



Behaviour for Learning Policy Exclusion & Suspension Policy

GB Committee Responsible:

Curriculum and Achievement

Reviewed by:

Lawrence Viala

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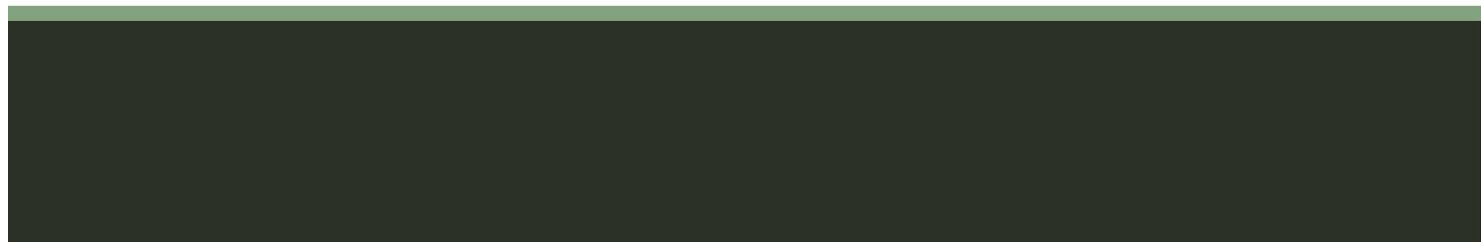
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September 2024



BENTLEY WOOD HIGH SCHOOL BEHAVIOUR FOR LEARNING POLICY

The behaviour curriculum

At Bentley Wood, we have the highest expectations that our students will behave with courtesy and consideration for others at all times, in school, to and from school and in the wider community.

Students' behaviour should be underpinned by the school's values of CARE:

- Communication
- Achievement
- Respect
- Empathy

When students are members of a school, they should feel free to study in a happy, relaxed and purposeful environment. They should be able to communicate openly to discuss and express their point of view. Students must respect the opinion of others and strive to foster the general happiness of all members of the school community. Students should try to achieve the very best they can. The expectation is that all students will aim high and show resilience. All members of the school community should embody the ethos of respect in their behaviour towards one another. Empathy underpins students' behaviour in how they listen, talk and appreciate others around them.

Partnership

Students, parents, staff, Governors and visitors are welcomed into the school community. Our partnership with parents is highly important and we value the contribution they make in supporting the school by endorsing school values and procedures on attendance, punctuality, uniform, homework and behaviour. The Home School Agreement was drawn up after full consultation with parents, Governors and staff. Parents and students are encouraged to read and sign the document to indicate their understanding and willingness to follow the guidelines which clarify the expectations of all members of the school community. We invite parents to the school to discuss their daughter's progress. Parents are encouraged to inform the school at any time of any concerns that may affect their daughter's welfare or learning. (see Anti-bullying Policy)

Equal Opportunities

All members of the school community should have an equal opportunity to fulfil their potential and play a positive and active role both in the school and the wider community. Students and staff should feel secure and valued within the school community equally and are encouraged to create a co-operative and harmonious environment based on the CARE ethos in which everyone can thrive (see Equality Information and Objectives Policy).

We acknowledge our legal duties under the Equality Act 2010, and those in respect of safeguarding and supporting pupils with special educational needs. We recognise that some students may require a more sensitive and differentiated approach.

Bentley Wood High School is an inclusive School where quality-first teaching and differentiation underpins our work with students to overcome barriers to learning. Every member of the teaching, support staff and governors are responsible for educating all groups of students irrespective of their learning barrier. We are committed to working in partnership with parents together with health and social services. Every student has an entitlement to a broad and balanced curriculum and all students will be encouraged, valued and accepted whatever their learning barrier (see Inclusion Policy).

Effort and Achievement

Students are motivated by the interest taken by their parents in their work, monitoring homework and discussing with them their assessments and reports. They achieve the expectations of the school with the encouragement that they receive at home.

