of effective behaviour support originates from Quality First Teaching, building positive relationships with students and being responsive to a student's social emotional and mental health needs.

For students who present difficult or dangerous behaviours, redirection, diffusion, prevention and avoidance are the first tools in managing violence and will tend to make control and restraint unnecessary in many situations. However, there may be occasions when the use of force or restrictive physical intervention is appropriate and necessary.

The safety of students and staff is the prime underpinning aim of the use of reasonable force/Restrictive Physical Intervention.

It is **essential** that the physical management of students:

- Should, wherever possible, be avoided.
- Is seen as a rare occurrence and as a last resort.
- Seeks to ensure the safety of the student, other students, and staff.
- Is part of a whole school behaviour policy.
- Must be used in ways that maintain the safety and dignity of all concerned.
- Be applied using the minimum amount of force and for the minimum amount of time possible.
- Never be used as a form of punishment.
- Be recorded and reported to parents/carers.

When considering using reasonable force, staff should, in considering the risks, carefully recognise any specific vulnerabilities of the student, including SEND, mental health needs or medical conditions.

Restrictive physical intervention should only be used when a situation warrants immediate action.

Staff may use restrictive physical intervention for the:

- removal of a disruptive student from a classroom;
- restraint of a student to prevent them harming themselves;
- restraint of a student to prevent them harming others; and/or
- prevention of a student leaving if leaving would risk their safety.

*Note: This is not an exhaustive list.*

## **7.6 Searching, screening and confiscation**

**Confiscation** - Any prohibited items found in a student's possession as a result of a search will be confiscated. These items will not be returned to the student. The school will also confiscate any item that is harmful or detrimental to school discipline. These items may be returned to students after discussion with senior leaders and parents/carers, if appropriate.

**Searching a student** - Searches will only be carried out by a member of staff who has been authorised to do so by the Executive Head Teacher, or the Head of School.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the student, and there will be another member of staff present as a witness to the search. An authorised member of staff of a different sex to the student can carry out a search without another member of staff as a witness if:

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

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

If the authorised member of staff considers a search to be necessary, but not required urgently, they will seek the advice of the Head of School, the Designated Safeguarding Lead (DSL) or pastoral member of staff who may have more information about the student. During this time the student will be supervised and kept away from other students.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the student is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the student has agreed. An appropriate location for the search will be found. Where possible, this will be away from other students. The search will only take place on the school premises or where the member of staff has lawful control or charge of the student, for example on a school trip.

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

- Assess whether there is an urgent need for a search.
- Assess whether doing the search could put other students or staff at risk.

- Consider whether the search would pose a safeguarding risk to the student.
- Explain to the student why they are being searched.
- Explain to the student what a search entails e.g. “I will ask you to turn out your pockets and remove your scarf”.
- Explain how and where the search will be carried out.
- Give the student the opportunity to ask questions.
- Seek the student’s co-operation.

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

If the student still refuses to co-operate, the member of staff will contact the Head of School to try to determine why the student is refusing to comply. The Head of School will then decide on the next steps. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the student harming themselves or others, damaging property or causing disorder.

Authorised members of staff may use a metal detector to assist with the search.

### **Searching students’ possessions**

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

- Desks.
- Lockers.
- Bags.

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

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

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

### **Informing the Designated Safeguarding Lead (DSL)**

The staff member who carried out the search should notify the DSL without delay, of any incidents where the member of staff had reasonable grounds to suspect a student was in possession of a prohibited item. This notification should be done through MyConcern. All searches for prohibited items, including incidents where no items were found, will be recorded on MyConcern.

### **Informing parents/carers**

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

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

### **Support after a search**

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

If this is the case, staff will follow the school's Child Protection and Safeguarding Policy and speak to the DSL. The DSL will consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

### **7.7 Off-site misbehaviour**

Consequences may be applied where a student has misbehaved off-site when representing the school. This means misbehaviour when the student is:

- Taking part in any school-organised or school-related activity e.g. school trips.
- Travelling to or from school.
- Wearing school uniform.
- In any other way identifiable as a Gildredge House student.

Consequences may also be applied where a student has misbehaved off-site, at any time, whether or not the conditions above apply, if the misbehaviour:

- Could have repercussions for the orderly running of the school.
- Poses a threat to another student.
- Could adversely affect the reputation of the school.

Sanctions will only be given out on school premises or elsewhere when the student is under the lawful control of a staff member e.g. on a school-organised trip.

