



## The Circle Trust Document: Exclusions Policy

### Emmbrook Junior School

Author:	Company Secretary
Approver:	Trustees
Owner:	Educational Outcomes
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Category of policy:	Adapt and Adopt

### Changes History:

Version	Date	Amended by:	Substantive changes:	Purpose
1.0	6.6.23	Co Sec	New Document	First release
1.1	16.10.23	Co Sec	New sections 11 (cancelling a suspension or exclusion) and 16 (remote meetings) introduced	Compliance with September 2023 statutory Guidance on Suspensions and Exclusions
1.1	5.12.23	Headteacher	Adapted and adopted for Emmbrook Junior School	Compliance

## **1. Purpose of the Policy**

- 1.1. The primary purpose of this policy is to set out the process that will be followed and the additional considerations around suspensions and exclusions that the Trust will apply.

## **2. Introduction**

- 2.1. Good behaviour and self-discipline lead to effective learning and help prepare children and young people for life beyond the school gate.
- 2.2. Where a school's approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.
- 2.3. The Circle Trust will always have regard to the statutory Guidance on Suspensions and Exclusions (September 2023) [here](#) and when making decisions on suspensions and exclusions and will follow the law, as set out in the relevant School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (as amended) [here](#).
- 2.4. This policy should be read in conjunction with the school's behaviour policy and SEND policy. Both policies are available on the school website and hard copies can be requested by contacting the school reception.
- 2.5. Parents and carers will find guidance on suspension and permanent exclusion from the Department for Education in "A guide for parents on school behaviour and exclusion" [here](#).

## **3. The Aims and Objectives of the Exclusions Policy**

- 3.1. The Circle Trust has developed this policy to set out the principles and process for, and considerations around, suspensions and exclusions. This policy:
  - 3.1.1. Promotes learning by encouraging high standards of behaviour
  - 3.1.2. Ensures that consequences of poor behaviour are dealt with fully and fairly and consistently.

## **4. The Benefits of an effective Exclusions Policy**

- 4.1. An effective Exclusions Policy shows all stakeholders that the school manages behaviour in a fair, transparent, consistent, considered and responsible way.

## 5. The Structure and Administration of the Exclusions Policy

### 5.1. The Trustees will:

- 5.1.1. Agree the Exclusions Policy, ensuring the Exclusions Policy is in line with The Circle Trust's core values and in accordance with the statutory Guidance on Suspensions and Exclusions (September 2023) [here](#) and the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (as amended) [here](#)
- 5.1.2. Delegate authority to Local Advisors to form and convene committees to review exclusions and suspensions when it is required to do so, it is requested by parents, or it is, in the view of the Local Advisory Board, prudent to review an individual decision;
- 5.1.3. Arrange if required via the agency of the Trust's Company Secretary an Independent Review Panel to review a decision by a committee formed by a Local Advisory Board not to reinstate a permanently excluded pupil;
- 5.1.4. Regularly review the Exclusions Policy

### 5.2. The CEO will:

- 5.2.1. Operationally adhere to the Exclusions Policy
- 5.2.2. Monitor and review the management of the Exclusions Policy

### 5.3. Local Advisors will:

- 5.3.1. Approve and adopt this Exclusions Policy for their school
- 5.3.2. Ensure all exclusions from the school are in accordance with this Exclusions Policy, the Suspension and Permanent Exclusion guidance [here](#) and the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (as amended) [here](#)
- 5.3.3. Form and convene committees to review exclusions and suspensions when it is required to do so, it is requested by parents, or it is, in the view of the Local Advisory Board, prudent to review an individual decision
- 5.3.4. Regularly receive and review data on exclusions and suspensions as described in section 17 of the Exclusions Policy

### 5.4. A Headteacher will:

- 5.4.1. Adapt section 10.2 of the Exclusions Policy for Local Advisory Board approval
- 5.4.2. Operationally adhere to the Exclusions Policy
- 5.4.3. Apply suspensions and exclusions in accordance with this Exclusions Policy

5.4.4. Ensure all exclusions from school are in accordance with the Suspension and Permanent Exclusion guidance [here](#) and the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (as amended) [here](#)

5.4.5. Ensure the contents of this Exclusions Policy are relayed to all staff, parents and pupils

## **6. Types of exclusion**

6.1. Suspensions and permanent exclusions are different:

6.1.1. Suspensions (previously called fixed-term exclusions) are where a pupil is prevented from attending the school for a fixed period. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum 45 days of suspension in an academic year before being permanently excluded.