Bentley Wood staff should provide well planned lessons with clear aims that stimulate students' interest and develop their learning (see Teaching & Learning Policy). Subject teachers are able, by regular marking of work, to assess a student's progress, giving praise not only for success but for effort involved (see Assessment and Feedback and Homework Policy). Teachers and support staff have high expectations and are approachable to give extra help and guidance. Inclusion Team provide advice about a SEND student who may be experiencing difficulties in lessons and whose behaviour may impede their own learning and that of others. This is a live one-note document.

Students should arrive punctually to a lesson with the correct books and equipment and be receptive to learning. They should participate fully in their lessons and know that their contribution is valued.

Hardworking students are rewarded in recognition of their efforts and achievement. Bentley Wood staff use a wide range of rewards, including telephone calls home to parents, postcards and Head Teacher Certificates (see Rewards Policy).

Attendance and Punctuality

We expect students to attend school every day and be punctual for the start of the school day and all their lessons. Progress of students is affected by absence and lateness. The latter may also disturb the learning of others. HOYS/AHT and Attendance officer meet bi-weekly to monitor, respond, challenge and support students where attendance is a challenge. DHOYS lead the tutors in monitoring, responding and challenging students who are late to school.

a) Attendance

All schools are guided by the regulation from the DfE for recording absence. Excellent attendance is acknowledged in school reports, celebrated in weekly HOY assemblies Attendance Certificates are awarded (see Attendance and Punctuality Policy).

b) Punctuality

All members of the school community are expected to be punctual at school and for assemblies and lessons. Punctuality to school is recorded in school reports (see Attendance and Punctuality).

Uniform

Bentley Wood students have a uniform designed to be comfortable, practical and smart. We ask parents to follow the uniform list and only purchase uniform from the approved uniform supplier.

Staff will remind students who are unsuitably dressed of the school's expectations. Lack of response on behalf of a student will lead to the Head of Year or a member of the Senior Leadership Group contacting parents. Co-operation by parents and students on our uniform code enables staff to concentrate their time and effort on teaching. Students not wearing the correct uniform will be required to change into items borrowed from school or clothes can be bought in from home. (see Uniform Policy).

Environment

Students at Bentley Wood have access to most of the school building and grounds during the time the school is open. Health & Safety restrictions are the only limitations to the full use of all classrooms at break times. Students are trusted to use the school as long as they respect and take care of school property. They should walk in the building in a sensible manner keeping to the left-hand side of the corridor and the stairs and being alert to the safety of others at all times. They should be aware that as members of the school, we aim to keep the school and its contents in good order and they should not bring into school any items which could harm others, themselves or school property.

Bentley Wood is privileged to have beautiful grounds and students should respect these and take care not to leave litter. For the students' safety, we insist that students do not leave the grounds without permission during the school day, wander out of sight of school alone or leave the school late in the evening alone.

We ask parents to use the drop off point at the Clamp Hill entrance when bringing students to or collecting them from school and to take care for the safety of all when stopping in the main road. Parents should also consider the residents near the school and not drive into school unless there are exceptional circumstances.

Rewards

We do believe that students should act with mutual respect and co-operate with their teachers. A friendly, considerate staff and student body enriches the whole school atmosphere and reflects the ethos of CARE. We reward with praise, contact with home for good work and effort, certificates for attendance and punctuality and certificates of acknowledgement for the extra help and support which students can contribute to the school and its success.

It is important that a young person's efforts are recognised and acknowledged so that they are encouraged to learn the value of positive behaviour (see Rewards Policy).

Bullying

We acknowledge that bullying is a major concern for parents and students and that it may take many forms. Whatever the form it takes, the outcome is that a student or a group of students do not feel secure within the school community.

Our Anti-Bullying code is displayed in form rooms and printed in students' link books as a constant reminder of our policy. Staff should be alert to any signs of bullying in the school. Action on any incident of bullying is taken by the Head of Year, Deputy Head or Head teacher (Anti-bullying policy).

A Restorative Justice System has been in operation since 2012 and has to date been very successful (Anti-bullying policy)

Appendix1 Bullying referral system, as seen in Anti-bullying policy and Equality Information and Objectives Policy).

