



Exclusion & Suspensions Policy

Independent School Standards:

[Link to paragraph 9, 32 \(3;\(a\)\)](#)

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Reviewed and approved by Proprietor/Director:	Sophie Nelson
Reviewed and approved by (Strategic Advisory Partners)	<i>Currently recruiting</i>
Relationship to other school policies	This policy should be read in conjunction with <ul style="list-style-type: none">• Management of Behaviour Policy• Anti-bullying Policy• Safeguarding Policy• SEND Policy• Equality Policy• Anti-Bullying Policy• Attendance Policy.
Reviewed	Annually

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Introduction

Aims

It is the aim of PhoenixPlace to try to deal with all behavioural issues in an active, positive way, employing a wide range of strategies, including those specifically designed to avoid such issues reaching the point of exclusion/suspension. (See Management of Behaviour Policy).

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

The decision to suspend/exclude a child is a last resort and will only be taken after a full range of alternative strategies have been tried and have failed or would be likely to fail, and only:

- in response to a serious breach, or persistent breaches, of the school's behaviour policy; and
- where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school

This policy deals with the procedures and practice which informs the school's use of exclusion. It is underpinned by the shared commitment of all members of the school community. Our school aims to ensure that:

- The safeguarding, safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed;
- Reduce the need to use exclusion as a sanction.
- The exclusions process is applied fairly and consistently.
- The exclusions process is understood by the schools Directors, Strategic Advisory Panel (SAP), staff, parents and students.
- Students in school are safe and happy.
- Students do not become NEET (not in education, employment or training).
- Make sure all suspensions and permanent exclusions are carried out lawfully

PhoenixPlace is responsible for communicating to students, parents and staff its expectations of conduct and behaviour. A range of policies and procedures are in place to promote good behaviour and in turn our core vision and values eg students;

For all our students..... (vision)

- To have key strategies to help manage and regulate their emotions appropriately and that they have the confidence to seek help where and when needed
- To be able to maintain healthy relationships - building positive attachments
- To realise their self-worth, invest in building their confidence, self-esteem and a promoting positive self-image
- To embrace the aspiration to do well at school, college, work and live well, looking after their mental health and physical health
- To realise their potential and believe that they can make a positive difference in their local communities and wider society
- To be kind and respectful to others no matter the difference!

As a tenet for a whole school vision, the focus is on reinforcing and promoting our values are through these 5 basic daily rules:

Respect	'Having due regard for the feelings, wishes, or rights of others' Or treating others how you want to be treated
Empathy	'Having the ability to understand and share the feelings of another'

Ambition	'Having 'an earnest desire for some type of achievement'
Curiosity	'Having a strong desire to know or learn something'
Humility	'Having the quality of being humble (not thinking of yourself as better than other people)'

(please refer to our Management of Behaviour Policy)

A note on off-rolling

'Off-rolling' is a form of gaming and occurs where a school decides, in the interests of the school and not the Student, to:

- Remove a Student from the school admission register without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school, or
- Retain a Student on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension

Accordingly, we will not suspend or exclude a Student unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Student Exclusions and Reviews\) \(England\) 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, or
- 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'.

Legislation

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

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 (Student 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 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Students\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Students\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)
- The [School Inspection Handbook](#), which defines 'off-rolling'

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 admission register. This is sometimes referred to as an 'exclusion'.

Education off Site:

- Where the school requires a Student to attend 1:1 EOS at our Brandon Site or local library 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.

Principles

Exclusion/Suspension is a sanction used by the school only in cases deemed as serious breaches of the School Behaviour Policy. A student may be at risk of exclusion/suspension from school for:

- Verbal or physical assault of a student or adult;
- Persistent and repetitive disruption of lessons and other students' learning;
- Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions;
- Smoking or use of an e cigarette on school premises;
- Deliberate damage to school property;
- Bringing prohibited items into school such as illegal substances, drug paraphernalia, alcohol or items intended to be used as a weapon.
- Leaving school without permission;
- Students may also be excluded for behaviour off site which is serious enough to warrant it.

