



**Education
Partnership
Trust**

Creating outstanding schools
which transform learning, lives
and communities

BEHAVIOUR, REWARDS AND EXCLUSIONS POLICY



Document Control

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1.0 PRINCIPLE

- 1.1 To ensure support for the school ethos, our school expects all students to display high standards of behaviour at all times. Students will learn best in a safe and calm atmosphere, and good behaviour is essential to enable students to feel secure. Good behaviour will allow for teaching and learning to take place at a high standard. The Behaviour, Rewards and Exclusions Policy and associated appendices are intended to ensure consistency across the school, reward good behaviour and promote the teaching of high expectations using behaviour for learning in the classroom.

2.0 LEGISLATION AND STATUTORY REQUIREMENTS

- 2.1 This policy is based on advice from the Department for Education (DfE) on:
- [Behaviour in schools: advice for headteachers and school staff](#)
 - [Searching, screening and confiscation: advice for schools](#)
 - [The Equality Act 2010](#)
 - [Keeping Children Safe in Education](#)
 - [Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement](#)
 - [Use of reasonable force in schools](#)
 - [Supporting students with medical conditions at school](#)
- 2.2 It is also based on the [Special Educational Needs and Disability \(SEND\) Code of Practice](#).
- 2.3 In addition, this policy is based on:
- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its students.
 - Sections 88 to 94 of the [Education and Inspections Act 2006](#), which requires schools to regulate students' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate students' property.
 - [DfE guidance](#) explaining that schools must publish their behaviour policy and anti-bullying strategy online.
 - Schedule 1 of the [Education \(Independent School Standards\) Regulations 2014](#); paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy.
 - This policy complies with our funding agreement and articles of association.

3.0 PURPOSE

- To promote good behaviour, self-discipline, and respect.
- To prevent bullying.
- To provide a broad, balanced, and relevant curriculum related to the needs of individual students.
- To provide a lively and stimulating learning environment.
- To ensure students are aware of school's expectations and create a positive ethos
- To work with parents and carers in fostering a sense of pastoral and social responsibility in their children.
- To encourage staff to respond to all cases of poor behaviour in a constructive and consistent manner.
- To use the Behaviour for Learning system to ensure a respectful climate across all areas of the school.

3.1 The school will:

- Share Behaviour and Discipline procedures with students, parents and staff alike so that behaviour for learning is at the centre of learning at school.
- Train all relevant staff in behaviour management.
- Ensure that all staff use the 'Behaviour Stages' and the Arbour behaviour management system to ensure a consistent approach.
- Ensure students are made aware of the need to display high standards of behaviour, by recognising the rights of the residents and local communities, when travelling to and from the school and when participating in activities off the school site.
- Treat students in a professional manner, applying sanctions fairly and consistently.
- Encourage good behaviour through a mixture of high expectations, clear policy, and an ethos, which fosters discipline and mutual respect between students, and between staff and students.
- Praise students for hard work, cooperation, helpfulness, improvement, and excellence, using the rewards system where appropriate.
- Take seriously any complaint of bullying or unfair treatment in line with the school Anti-Bullying policy.
- Utilise a range of disciplinary measures using the Behaviour for Learning system.
- Sanction poor behaviour of students both on and off the school site where it feels it is appropriate.
- Ensure punishments are reasonable and proportionate and do not breach any other legislation.
- Monitor persistent poor behaviour through the school's behaviour management systems and implement relevant interventions.
- Take seriously its legal duties under the Equality Act 2010 and in respect of students with special educational needs.
- Consider whether poor behaviour gives cause to suspect that a student is suffering or is likely to suffer significant harm. Where this may be the case, school staff should follow the schools' safeguarding policy.

3.2 Teachers and other staff have statutory authority to discipline students whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction. This means that if a student misbehaves, breaks a school rule or fails to follow a reasonable instruction, the teacher can impose a punishment on that student.