Sexual Harassment

We acknowledge that sexual harassment is a major concern for parents and students and that it may take many forms including unwanted conduct of a sexual nature – such as sexual comments, sexual jokes or taunting, physical behaviour like interfering with clothes, or online harassment such as sexting, sexist comments discriminating based on sex, sexist behaviour (verbal, physical or using technological communication). Whatever the form it takes, the outcome is that a student or a group of students do not feel secure within the school community. The response of Bentley Wood is unequivocal- such behaviour will not be tolerated. We hope to promote a positive self-image which enables any student to report any incident of sexual harassment and know that it will be dealt with sensitively and decisively. The school's response to any incidents of sexual harassment or peer on peer abuse will be:

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

The subject is addressed in our PSHE programme (Personal, Social, Health Education) and through assemblies. In this way, we hope to provide students with the strategies to deal with any incidents and the confidence to employ them. Likewise, we encourage parents to inform the school if they are aware of any concerns with any student. Incidents of sexual harassment will initially be dealt with by an appropriate member of staff depending on their nature including members of the pastoral team, safeguarding team, senior leadership team and headteacher.

For each incident of sexual harassment one member of the safeguarding team with responsibility for child protection will log the incident on an incident of sexual harassment form which will record the details of the incident and any supporting evidence and subsequent actions.

Appendix 2 Sexual Harassment referral system

Improving Behaviour

Where incidents of misbehaviour do occur, Form Tutors, Heads of Year, attached Senior Leader or Head Teacher devote time to discussing incidents with students to help them understand and acknowledge that their behaviour is unacceptable and to help them change. Incidents of poor behaviour are reported as green, amber or red incidents on the school MIS, Arbor.

The school will employ a range of strategies to support a student who displays signs of poor behaviour, to help her improve. If the student is SEND then strategies suggested in the inclusion handbook should be adopted or the SENCO consulted for support. These may be one or a combination of several of the following:

- Withdrawal of free time in a break or lunchtime, 20 minutes after school (without notice to parents);
- 30 or 60 minute detention after school (with 24 hours' notice to parents);
- Organised and regular Mentoring;
- Offer of counselling, where appropriate;
- Withdrawal from a lesson to complete work under staff supervision;
- Messages to parents in link books and for more serious matters, letters informing parents of the action taken;
- Meetings with parents and their daughter to discuss the problems;
- School report for staff and parents to monitor a student's daily progress, with clear achievable targets. Green monitored by the form tutor, amber monitored by the Head of Year and red monitored by a Senior Leader, over a minimum of 2-week period;
- Referral to the SENCO who will evaluate referral options
- Withdrawal from activity days/trips as a result of accumulated bad behaviour;
- A ban from representing the school in extra-curricular activities;
- Pastoral Support Plans (PSP) with clear achievable targets;
- Internal suspension for a day (Blue room) in school and under staff supervision
- Suspension– see Exclusion & Suspension section of this policy

Reference to use of internal suspension or the blue room.

Students can be issued with a period of internal suspension. This is used to enable disruptive students to be taken to a place where education can be continued in a managed environment. If a student does not respond to warnings and any breaches of the behaviour policy, they will be removed from mainstream lesson. Pastoral Deputy Headteacher will be the gate keeper of this sanction and the Headteacher will be informed. Work is set by the timetabled staff. During their time in the Blue Room, the supervising staff will take time to discuss the incident(s), which have resulted in their attendance in the room. It is explained to students why they are in there and attendance must be monitored to identify any patterns relating to students placed in the Blue Room to ensure that the student is being supported appropriately and to strategically manage issues in set lessons if they reoccur. Staff are aware of their role in the Blue Room and seek to successfully challenge and manage students who display a variety of challenging behaviours.

For a student who fails to respond to school strategies, we will use a Pastoral Support Plan (PSP) for the student in an attempt to prevent the student from being excluded. Regular meetings and review meetings with parent/carer to offer opportunities to reflect on behaviour, set small achievable targets involving additional outside agencies. This will involve some of the following outside agencies and specialists - the Health Service (Harrow school nurse), Social Worker, the Educational Psychologist, Harrow Horizons, CAMHS, The Harrow Youth Stop, Social Services or our Police Liaison Officer.