**** We understand that Students may experience high levels of emotional dysregulation linked with mental health/ additional needs. In these cases, Students will be supported and assessed with appropriate action being taken.**

Only the headteacher, or acting headteacher, 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. The headteacher will only use permanent exclusion as a last resort. If none are available to authorise the suspension a decision should be deferred until the opportunity for authorisation is available.

Suspension will not normally be considered an appropriate response for:

- Minor incidents such as failure to complete homework.
- Poor academic performance.
- Poor timekeeping or truancy.
- Pregnancy.
- Breaching school uniform policy including hairstyle or wearing jewellery.
- Punishing children/young people for the behaviour of their parents/carers, for example, by extending a suspension until the parents/carers agree to attend a meeting.

A decision to **suspend** a Student will be taken only:

- In accordance with the school's behaviour 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 headteacher 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 policy, and
- If allowing the Student to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a Student, the headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/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 policy
 - For exclusions: off-site direction or managed moves

The headteacher 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 social worker.

The headteacher 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.

In the case of a Permanent Exclusion this can only be authorised by the Headteacher and must only be done after consulting the Chair of SAP of the intention to impose this sanction, although the final decision rests with the Headteacher of the school.

The school seeks to reduce the number of incidents leading to exclusions/suspensions by promoting a positive atmosphere of mutual respect and discipline within the school.

The school regularly monitors the number of Fixed Term Suspension to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

School is responsible for providing full-time education from the 6th day of fixed term Suspension.

Should a Student have in excess of 20 days suspension in one term then behaviour focussed meeting between the Student, parent/carer, Headteacher and representatives from the SAP will be triggered.

Should a Student have in excess of 45 days of fixed term suspension over the course of an academic year, a permanent exclusion may be triggered.

Behaviour outside the school

Students' behaviour outside the school, on trips and sporting events is subject to the school's behaviour policy. Negative behaviour in such circumstances will be dealt with as if it had taken place in school.

Exclusions Procedures

Internal Exclusion

Due to the nature of our building, we have two forms of Internal Exclusions.

- Removal from lessons
- Educations Off Site (EOS)

Students will be given the opportunity to turn their behaviour around and remain in class however if their behaviour continues to disrupt their or other students' learning, they will be asked to leave the classroom for a period of time decided by the class teacher and Pastoral team.

The removal from lessons can sometimes be dealt with in school and (e.g. to work or be supported in another location in the school building), however at other times (if the incident is more severe) the actions of the student may warrant an EOS. This decision is made by our Pastoral Manager in consultation with the staff team and parents/carers are made aware of the reasons.

Education Off Site

If deemed appropriate we will decide to educate a student via EOS in response to a breach of the behaviour policy. Students will be supervised by a member of staff on a 1:1 basis. This will take place at a local library close to the school. During EOS time following an incident, students;

- Review, discuss and reflect on their behaviour/incident / talk with the student and assess whether additional support strategies / adjustments are appropriate. (e.g. ways of avoiding repetition of incident)
- Complete any work missed or be set work (priority English, Maths, Science)
- They will take their break or lunchtime separately from the school community.
- Return back to school after completing all instructed requirements (eg reflection/work)

Where appropriate an interim / emergency annual review may be called. A Risk Assessment and Behaviour Management Plan will be written/reviewed.

The length of time a student has an internal exclusion or EOS will depend on individual circumstances. The schools objective is to re-establish the student back in class once current support and strategies have been reviewed / actioned followed by a re-integration interview.

All efforts will be made to keep the student in school, so as to support his/her education and it will only be in the most severe circumstances (or a repeat of earlier offences) that will lead to Fixed-Term or Permanent Exclusions.

Notification of an Exclusion/Suspension

Parents/Carers

If a Student is at risk of suspension or exclusion, the headteacher will inform the student, parents/carers as early as possible, 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.

Parents will be notified as soon as possible of the decision to exclude/suspend a student and the reason for

this. This will be done on the day of the exclusion/suspension being authorised by either direct phone contact or a face-to-face meeting.