3.3 **Misbehaviour** is defined as:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes
- Non-completion of classwork or homework
- Poor attitude
- Incorrect uniform

Serious misbehaviour is defined as:

- Repeated breaches of the school rules
- Any form of bullying
- Vandalism
- Theft
- Fighting
- Smoking or vaping (including possession, selling and coercion)
- Racist, sexist, homophobic or discriminatory behaviour

- Sexual violence, such as rape, assault by penetration, or sexual assault (intentional sexual touching without consent)
- Sexual harassment, meaning unwanted conduct of a sexual nature, such as:
 - Sexual comments
 - Sexual jokes or taunting
 - Physical behaviour like interfering with clothes
 - Online sexual harassment, such as unwanted sexual comments and messages (including on social media), sharing of nude or semi-nude images and/or videos, or sharing of unwanted explicit content

Possession of any prohibited items. These are:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Vapes
- Fireworks
- Pornographic images
- 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)

4.0 BULLYING

4.1 Bullying may be defined as any wilful and hurtful behaviour, usually repeated, consistently over a period of time, designed to intentionally hurt another student or group physically or emotionally, where it is difficult for those being bullied to defend themselves. Bullying is often motivated by prejudice. Bullying may follow a pattern and is directed towards a student by another student or group of students. Bullying can take many forms. It is a serious and complex matter, which can have profound consequences for students and parents. We recognise that both victims and bullies may need help to stop the behaviour recurring.

4.2 Bullying can include but is not limited to:

| 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: Racial Faith-based Gendered (sexist) Homophobic/biphobic Transphobic | Racial taunts, graffiti, gestures |

| | |
|---------------------------|---|
| Disability-based | |
| 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 or gaming sites |

4.3 Details of our school’s approach to preventing and addressing bullying are set out in our anti-bullying policy that can be found here: <https://www.theheightsburnley.com/wp-content/uploads/Anti-Bullying-Sep-23-24pdf.pdf>

5.0 ROLES AND RESPONSIBILITIES

5.1 The Governing Body

The governing body is responsible for monitoring the effectiveness of the Behaviour Policy and for holding the headteacher accountable for its implementation.

5.2 The Headteacher

The headteacher will ensure that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour and will monitor how staff implement this policy to ensure rewards and sanctions are applied consistently.

This is done through:

- Giving due consideration to the school’s statement of behaviour principles.
- Ensuring that the school environment encourages positive behaviour.
- Ensuring that staff deal effectively with poor behaviour.
- Monitoring that the policy is implemented by staff consistently with 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 safeguarding policy to offer students both sanctions and support when necessary.
- Ensuring that the data from the behaviour information systems 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:

- Implementing the behaviour policy consistently.
- Modelling positive behaviour and considering the impact of their own behaviour on the school culture and how they can uphold school rules and expectations.
- Creating a calm and safe environment for students.
- Establishing and maintaining clear boundaries of acceptable student behaviour.
- Providing a personalised approach to the specific behavioural needs of particular students.
- Recording behaviour incidents promptly.
- The senior leadership team will support staff in responding to behaviour incidents.

5.4 Parents

Parents are expected to:

- Support their child in adhering to the student Code of Conduct outlined in the Home School Agreement.
- Inform the school of any changes in circumstances that may affect their child's behaviour.
- Immediately discuss any behavioural concerns with the class teacher.
- Discuss any behavioural concerns with the class teacher 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, whilst continuing to work in partnership with the school.
- Take part in the life of the school and its culture.

5.5 Students

Students are expected to:

- Follow the behaviour policy and follow all reasonable requests of staff.
- Behave in an orderly and self-controlled way.
- Show respect to members of staff and each other.
- In class, make it possible for all students to learn.
- Move calmly around the school.
- Treat the school buildings and school property with respect.
- Wear the correct uniform at all times.
- Accept sanctions when given.
- Refrain from behaving in a way that brings the school into disrepute, including when outside school.

5.6 Mobile Phones

- Students are not allowed to have mobile phones with them on-site
- All mobile phones and electronic equipment such as airpods are handed in during the morning routine
- All mobile phones are locked away during the school day and returned at dismissal time
- Liability is an issue, in case of loss or damage.