Appendix 1- Bullying or discrimination referral

Incidents of bullying and/or discrimination: Form A

To be completed by HoY following discussion with AHT

Incident reported by		Role in school	
Incident reported to		Role in school	
Date of incident		Date of report	
Nature of incident	Racist, Sexist, Homophobic, Disability discrimination Other (please give details below)		

Section 1 – Details of those involved in the incident (continue on a separate sheet if necessary)

<u>Victim:</u>	<u>Alleged Perpetrator:</u>	<u>Alleged Perpetrator:</u>
If student at school please complete the following: Year group: Form group: Ethnicity (if reporting a racist incident):	If student at school please complete the following: Year group: Form group: Ethnicity (if reporting a racist incident): n/a	If student at school please complete the following: Year group: Form group: Ethnicity (if reporting a racist incident): n/a
If member of staff at school, please indicate position:	If member of staff at school, please indicate position:	If member of staff at school, please indicate position:
If visitor at school please indicate for what reason:	If visitor at school please indicate for what reason:	If visitor at school please indicate for what reason:

To be completed by HoY following discussion with AAHT (JMZ)

Incident reported by		Role in school	
Incident reported to		Role in school	
Date of incident		Date of report	
Nature of incident	Sexual violence Sexual harassment		

<u>Victim:</u>	<u>Alleged Perpetrator:</u>	<u>Alleged Perpetrator:</u>
If student at school please complete the following: Year group: Form group:	If student at school please complete the following: Year group: Form group:	If person outside school please provide details:

BENTLEY WOOD HIGH SCHOOL

EXCLUSION AND SUSPENSION POLICY

Aims:

We are committed to following all statutory exclusions procedures to ensure that every child 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 pupils understand the exclusions process
- Ensure that pupils in school are safe and happy
- Prevent pupils 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 pupil 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 pupil.”

We will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils 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

Legislation and statutory guidance

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

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

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
 - Behaviour in schools: advice for headteachers and school staff 2022
 - Suspension and permanent exclusion from maintained schools guidance 2023
 - 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 pupils
 - Section 579 of the [Education Act 1996](#), which defines 'school day'
 - The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)
 - [The Equality Act 2010](#)
 - [Children and Families Act 2014](#)
 - This policy complies with our funding agreement and articles of association.
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3. Definitions

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a ‘fixed-term exclusion’.

Exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ‘permanent exclusion’.

Off-site provision – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour. (Appendix 1 – Alternatives to exclusion at BWHS)

Parent – any person who has parental responsibility and any person who has care of the child.

Managed move – when a pupil 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. (**Appendix 1 – Alternatives to exclusion at BWHS**)

BWHS CODE OF CONDUCT

The **Code of Conduct** plays a vital role in fulfilling the aim that students behave in a way which allows the school to run smoothly and provide a high-quality education for them. This Code applies during the school day, including the journey to and from school (in or out of school uniform), including break times, lunchtimes, school journeys and visits and extra-curricular activities.

Students should not act in a way which harms others, puts them at risk, or causes distress and this includes:

- Any form of bullying or racist/sexist behaviour (verbal, physical or using technological communication)
- Any form of harassment including sexual harassment (verbal, physical or using technological communication)
- The use of physical or threatened violence (verbal, physical or using technological communication);
- Retaliating with violence to provocation;
- Behaviour which is rude, discourteous or fails to recognise the authority of staff and the school;
- Acting irresponsibly or dangerously;
- Being in possession of or using items which are not allowed in school (list below)
- Misusing equipment provided for safety including deliberately setting off the fire alarm;
- Disrupting the education of others;
- Any form of vandalism/damage to school property (including the building, its contents and the belongings of staff and students);
- Misusing equipment;
- Theft

Breaking the **Code of Conduct** is a serious matter, it will usually lead to a **Suspension** or **Exclusion** from school. This may be as a result of a series of breaches, including those which disrupt the learning of others, adversely affect the upholding of discipline in the school, or damages its reputation, or when a student fails to recognise the authority of the school, or places themselves beyond its control.