### **7.8 Online misbehaviour**

Student's behaviour when online can have a significant impact on others, including their classmates. The school will ensure to regularly teach all students about the importance of safe and respectful behaviour online. Where online activity (including that taking place out of school) is impacting upon other students in a potentially negative way, staff will engage with parents immediately to alert them to this and agree how we can work together to address this. This approach is further expanded within our Online Safety Policy.

The school can issue behaviour sanctions to students for online misbehaviour when:

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

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

### **7.9 Suspected criminal behaviour**

If a student is suspected of criminal behaviour, the school will make an initial assessment of whether to report the incident to the Police. When establishing the facts, we will endeavour to preserve any relevant evidence to hand over to the Police. If a decision is made to report the matter to the Police, the DSL must be made aware of the report prior to action being taken. The exception to this is when there is an immediate risk to the safety of a student and/or others that warrants a call to the Police via 999.

The school will not interfere with any Police action taken. However, the school may continue to follow its own investigation procedure and enforce sanctions, as long as it does not conflict with Police action. If a report to the Police is made, the DSL will make a tandem report to children's social care, if appropriate.

## 7.10 Zero-tolerance approach to sexual harassment and sexual violence

The school will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored. Students are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The school's response will be:

- Proportionate.
- Considered.
- Supportive.
- Decided on a case-by-case basis.

The school has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. These include clear processes for:

- Responding to a report.
- Carrying out risk assessments, where appropriate, to help determine whether to:
  - Manage the incident internally.
  - Refer to early help.
  - Refer to children's social care.
  - Report to the Police.

Please refer to the school's Child Protection and Safeguarding policy for more information: [www.gildredgehouse.org.uk/home/our-school/policies/](http://www.gildredgehouse.org.uk/home/our-school/policies/)

## 7.11 Malicious allegations

Where a student makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the student in accordance with this policy.

Where a student makes an allegation of sexual violence or sexual harassment against another student and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the student in accordance with this policy.

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the school, in collaboration with the Local Authority Designated Officer (LADO), where relevant, will consider whether the student who made the allegation is in need of help, or the allegation may have been a cry for help. If so, a referral to children's social care may be appropriate.

## 8. Responding to misbehaviour from students with SEND

### 8.1 Recognising the impact of SEND on behaviour

Gildredge House recognises that students' behaviour may be impacted by a special educational need or disability (SEND). When incidents of misbehaviour arise, we will consider them in relation to a student's SEND, although we recognise that not every incident of misbehaviour will be connected to their SEND. Decisions on whether a student's SEND had an impact on an incident of misbehaviour will be made on a case-by-case basis.

When dealing with misbehaviour from students with SEND, especially where their SEND affects their behaviour, the school will take its legal duties into account when making decisions about enforcing this policy.

The legal duties include:

- Taking reasonable steps to avoid any substantial disadvantage to a disabled student being caused by the school's policies or practices ([Equality Act 2010](#)).

- Using our best endeavours to meet the needs of students with SEND ([Children and Families Act 2014](#)).
- If a student has an education, health and care (EHC) plan, the provisions set out in that plan must be secured and the school must co-operate with the local authority and other bodies

As part of meeting these duties, the school will anticipate, as far as possible, all likely triggers of misbehaviour, and put in place support to prevent these from occurring. Any preventative measures will take into account the specific circumstances and requirements of the student concerned. These could include:

- Short, planned movement breaks for a student with SEND who finds it difficult to sit still for long.
- Adjusting seating plans to allow a student with visual or hearing impairment to sit in sight of the teacher.
- Adjusting uniform requirements for a student with sensory issues or who has severe eczema.
- Training for staff in understanding conditions such as autism.
- Use of separation spaces, for example, Sensory Room, Sunrooms, Nurture Room, where students can regulate their emotions during a moment of sensory overload.

## 8.2 Adapting sanctions for students with SEND

When considering a behavioural sanction for a student with SEND, the school will consider whether the student was:

- unable to understand the rule or instruction;
- unable to act differently at the time as a result of their SEND, and /or
- likely to behave aggressively due to their particular SEND.

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

## 8.3 Considering whether a student displaying challenging behaviour may have unidentified SEND

The school's Special Educational Needs Co-ordinator (SENCo) may evaluate a student who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met. Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

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

## 8.4 Students with an education, health and care (EHC) plan

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies. If the school has a concern about the behaviour of a student with an EHC plan, it will make contact with the local authority to discuss the matter. If appropriate, the school may request an emergency review of the EHC plan.