It is important your child is made aware that the school has a searching and screening policy, and will be in place on your child's entry to school via a stage 3 process.

| | |
|--|--|
| Stage 1 Outside the school external gate | <ul style="list-style-type: none"> ▪ Taxi drop off ▪ Meet and greet with DSLs outside ▪ Warm welcome to our school ▪ Reminder of our expectations and handover all personal items which will be zipper bagged up. (Items that must be handed in: mobile phones, air pods, cans of pop) |
| Stage 2 Middle door | <ul style="list-style-type: none"> ▪ If unsuccessful pupils' home will be contacted for support ▪ Wand before entering the bottom corridor: Pupils will be scanned as they leave stage 2 and enter stage 3 |
| Stage 3 Sports Hall Canteen LRC | <ul style="list-style-type: none"> ▪ Breakfast ▪ A warm breakfast available for all pupils before form time dismissal |

5.7 Responses to misbehaviour may include:

- Restorative meetings.
- A verbal reprimand and reminder of the expectations of behaviour.
- Setting of written tasks such as an account of their behaviour.
- Expecting work to be completed at home, or at break or lunchtime.
- Removal from class.
- Putting a student on report.
- Implementing a pastoral support plan (PSP).
- The power to impose detention inside and outside school hours and discipline students even when they are not at school or in the charge of a member of staff.
- Withdrawal of privileges.
- The power to confiscate students' property: any item which is harmful or detrimental to school discipline. These items will be returned to students after discussion with senior leaders and parents, if appropriate.
- The power to screen and search students.
- The power to use reasonable force and other reasonable physical contact/restraint (see guidance on Positive Handling) to avoid students causing disorder, hurting themselves/others or damaging property.
- The power to discipline beyond the school gate.
- Short term removal from lessons to a designated colleague in a department area.
- A fixed period of time isolated from class in the school exclusion unit.
- Suspensions from school.
- Attendance at governor behaviour panels.
- Permanent exclusion.
- Where a student makes an accusation against a member of staff and that accusation is shown to have been malicious, the headteacher will discipline the student in accordance with this policy. The headteacher will also consider the pastoral needs of staff accused of misconduct.
- Removal from classrooms

5.8 Responding to misbehaviour from students with SEND

5.8.1 Recognising the impact of SEND on behaviour

The school recognises that student's 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 balance their legal duties when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled student caused by the school's policies or practices (Equality Act 2010); and
- 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.

- 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 (reflection room or nurture rooms) where students can regulate their emotions during a moment of sensory overload.

5.8.2 **Adapting sanctions for students with SEND**

When considering a behavioural sanction for a student with SEND, the school will take into account:

- Whether the student was unable to understand the rule or instruction.
- Whether the student was unable to act differently at the time as a result of their SEND.
- Whether the student is likely to behave aggressively due to their particular SEND.

If the answer to any of these questions is yes, it may be unlawful for the school to sanction the student for the behaviour.

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

5.8.3 **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 student. We will work with parents to create the plan and review it on a regular basis.

5.8.4 **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 issue. If appropriate, the school may request an emergency review of the EHC plan.

<https://www.lancashire.gov.uk/children-education-families/schools/area-education-offices/area-education-office-east/>

5.9 **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 our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

Please refer to our child protection and safeguarding policy for more information <https://www.theheightsburnley.com/wp-content/uploads/Child-Protection-and-Safeguarding-Policy-Sept-24-25-pdf.pdf>

6.0 **PRACTICE – THE SCHOOL BEHAVIOUR CURRICULUM**

6.1

Students and parents are kept fully aware of the standard of behaviour expected by the school through:

- Behaviour and conduct expectations are shared during initial transition to school.
- Parents' Evenings and other informal meetings throughout the academic year.
- The publication of the school rules found in handbooks, planners and on the school website.
- Communications from school to home such as headteacher letters and student reports.
- Behaviour Stages that are regularly shared with students.
- We implement a tiered behaviour system which is shared with pupils and parents are kept informed of these procedures in school. Staff are consistent with their implementation of this approach and we also have recommended outcomes for staff

when presented with such behaviours. An example of this can be seen in our appendices (see Appendix 1 below).