In exceptional circumstances, an exclusion could result from a first or one-off offence e.g:

- A serious violent act;
- Theft;
- Carrying of or use of any dangerous/illegal weapons and fireworks;
- Purchasing, being in possession of, taking, selling/distributing or participating in any act involving illegal drugs;
- Misuse of legal drugs or prescription medicines

This is not an exhaustive list.

ITEMS NOT ALLOWED IN SCHOOL

Students are forbidden to smoke either in school, or in any public place on their way to or from school. They may not carry lighters, matches, cigarettes & e-cigarettes(vapes), any drugs or illegal substances, or any potentially dangerous items, including those that could be used as weapons.

Searches and Confiscation

If staff have reasonable grounds to suspect a student is in possession of a 'prohibited item', the Headteacher, and members of staff authorised by the Headteacher can search a student. One person should be the same sex as the student.

Members of staff should always seek the co-operation of the pupil before conducting a search. If the pupil is not willing to co-operate with the search, the member of staff should consider why this is.

Reasons might include that they:

- are in possession of a prohibited item;
- do not understand the instruction;
- are unaware of what a search may involve; or
- have had a previous distressing experience of being searched.

The decision to continue with the search without the student's permission must be based on the need to safeguard the individual or safeguard others.

If appropriate school staff can confiscate and retain any item(s) found.

Parents and DSL should be informed if a search has taken place.

If the police ask to conduct a search of a student on the school premises, then the school will challenge the police as to the justification for this. The search can only be authorised by the Headteacher who will also ensure that the police officer is of the same gender as the student being searched. If a search is authorised then an appropriate adult will need to be present, this is normally the parents. If the students' parent/guardian are not available, then a female member of the senior leadership team, who had previously not been involved in the incident will stay with the student throughout the search to ensure that it is carried out without compromising our safeguarding policy. All records of this search will be maintained.

Further reading on the latest government guidance on searching, screening and confiscation

See Substance use and misuse policy

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

Mobile phones and electronic devices

Students may bring mobiles and other devices to school, but these should be kept completely out of sight between 8:30 and the end of the last lesson. If they are seen being

used, they are confiscated and returned at the end of the school day or for repeated misuse kept until a parent/carer comes into the school to discuss and collect.

Filming and recording: Students are not permitted to film/record incidents in school using any mobile/digital device.

Roles and Responsibilities

The Headteacher

Deciding whether to suspend or exclude

Only the Headteacher, or acting Headteacher, can suspend or permanently exclude a pupil 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 and after considering all possible alternatives. (Appendix 1 Alternatives to Exclusion and Suspension)

A decision to suspend or exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a pupil, 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 pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site provision or managed moves

The headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils 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 pupil, and will inform the pupil of how their views were considered when making the decision.

If a suspension is judged necessary, the length of suspension will be decided with regard to the seriousness of the incident. A first offence of sufficient gravity may lead to permanent exclusion. However, as a general rule, a first suspension would normally be for a number of days. A subsequent suspension would be for a long period. A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). Repeated suspensions would suggest that a student is not able to conform to the ethos of Bentley Wood and must give rise to the consideration of the exclusion becoming permanent.

Informing parents

If a pupil 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 pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the Headteacher decides to suspend or exclude a pupil, 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 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 pupil 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 pupil, and that parents (or the pupil 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

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

If the Headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

Informing the governing board

The Headteacher will, without delay, notify the Local Governing Body (LGB) of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion which would result in the pupil 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 which would result in the pupil missing public exams

The Headteacher will notify the LGB 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 pupil lives outside the LA in which the school is located, the Headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

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

If a:

- Pupil with a social worker is at risk of suspension or permanent exclusion, the headteacher will inform the social worker as early as possible
- Pupil 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 pupil'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 pupil with a social worker / a pupil who is looked after, they will inform the pupil's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- 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 pupils ability to sit a National Curriculum test or public exam (where relevant)

The social worker / VSH will be invited to any meeting of the LGB about the suspension or permanent exclusion. This is so they can provide advice on how the pupil'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 pupil'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 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 LGB once per term on the number of cancellations
- The pupil 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 pupil is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Teams can be used. If the pupil has a special educational need or disability, the Headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil 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 pupil, including the use of online pathways.