## 9. Supporting students following a sanction

Following a sanction, the school will consider strategies to help the student to understand how to improve their behaviour and meet the expectations of the school. This could include;

- Restorative conversations.
- Conversations with parents and external agencies if necessary.
- Daily contact with a member of staff.

## 10. Training

As part of the induction process, staff are provided with regular training on managing behaviour, including training:

- On the school's behaviour policy and processes.
- On the needs of the students at the school.
- On how SEND and mental health needs can impact behaviour.
- Online.

Behaviour management will also form part of continuing professional development.

## 11. Links with other policies

This policy is linked to the following policies:

- Suspension and Permanent Exclusion Policy (see Appendix)
- Child Protection and Safeguarding Policy and Procedure



# Appendix 1: Suspension and Permanent Exclusion Policy

## 1. Aims

At Gildredge House, our work is underpinned by our values of Ambition, Support, Perseverance, Integrity, Reflection, and Empathy: ASPIRE.

We aim to ensure that alternatives to suspensions are explored, looking to de-escalate a situation to prevent the loss of structured learning time. Our behaviour expectations are explained to engage students via; one to one discussions, daily reminders at the start of each day, whole Year Group assemblies, and/or collaborative parent meetings.

Staff will encourage pro social behaviours on site at all times, however, students displaying anti-social behaviours will be sanctioned and removed from the setting. Enforcement of this policy is the last resort to ensure students are well supported in their education and well-being and the school will ensure all other internal sanctions have been fully used within the Behaviour for Learning Policy.

We are committed to following all statutory exclusions procedures to ensure that every student receives an education in a safe and caring environment.

Our school aims to:

- Ensure that the exclusions process is applied fairly and consistently.
- Help Governors, staff, parents/carers and students understand the exclusions process.
- Ensure that students in school are safe and happy.
- Prevent students from becoming NEET (not in education, employment or training).
- Ensure all suspensions and permanent exclusions are carried out lawfully, fairly and consistently.

### Off-rolling

‘Off-rolling’ is a form of gaming and occurs where a school makes the decision, in the interests of the school and not the student, to:

- Remove a student from the school roll without a formal, permanent exclusion;
- Encourage a parent/carer to remove their child from the school roll; or
- Retain a student on the school roll but does not allow them to attend the school normally, without a formal permanent exclusion or suspension.

Accordingly, Gildredge House will not suspend or exclude a student unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a student has special educational needs and/or a disability (SEND) that the school feels unable to support;
- Due to a student’s poor academic performance; or
- Because the student hasn’t met a specific condition, such as attending a reintegration meeting.

If any student is suspended or excluded on the above grounds, this will also be considered as ‘off-rolling’.

## 2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education (DfE): [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](#).

It is based on the following legislation, which outlines schools' powers to exclude students:

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

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded students.
- Section 579 of the [Education Act 1996](#), which defines a 'school day'.
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#).
- [The Equality Act 2010](#).
- [Children and Families Act 2014](#).
- The [School Inspection Handbook](#), which defines 'off-rolling'.

## 3. Definitions

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

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

**School Directed Placement or Off-site Direction** - when the school directs a student to attend another education setting temporarily, to improve their behaviour.

**Parent/carer** - any person who has parental responsibility and any person who has care of the child.

**Managed move** - when a student is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.

## 4. Roles and responsibilities

### 4.1 The Executive Head Teacher and Head of School

Only the Executive Head Teacher or Head of School can suspend or permanently exclude a student from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. Permanent exclusion will be used as a last resort.

A decision to suspend a student will be taken only:

- In accordance with the school's Behaviour for Learning and Exclusion Policy.
- To provide a clear signal of what is unacceptable behaviour.
- To show a student that their current behaviour is putting them at risk of permanent exclusion.

Where suspensions have become a regular occurrence, the Head of School will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

A decision to exclude a student will be taken only:

- In response to serious or persistent breaches of the school's Behaviour for Learning and Exclusion Policy; **and**
- If allowing the student to remain in school would seriously harm the education or welfare of themselves or others.

Before deciding whether to suspend or exclude a student, the Head of School will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked.
- Allow the student to give their version of events.
- Consider whether the student has special educational needs (SEN).
- Consider whether the student is especially vulnerable e.g. the student has a social worker, or is a looked-after child (LAC).
- Consider whether all alternative solutions have been explored, such as:
  - For suspensions, detentions or other sanctions provided for in the Behaviour for Learning and Exclusion Policy.
  - For exclusions, off-site direction or managed moves.

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

The Head of School will not reach their decision until they have heard from the student and will inform the student of how their views were taken into account when making the decision. This could be in person, or via a written statement.