A written confirmation of the reason(s) for the exclusion/suspension will be sent to parents the same day. Please note that a decision to suspend or carry out an EOS will normally take place at the end of the school day after our staff debriefing. For serious behaviour breaches this process may take place during the day.

In the case of a Permanent Exclusion, parents will be notified by the Headteacher in a face-to-face meeting.

A student who has been excluded/suspended will have the reason for his/her exclusion/suspension explained to them by a member of staff so that they understand the nature of their misbehaviour.

The school will also work to put in place a programme for the Student on his/her return. This will include input from staff at the school, parents, if appropriate, and any other appropriate bodies e.g. School Home Support Practitioner, Attendance Service or the Local Authority. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency i.e. the incident leads to the discovery that there is a child protection issue, the school will continue to monitor the situation and work closely with that agency.

It is hoped that in most cases following suspension, the child will be able to return to school and that further input will promote in him/her a more positive attitude and a subsequent improvement in behaviour.

Informing the SAP Team (governance)

The chair of SA, relevant professional linked to a student and relevant school staff will be notified of all Fixed Term Suspension on the same day of the production of the exclusion/suspension letter, which they will receive a copy of; it will clearly outline the reasons for the exclusion/suspension.

The headteacher will, without delay, notify the SAP Team 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 exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

Informing the local authority (LA)

The headteacher or authorised SLT 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 headteacher will also, without delay, inform the Student's 'home authority' of the exclusion and the reason(s) for it.

The headteacher 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)

If a:

- **Student with a social worker** is at risk of suspension or permanent exclusion, the headteacher will inform **the social worker** as early as possible
- **Student who is a looked-after child (LAC)** is at risk of suspension or exclusion, the headteacher will inform **the VSH** as early as possible

This is so they can 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 headteacher 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.

Students Returning from a Fixed Term Suspension

All students returning from a Fixed Term Suspension are required to attend a reintegration meeting, accompanied by a parent/Carer/Appropriate adult if appropriate and useful.

This meeting will seek to establish practical ways in which further exclusion/suspension can be avoided and behaviour modified to acceptable standards in partnership between student, parent and school.

Permanent Exclusions

A school will usually only permanently exclude a child as a last resort, after trying to improve the child's behaviour through other means. However, there are exceptional circumstances in which a Headteacher may decide to permanently exclude a Student because of ongoing issues or even for a 'one-off' incident.

If your child has been permanently excluded, be aware that:

- The school's SAP Team is required to review the Headteacher's decision and parents may meet with them to explain their views on the exclusion
- If the SAP team confirms the exclusion, parents can appeal to an independent appeal panel organised by the local authority
- The school must explain in a letter how to lodge an appeal
- The local authority must provide full-time education from the sixth day of a permanent exclusion

Appeals

All correspondence regarding an exclusion/suspension from the school will inform parents of their right to appeal to the SAP team against the decision to exclude. This procedure is clearly set out in the statutory guidance. The person who should be contacted to initiate an appeal is the Clerk to the Committee.

Marking Attendance Registers Following Exclusion

When a student is excluded temporarily, she will be marked as absent using Code E

Removal For Other Reasons

The Headteacher may send a student home, after consultation with the parents and a health professional as appropriate, if the student poses an immediate and serious risk to the health and safety of other students and staff, e.g., because of a diagnosed illness such as a notifiable disease. This will not be classed as an exclusion and should be for the shortest possible time.

Removal From The Admissions Register

The name of a student who has been permanently excluded from the school will not be removed from the Register until after the Exclusion Meeting has taken place and the Local Authority or referring authority sends confirmation to off roll the student.

In cases where the student is on a Dual Registration arrangement, the responsible school will be informed at the exclusion meeting and subsequently via letter to the designated persons.

Monitoring and Review

- The impact of this policy will be reviewed by the SAP Team
- The Headteacher will provide the SAP with regular monitoring reports which will help it to evaluate the effectiveness of the policy and procedures.
- The policy and procedures will be reviewed and amended in the light of such evaluation and in
- consultation with representatives of all key stakeholders.