| Expected Behaviours | Tier 1 | Tier 2 | Tier 3 |
|---|---|--|--|
| <p>Expected Behaviours</p> <p>Coats off Following instructions On task Respecting staff and peers Speaking to staff and peers appropriately Ready for learning</p> <p>Staff actions- Praise (public/private) Positive call home Pride point Class point Raffle ticket Certificate Postcard home Tick system</p> | <p>Tier 1</p> <p>Low level disruption</p> <p>Refusal to follow expected behaviours but not disrupting other learning. Conversational swearing Work avoidance Uniform issue</p> <p>Staff actions- Use of reminders, expectations and consequences Use of de-escalation technique using in class TA</p> <p>If successful- Pupil praised for making the right choice</p> <p>If unsuccessful- Detention with class teacher</p> | <p>Tier 2</p> <p>Preventing the learning of others</p> <p>Persistent refusal to follow expected behaviours</p> <p>Disrupting the learning of others Verbal abuse towards peers Leaving lesson Unsafe language</p> <p>Staff actions- Reminded of expected behaviours- use of tick system Time out of lesson with TA Referred to pastoral</p> <p>If successful- Reintegrate back into lesson</p> <p>If unsuccessful- Afterschool detention Call home</p> | <p>Tier 3</p> <p>Serious Incidents</p> <p>Bullying Racism Verbal abuse/threatening behaviour towards staff & peers Assault Damage to property</p> <p>Staff actions- Referred to pastoral/SLT Instant removal- Heights plus or Reset room</p> <p>Consequences- Detention Heights plus/ Reset room Suspension Mainstream/ home setting informed Restorative with staff or student involved</p> |

- The theme of good behaviour is regularly reinforced through the pastoral system, during assemblies delivered by senior staff and Learning Managers and through the PSHE programme.
- Students who are good role models are selected/elected to positions of responsibility e.g. Head boy/girl, school council, buddies.
- and or consultation with teaching and non-teaching staff.
- Detentions and rewards are recorded on the computerised Arbour system allowing for analysis to identify problems at an early stage.
- Support for students with identified problems is provided through:
 - The Learning Support Department
 - Heads of Year
 - Pastoral Support Programmes
 - Daily/weekly/subject report sheets/booklets
 - SLT report monitoring sheets

7.0 REWARDS AND RESPONDING TO GOOD BEHAVIOUR

7.1 When a pupil's behaviour meets or goes above and beyond the expected behaviour standard, staff will recognise it with positive recognition and reward. 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.

List of rewards

Positive behaviour will be rewarded with:

- Praise and encouragement in lessons to recognise achievement.
- Positive written comments in books.
- School rewards trips.
- Certificate/prizes to recognise achievement.
- Departmental awards.
- Year group certificates and prizes.
- Display of quality work around classrooms and school.
- Attendance certificate and prizes.

- Invitation to take part in school activities and trips.
- Charity awards.
- School PRIDE points

8.0 ABSCONDING PROCEDURE

If a student is suspected of leaving the school site without permission, in an emotional state:

- The member of staff will alert the relevant member of Senior Leadership Team (the Head, or the deputising teacher).
- If the student appears to be missing but there is no evidence that they have left the site, a quick but thorough search of the site should be conducted before the parents / police are informed.
- If there is no doubt that the student has absconded, the school office will contact the student's parent to inform them and call the police. Staff will not chase or follow the student as this could lead to the student wandering further afield, acting impetuously or causing a traffic accident.
- If the student is within an easy distance of the school, staff are not to engage in conversation as the student might be in a distressed state and unable to act in a controlled manner. This would mean there is still the potential for traffic accidents.
- If the student returns of their own volition, parents and (if necessary) the police will be informed.
- If possible, the student who has absconded should be brought back to school the same day.
- When the student is back in school and is in a calm state, the parent, student and relevant member of staff will discuss the issues and any consequences. This policy will be discussed. An agreement will be written, giving details of the incident and agreed actions. See appendices A, B and C.
- If the student absconds for a second time in the same academic year, a range of measures will be put in place in collaboration with the student's parents. This might include an Internal Exclusion or a Suspension. If the Principal / deputising teacher is aware that a student is not acting emotionally but has left the school grounds (e.g. by mistake), the above procedures may be adapted.