6.1.2. Permanent exclusions are where, subject to a decision of the relevant committee formed by the Local Advisory Board to reinstate the pupil to the school, the pupil is prevented from attending the school again. A decision to permanently exclude will only be taken in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

## **7. Decisions to suspend or permanently exclude**

7.1. All decisions to suspend or permanently exclude a pupil will be taken by the Headteacher after considering all the circumstances. Every decision made will be proportionate to the seriousness of the behaviour with reference to the school's behaviour policy.

7.2. The Local Advisory Board is responsible for forming and convening committees to review exclusions and suspensions when it is required to do so, it is requested by parents, or it is, in its view, prudent to review an individual decision. In each case, the decision of the relevant committee formed by the Local Advisory Board will be to decide whether to uphold the exclusion or suspension, or instead to reinstate the pupil to the school.

7.3. Parents will be informed without delay of any suspension or exclusion and there is an ability to make representations in regard to any suspension or exclusion decision. Details will be provided on the rights parents have with every letter that is sent from the Headteacher.

## **8. Pupils' behaviour**

- 8.1. All pupils are expected to follow the expectations set by their school regarding their behaviour to ensure that all pupils can learn and participate in school life effectively. Where those expectations are breached, the school's behaviour policy will apply.

## **9. CCTV, witness evidence and pupil views**

- 9.1. Where the school uses Close Circuit Television (CCTV) within its premises this is to provide a safe and secure environment for pupils, staff and visitors.
- 9.2. If behavioural incidents are recorded on CCTV, the footage may be viewed as part of the investigation and the content considered before imposing a sanction. If CCTV is relied upon for a decision on a suspension or exclusion, then it will be shown in some format (redacted as necessary) at the relevant Local Advisory Board Committee review meeting. Please see the school's CCTV policy and privacy notices for more information.
- 9.3. Where witness evidence is relied upon, whether that be from a pupil or a staff member, the statement(s) will be provided at any Local Advisory Board review meeting. All statements will be signed and dated unless the Headteacher has good reason to protect the anonymity of the relevant witness. Reasons may include threats of reprisals.
- 9.4. Before taking a decision to suspend or exclude and where appropriate, the Headteacher will take the pupil's views into account, considering these in light of their age and understanding, and inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil will be given support to express their view, the Headteacher will also take account of any contributing factors identified after an incident of misbehaviour has occurred.

## **10. Reintegration strategy meetings following suspension or off-site direction**

- 10.1. Where a pupil is suspended or is directed to be educated off-site, upon return to the school both the pupil and parents will be invited to a reintegration strategy meeting. The purpose of the meeting is to:
- 10.1.1. offer the pupil a fresh start,
  - 10.1.2. help them understand the impact of their behaviour on themselves and others,
  - 10.1.3. teach them how to meet the high expectations of behaviour in line with the school culture,
  - 10.1.4. foster a renewed sense of belonging within the school community; and
  - 10.1.5. build engagement with learning

so that further suspensions are not needed. School staff will work with the pupil to understand what led to the behaviour and to establish if any changes can be made or further support implemented from a pastoral of practical perspective that might reduce the chance of repeat behaviours. Previous behaviour is not seen as an obstacle to future success.

- 10.2. The school uses various measures to support a pupil's successful reintegration which **may** include but are not limited to:

daily contact with a designated pastoral professional in-school;

use of a report card with personalised targets leading to personalised rewards;

ensuring the pupil receives academic support upon return to catch up on any lost progress;

planned pastoral interventions;

mentoring by a trusted adult or a local mentoring charity;

regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage; and

informing the pupil, parents and staff of potential external support.

- 10.3. Whilst reintegration meetings are highly encouraged by the Trust, pupils will not be prevented from being admitted to the school or being put in mainstream classes because a meeting has not taken place.

## **11. Cancelling a suspension or exclusion**

- 11.1. A suspension or exclusion can be cancelled by a Headteacher as long as the suspension or exclusion has not been considered by Local Advisors. In relation to an exclusion, it cannot be cancelled if the total time the pupil was excluded or suspended that academic year would be over 45 days at the point of the decision to cancel the exclusion.
- 11.2. Where a suspension or exclusion is cancelled, the relevant parties will be informed by the Headteacher in accordance with the statutory Guidance on Suspensions and Exclusions.