### **Informing parents/carers**

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

If the Head of School decides to suspend or exclude a student, the parents/carers will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers and the student will also be provided with the following information in writing:

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

If the student is of compulsory school age, the Head of School will also notify parents/carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

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

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

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

If the Head of School does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents/carers' consent.

If the Head of School cancels the suspension or permanent exclusion, they will notify the parents/carers without delay and provide a reason for the cancellation.

#### **Informing the Governing Board**

The Executive Head Teacher will, without delay, notify the Governing Board of:

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

#### **Informing the local authority (LA)**

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

The notification will include:

- The reason(s) for the suspension or permanent exclusion.
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent.

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

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

#### **Informing the student's social worker and/or virtual school head (VSH)**

The Head of School will notify a student's social worker as early as possible if the student is at risk of suspension or permanent exclusion.

The Head of School will notify the VSH as early as possible if a student who is a looked-after child (LAC) is at risk of suspension or exclusion.

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

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

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

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

### **Cancelling suspensions and permanent exclusions**

The Head of School may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the Governing Board.

Where there is a cancellation:

- The parents/carers (or the student if they are 18 or older), the Governing Board, and the LA will be notified without delay.
- Where relevant, the social worker / VSH will be notified without delay.
- The notification must provide the reason for the cancellation.
- The Governing Board's duty to hold a meeting and consider reinstatement ceases.
- Parents/carers (or the student if they are 18 or older) will be offered the opportunity to meet with the Head of School to discuss the cancellation, which will be arranged without delay.
- The student will be allowed back in school without delay.

Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.

A permanent exclusion cannot be cancelled if the student has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

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

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

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

## **4.2 The Governing Board**

### **Considering suspensions and permanent exclusions**

Responsibilities regarding exclusions are delegated to the Chair of Governors.

The Chair of Governors has a duty to consider parents/carers' representations about a suspension or permanent exclusion. The Chair of Governors has a duty to consider the reinstatement of a suspended or permanently excluded student (see Sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the Governing Board will provide the secretary of state and the LA with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the Governing Board will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of the suspension.

The Governing Board does not have to arrange such provision for students in their final year of compulsory education who do not have any further public exams to sit.

### **Monitoring and analysing suspensions and exclusions data**

The Governing Board will review, challenge, and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The Governing Board will consider:

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

## **4.3 The local authority (LA)**

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion. For students who are looked after or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

## 5. Considering the reinstatement of a student

The Governing Board will consider and decide on the reinstatement of a suspended or permanently excluded student within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent.
- It is a suspension that would bring the student's total number of days out of school to more than 15 in a term. OR
- It would result in a student missing a public examination or National Curriculum test.

Where the student has been suspended, and the suspension does not bring the student's total number of days of suspension to more than 5 in a term, the Governing Board must consider any representations made by parents/carers. However, it is not required to arrange a meeting with parents/carers and it cannot direct the Head of School to reinstate the student.

Where the student has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers make representations to the Board, the Governing Board will consider and decide on the reinstatement of a suspended student within 50 school days of receiving notice of the suspension. If the parents/carers do not make representations, the Board is not required to meet and it cannot direct the Head of School to reinstate the student.

Where a suspension or permanent exclusion would result in a student missing a public examination or National Curriculum test, the Governing Board will, as far as reasonably practicable, consider and decide on the reinstatement of the student before the date of the examination or test. If this is not practicable, the Chair of Governors (or the Vice Chair of Governors, if necessary) may consider the suspension or permanent exclusion and decide whether or not to reinstate the student.

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

- Parents/carers and, where requested, a representative or friend.
- The student, if they are aged 17 or younger and it would be appropriate to their age and understanding and, where requested, a representative or friend.
- The Executive Head Teacher and/or Head of School.
- The student's social worker, if they have one.
- The VSH, if the student is looked after.
- A representative of the local authority.

Governing Board meetings can be held remotely at the request of parents/carers. See Section 9 for more details on remote access to meetings.

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

The Governing Board can either:

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

In reaching a decision, the Governing Board will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair.
- Whether the Executive Head Teacher and/or Head of School followed their legal duties.
- The welfare and safeguarding of the student and their peers.

- Any evidence that was presented to the Governing Board.

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

The Clerk to the Governors will be present when the decision is made.

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

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

- The parents/carers.
- The Executive Head Teacher and the Head of School.
- The student’s social worker, if they have one.
- The VSH, if the student is looked after.
- The local authority.
- The student’s ‘home authority’, if it differs from the school’s.