9.0 BEHAVIOUR MANAGEMENT

9.1 Classroom management

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

- Create and maintain a stimulating environment that encourages students to be engaged
- Display the student code of conduct of their own classroom rules
- 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

9.2 Physical restraint

In some circumstances, staff may use reasonable force to restrain a student to prevent them:

- Causing disorder
- Hurting themselves or others
- Damaging property

Incidents of physical restraint must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded and reported to parents

9.3 **Confiscation**

Any prohibited items (listed in section 3.3) found in students' possession will be confiscated. These items will not be returned to students.

We will also confiscate any item which is harmful or detrimental to school discipline. These items will be returned to students after discussion with senior leaders and parents, if appropriate.

Searching and screening students is conducted in line with DfE's latest guidance on searching, screening and confiscation.

9.4 **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 and staff are encouraged to report anything that makes them feel 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

Sanctions for sexual harassment and violence may include:

The school has procedures in place to respond to any allegations or concerns regarding a student'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 police

Please refer to our child protection and safeguarding policy for more information

9.5 **Off-site behaviour**

Sanctions 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 student of our school

Sanctions 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 or member of the public
- Could adversely affect the reputation of the school or trust

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

10.0 MONITORING

10.1 Monitoring of behaviour and discipline is carried out by: -

- Staff being equally responsible for the monitoring of student behaviour around school.
- Tutors, Learning Managers and departmental leaders making use of the weekly behaviour reports.
- Duty staff before and after school, during and after break and lunchtimes.
- Subject leaders/teachers/TA's during lesson times.
- Parents through individual school records.
- SLT.
- Governing Body.
- Recording incidents on the SIMS Behaviour management system.

11.0 EVALUATION

11.1 The following aspects will be regularly analysed as part of the Schools Behaviour and Attendance Profile, in order to inform practice:

- Impact on student attainment, especially underachievers.
- Number of incidents pertaining to protected characteristics.
- Percentages of students who receive suspensions and permanent exclusions.
- Number of positive and negative events in each form/year group.
- Feedback from parents through LPPA and parents' evening.
- Feedback from external agencies, i.e. EWO, Ofsted, LEA.

APPENDIX 1 – CONFISCATION, SEARCHES AND SCREENING

Searching, screening and confiscation is conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

Confiscation

Any prohibited items (listed in section 3.3) found in a student's possession as a result of a search will be confiscated. These items will not be returned to the student.

We will also confiscate any item that is harmful or detrimental to school discipline. These items will be returned to students after discussion with senior leaders and parents, 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 headteacher or by the headteacher themselves.

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 ensure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will seek the advice of the headteacher, designated safeguarding lead (or deputy) 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 not doing the search would 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 they still refuse to co-operate, the member of staff will contact the select appropriate, to try and determine why the student is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the student. 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 from causing disorder.

The authorised member of staff can use reasonable force to search for any prohibited items identified in section 3, but not to search for items that are only identified in the school rules. The authorised member of staff may use a metal detector to assist with the search.

An authorised member of staff may search a student's outer clothing, pockets, possessions, desks or lockers.

Outer clothing includes:

- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, boots

Searching student's 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 (listed in section 3) 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 inform 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 as listed in section 3
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items (listed in section 3), including incidents where no items were found, will be recorded in the school's safeguarding system.

Informing parents

Parents will always be informed of any search for a prohibited item (listed in section 3). A member of staff will tell the parents 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 safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

Strip searches

The authorised member of staff's power to search outlined above does not enable them to conduct a strip search (removing more than the outer clothing) and strip searches on school premises shall only be carried out by police officers in accordance with the [Police and Criminal Evidence Act 1984 \(PACE\) Code C](#).