## **12. Suspensions before a permanent exclusion**

- 12.1. In exceptional circumstances, pupils may receive a suspension prior to a permanent exclusion. For each decision, the headteacher will send the relevant letter setting out the rights of parents. A suspension cannot be converted into a permanent exclusion and so any subsequent permanent exclusion would be a fresh decision due to commence immediately after the suspension had ended. Exceptional circumstances may include where further evidence has come to light or where the incident was serious and time is required to fully investigate the circumstances and consider alternatives.

### **13. Directing off-site and managed moves**

- 13.1. Before taking any decision to permanently exclude a pupil, the headteacher will consider whether a direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.
- 13.2. In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the school's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions would take place with parents to feed in their views about the options.
- 13.3. For a managed move to take place there needs to be agreement between the school, the parents and the new school that a managed move should occur. Before a managed move is agreed to, the pupil will attend the new school for a fixed period to ensure that the new school would be suitable for them. The school will share relevant information with the new school and check that they have an integration strategy. At the end of this period, the relevant parties (including the parents) will review the placement before a decision is taken about whether the move becomes permanent.

### **14. Independent review panels (IRPs)**

- 14.1. The Trust arranges its own IRPs, and requests for an IRP where a permanent exclusion has been upheld should be made to the Trust's Company Secretary, within 15 school days. The postal address for the Company Secretary is the registered office of the Trust, the details of which are published on the Trust and school website, and their email address is [companysecretary@thecircletrust.co.uk](mailto:companysecretary@thecircletrust.co.uk)
- 14.2. Further details on the role and powers of IRPs can be found in Part Ten of the Statutory Guidance on Exclusions.

### **15. Reconsideration by the Local Advisory Board**

- 15.1. Where an IRP either recommends reconsideration or quashes the initial decision of the committee formed by the Local Advisory Board, the decision will be considered within 10 school days. This may involve a rehearing with oral evidence given by the school and parents or may be a reconsideration with only the committee members and the clerk present.

## **16. Remote meetings**

- 16.1. Any Local Advisor meeting and/or an IRP meeting may be conducted remotely where the parents request for it to be conducted remotely and the meeting can be fairly held remotely, with all participants having access and being able to make representations. A meeting may also take place remotely where there is an extraordinary event or unforeseen circumstance that means it is not reasonably practical to hold the meeting in person. Such events can include, but are not limited to, floods, fire and an outbreak of an infectious disease.
- 16.2. In addition, where a child's social worker or the virtual school head are due to attend a meeting, they may join an in person meeting remotely as long as it can be fairly accessed, the technology is available, and everyone would be able to make representations.

## **17. Complaints**

- 17.1. If parents have any concerns or complaints over the application or implementation of this policy or feel that they are being pressured into a managed move, they should raise their concerns with a staff member or the Headteacher in accordance with The Circle Trust complaints policy [here](#). If the concern relates to an exclusion, the statutory procedure set out in the exclusions statutory guidance will be followed.

## **18. Equality impact**

- 18.1. The Trust does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics. This includes race, religion, disability, sexual orientation, and sex.

## **19. Monitoring arrangements**

- 19.1. The Local Advisory Board reviews data on suspensions and exclusions to ensure that the use of suspensions and exclusions is appropriate. The following are monitored by the Local Advisors to ensure the processes and support for pupils are appropriate:
- the interventions put in place for pupils at risk of suspension and permanent exclusion
  - the processes in place for determining and reviewing directions to alternative provision and that such placements are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
  - the full-time educational provision for pupils of compulsory school age from the sixth consecutive school day of a suspension, in particular checking the provision is suitable and quality-assured to ensure that:



any previous placements have been evaluated, including support for any applicable SEND;

there is a process in place to monitor the pupil's attendance and behaviour at the provision

the correct attendance code is being used

the pupil's child protection file and any other information relevant to the pupil's safeguarding and welfare has been securely transferred to their new setting as early as possible

- whether there is any variation within the year on suspensions and permanent exclusions and the characteristics of pupils
- the cost implications of directing children to be educated off-site in alternative provision and whether there are any patterns to the reasons or timing of moves
- whether the school register and absence codes have been recorded correctly
- how the behaviour policy is applied and specifically its consistency
- the circumstances in which pupils receive repeat suspensions
- whether Personal Education Plans for looked after children have been reviewed on a termly basis

## **18. Amendments to this policy**

18.1. The CEO or any officer of the Trust nominated by the CEO is authorised to amend this policy to reflect changes in personnel or procedure or changes in legislation or DfE guidance.

18.2. Any such amendments must be reported to the next meeting of the Educational Outcomes Committee (or whichever Committee has oversight of and authority to approve this policy).