Where an exclusion is permanent and the Governing Board has decided not to reinstate the student, the notification of decision will also include the following:

- The fact that it is a permanent exclusion.
- Notice of parents/carers’ right to ask for the decision to be reviewed by an independent review panel.
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the Governing Board’s decision is given to parents/carers).
- The name and address to which an application for a review and any written evidence should be submitted.
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the student’s special educational needs (SEN) are considered to be relevant to the permanent exclusion.
- That, regardless of whether the excluded student has recognised SEN, parents/carers have a right to require the LA to appoint an SEN expert to advise the review panel.
- Details of the role of the SEN expert and that there would be no cost to parents/carers for this appointment.
- That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review.
- That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review.
- That, if parents/carers believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

## 6. Independent review

If parents/carers apply for an independent review within the legal timeframe, the LA will, at their own expense, arrange for an independent panel to review the decision of the Governing Board not to reinstate a permanently excluded student.



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

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

A panel of three or five members will be constituted with representatives from each of the categories below. Where a five-member panel is constituted, two members will come from the School Governor category and two members will come from the Head Teacher category. At all times during the review process there must be the required representation on the panel.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a School Governor or volunteer.
- Current or former School Governors who have served as a Governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Head Teachers during this time.
- Head Teachers or individuals who have been a Head Teacher within the last 5 years.

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

- Are a member/director of the LA of the excluding school.
- Are the Executive Head Teacher or Head of School of the excluding school or have held this position in the last 5 years.
- Are an employee of the LA, or the Governing Board, of the excluding school (unless they are employed as a Head Teacher at another school).
- Have, or at any time have had, any connection with the LA, the excluding school, the Governing Board, parents/carers or students, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality.
- Have not had the required training within the last 2 years.

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

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

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

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

Where a VSH is present, the panel must have regard to any representation made by the VSH of how any of the child's background, education, and/or safeguarding needs were considered by the Executive Head Teacher or Head of School in the lead up to the permanent exclusion, or are relevant to the student's permanent exclusion.

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

- Uphold the Governing Board's decision.
- Recommend that the Governing Board reconsiders reinstatement.

- Quash the Governing Board's decision and direct that they reconsider reinstatement (only applicable if it judges that the decision was flawed).

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

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

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

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

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

This notification will include:

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

## 7. School registers

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

- 15 school days have passed since the parents/carers or student (if they are 18 or older) were notified of the Governing Board's decision to not reinstate the student and no application has been made for an independent review panel. OR
- The parents/carers have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review has been made within 15 school days, the Governing Board will wait until that review has concluded before removing a student's name from the register.

While the student's name remains on the school's admission register, the student's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded student and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register. Where excluded students are not attending alternative provision, code E (absent) will be used.

### **Making a return to the LA**

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

- The student's full name.
- The full name and address of any parent/carer with whom the student normally resides.

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

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

## 8. Returning from a suspension

### 8.1 Reintegration strategy

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

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

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life for the student:

- Daily contact in school with a designated pastoral professional.
- Mentoring by a trusted adult or a local mentoring charity.
- Regular reviews with the student and parents/carers to praise progress being made and raise and address any concerns at an early stage.
- Informing the student, parents/carers and staff of potential external support.

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

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

### 8.2 Reintegration meetings

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

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

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

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

## 9. Remote access to meetings

Parents/carers, can request that a Governing Board meeting, or independent review panel be held remotely. If the parents/carers/student don't express a preference, the meeting will be held in person. In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

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

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

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

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

- compromise the ability of participants to contribute effectively; or
- prevent the meeting from running fairly and transparently.

## 10. Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions.
- Use of student referral units (PRUs), off-site directions, and managed moves.
- Anonymous surveys of staff, students, Governors, and other stakeholders on their perceptions and experiences.
- The data will be analysed every term by the Deputy Head - Behaviour, Attitudes and Safeguarding. The Deputy Head - Behaviour, Attitudes and Safeguarding will report back to the Executive Head Teacher and Governors.

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

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

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

## 11. Alternative to permanent exclusion

As an alternative to permanent exclusion, the school will seek, as part of its Behaviour for Learning Policy, to utilise the agreed local partnership protocol involving directing a student to a supported placement at another school or other alternative provision.

Any arrangements regarding the organisation of fixed term internal exclusions will be at the discretion of the school and, whilst care will be taken to be as reasonable as possible, Gildredge House will not be responsible for any associated costs that these sanctions may incur.

## Appendix 2: Suspension/Permanent Exclusion Flowchart