Before calling the police into school, staff will assess and balance the risk of a potential strip search on the student's mental and physical wellbeing and the risk of not recovering the suspected item. Staff will consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and will always ensure that other appropriate, less invasive approaches have been exhausted first.

Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them. The school will advocate for the safety and wellbeing of the student(s) involved. Staff retain a duty of care to the student involved and should advocate for student wellbeing at all times.

Communication and record-keeping

Where reasonably possible and unless there is an immediate risk of harm, staff will contact at least 1 of the student's parents to inform them that the police are going to strip search the student before strip search takes place and ask them if they would like to come into school to act as the student's appropriate adult.

If the school is unable to make contact with the parents, or they are not able to come into school to act as the appropriate adult, a member of staff can act as the appropriate adult (see below for the role of the appropriate adult).

The student's parents will always be informed by a staff member once a strip search has taken place. The school will keep records of strip searches that have been conducted on school premises and monitor them for any trends that emerge.

Who will be present?

For any strip search that involves exposure of intimate body parts, there will be at least 2 people present other than the student, except in urgent cases where there is risk of serious harm to the student or others.

One of these must be the appropriate adult, except if:

- The student explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search, **and**
- The appropriate adult agrees.

If this is the case, a record will be made of the student's decision, and it will be signed by the appropriate adult.

No more than 2 people other than the student and appropriate adult will be present, except in the most exceptional circumstances.

The appropriate adult will:

- Act to safeguard the rights, entitlement and welfare of the student.
- Not be a police officer or otherwise associated with the police.
- Not be the headteacher.
- Be of the same sex as the student, unless the student specifically requests an adult who is not of the same sex.

Except for an appropriate adult of a different sex if the student specifically requests it, no one of a different sex will be permitted to be present and the search will not be carried out anywhere where the student could be seen by anyone else.

Care after a strip search

After any strip search, the student will be given appropriate support, irrespective of whether any suspected item is found. The student will also be given the opportunity to express their views about the strip search and the events surrounding it.

As with other searches, the school will consider whether the student may be suffering or likely to suffer harm and whether any further specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

Staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if, in addition to pastoral support, an early help intervention or a referral to children's social care is appropriate.

Any student(s) who have been strip searched more than once and/or groups of students who may be more likely to be subject to strip searching will be given particular consideration, and staff will consider any preventative approaches that can be taken.

Screening

All pupils are screened on entry to school, a handheld wand is used and a minimum of two members of staff are present for every screening. All information is logged and records are kept

securely. Any prohibited items are confiscated and a phone call is made home to parents/carers, items will not be returned to pupils.

For SEND pupils there is the option for pupils to 'wand' themselves or select a designated member of staff who they would prefer to do so. All pupils and parents/carers are made aware of screening at induction.

Any pupil who refuses a search is offered time to comply, a phone call home to parents/carers is completed and the Headteacher will then make a decision on next steps in line with this policy.

APPENDIX 2 – SUSPENSION AND EXCLUSION ARRANGEMENTS

1. Aims

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 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.

A note on off-rolling

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“The practice of removing a student from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the student.”

We will not suspend or exclude students unlawfully by directing them off site, or not allowing students to attend school:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off.'
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting.
- By exerting undue influence on a parent to encourage them to remove their child from the school

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and Exclusion from maintained schools, academies and student referral units \(PRUs\) in England.](#)

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](#)

This policy complies with our funding agreement and articles of association.

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'.

- Off-site direction – when a governing board of a maintained school requires a student to attend another education setting temporarily, to improve their behavior.
- Parent – any person who has parental responsibility and any person who takes care of the student.
- Managed move – when a student is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

4. Roles and responsibilities

4.1 The headteacher

Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a student from school on disciplinary grounds. The decision can be made with respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort.

A decision to suspend or 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 the student or others, such as staff or students in the school.

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 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 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 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.

Informing parents

If a student is at risk of suspension or exclusion the headteacher will inform the parents 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.

If the headteacher decides to suspend or exclude a student, the parents will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents will also be provided with the following information in writing, without delay:

- 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 parents' right to make representations about the suspension or permanent exclusion to the governing board and how the student 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, and that parents (or the student if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend
- Parents right to make a request to hold the meeting via the use of remote access and to whom to make this request.

The headteacher will also notify parents 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 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 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 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 headteacher does not have the 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' consent.

Informing the governing board

The headteacher 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 which 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 would result in the student missing a National Curriculum test or public exam.

The headteacher will notify the governing board once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

Informing the local authority (LA)

The headteacher 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.

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

If a:

- **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.
- **A 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 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 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)

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 headteacher may cancel a suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents, governing board and LA will be notified without delay.
- Where relevant, any social worker and VSH will be notified without delay.
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation.
- As referred to above, the headteacher will report to the governing board once per term on the number of cancellations.
- The student will be allowed back in school.

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 (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the student. Online pathways such as Google Classroom or Oak Academy may be used for this. If the student has a special educational need or disability, the headteacher 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 suspensions and permanent exclusions are delegated to the pupil discipline committee.

This committee has a duty to consider parents' representations about a suspension or permanent exclusion. It 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 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 students. 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 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 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 which 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 Children (LAC) 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 pupil discipline committee 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 which 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 exam or National Curriculum test.

Where the student has been suspended for more than 5 days, but not more than 15 days in a single term, and the parents make representations to the governing board, the pupil discipline committee will consider and decide the reinstatement of a suspended student within 50 school days of receiving notice of the suspension.

Where a suspension or permanent exclusion would result in a student missing a public exam or National Curriculum test, the pupil discipline committee will, as far as reasonably practicable, consider and decide on the reinstatement of the student before the date of the exam or 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 pupil discipline committee must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

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

- Parents, or the student if they are 18 or over (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 headteacher
- The student's social worker, if they have one.
- The VSH, if the student is looked after.
- A representative of the local authority

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 exclusion committee can either:

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

In reaching a decision, the exclusion committee will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair.
- Whether the headteacher 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.

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 pupil discipline committee will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents, or the student, if they are 18 or older.
- The headteacher
- 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 exclusion committee 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' 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)
- 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 have a right to require the Trust 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 for this appointment.
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review.
- Parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.
- That, if parents 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 apply for an independent review within the legal timeframe, the Academy Trust will 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 by governing body 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.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category and 2 members will come from the headteacher 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 headteachers during this time.
- Headteachers or individuals who have been a headteacher 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 academy trust of the excluding school?
- Are the headteacher of the excluding school or have held this position in the last 5 years.
- Are an employee of the academy trust or the governing board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the academy trust school, governing board, parents or student, 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 (see annex 1 for what training must cover)

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 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 social worker of how any of the student's background, education and safeguarding needs were considered by the headteacher 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 1 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 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 were notified of the exclusion committee decision to not reinstate the student and no application has been made for an independent review panel, or
- The parents 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 with whom the student normally resides.
- At least 1 telephone number at which any parent 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 have told the school the student is moving to another school.
- Details of the student's new address, including the new address, the name of the parent(s) the student is going to live there with, and the date when the student is going to start living there, if the parents have informed the school that the student is moving house.

This return must be made as soon as the ground 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, 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:

- Maintaining regular contact during the suspension or off-site direction and welcoming the student back to school
- 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 to praise progress being made and raise and address any concerns at an early stage.
- Informing the student, parents 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, and other relevant parties.

8.2 Reintegration meetings

The school will 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 students that they are getting a fresh start and that they are a valued member of the school community.

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

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

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

9. Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of student referral units, off-site directions and managed moves
- Anonymous surveys of staff, students, and other stakeholders on their perceptions and experiences

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.

The trust will work with its academies to consider this data, and to analyse whether there are patterns across the trust, recognising that numbers in any one academy may be too low to allow for meaningful statistical analysis.

10. Links with other policies

- SEND policy and Information Report

Annex 1: Independent review panel training

The Academy Trust/LA must make sure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making.
- The need for the panel to observe procedural fairness and the rules of natural justice.
- The role of the chair and the clerk of a review panel
- The duties of headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act.