The Local Governing Body

Considering suspensions and permanent exclusions

Responsibilities regarding exclusions are delegated to a Governing Body Discipline Committee (GBDC). The GBDC will consist of three Governors.

Suspensions and Exclusions training will take place every two years and the committee must have regard to the statutory guidance

The GBDC 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 pupil (See Considering the reinstatement of a pupil and Independent review) in certain circumstances.

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

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

Bentley Wood has an arrangement with The Sacred Heart Language College for suspensions of longer than 5 days. (Appendix 2- 6th Day Protocol)

Monitoring and analysing suspensions and exclusions data

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

The LGB will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils 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 pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

Appendix 6- A summary of the governing board's duties to review the headteacher's exclusion decision

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 pupils who are LAC or have social workers, the LA and the school will work together arrange suitable full-time education to begin from the first day of the exclusion.

Considering the reinstatement of a pupil

The GBDC will consider and decide on the reinstatement of a suspended or permanently excluded pupil 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 pupil's total number of days out of school to more than 15 in a term; or
- It would result in a pupil missing a public exam or National Curriculum test

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension **to more than 5 in a term**, the GBDC must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the Headteacher to reinstate the pupil.

Where the pupil has been suspended **for more than 5 days, but less than 16 days**, in a single term, and the parents make representations to the board, the GBDC will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet and it cannot direct the Headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam, the GBDC will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the GBDC may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

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

- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend)
- The pupil, 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 pupil's social worker, if they have one
- The VSH, if the pupil is looked after

The GBDC 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 GBDC can either:

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

In reaching a decision, the GBDC 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 pupil and their peers
- Any evidence that was presented to the GBDC
- 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 pupil's educational record, and copies of relevant papers will be kept with this record.

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

- The parents, or the pupil, if they are 18 or older
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the GBDC has decided not to reinstate the pupil, 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 pupil's special educational needs (SEND) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEND, parents have a right to require the academy trust to appoint an SEND expert to advise the review panel
- Details of the role of the SEND expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for an SEND expert to be appointed in any application for a review
- That 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

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 pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the GBDC of its decision to not reinstate the pupil **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 or 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 LGB 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, LGB, parents or pupil, 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 appendix 5 for what training must cover)
-

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

Taking into account the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil 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 pupil'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 pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil'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 child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the pupil'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 pupil within 10 school days
 - Any information that the panel has directed the governing board to place on the pupil's educational record
-

School registers

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

- 15 school days have passed since the parents were notified of the GBDC's decision to not reinstate the pupil 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 pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Making a return to the LA

Where a pupil'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 pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil 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 pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

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

Returning from a suspension

1. Reintegration strategy

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

Where necessary, the school will work with third-party organisations to identify whether the pupil 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 provision and welcoming the pupil back to school
 - Daily contact in school with a designated pastoral professional or mentor
 - Mentoring by a trusted adult or a local mentoring charity
-

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

Informing the pupil, 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 pupil, parents, and other relevant parties.

2. Reintegration meetings

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

The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting. At the end of the meeting, the student, staff member and parent will sign the home school agreement and reminded of the Code of Conduct.

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

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

Appendix 3- Reintegration Contract proforma

Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors/trustees 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 pupils are identified by this analysis, the school will review its policies in order to tackle it.

The multi-academy 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 1 academy may be too low to allow for meaningful statistical analysis.

This policy will be reviewed every year. At every review, the policy will be reviewed through the Collaborative Committee and shared and agreed through the Curriculum and Achievement Committee.

Link with other policies

This exclusions and suspensions policy is linked to our:

- Behaviour for Learning policy
- Inclusion policy
- Equality information and objectives policy
- Anti- Bullying Policy
- Rewards policy
- Safeguarding policy
- IT policy, Acceptable Use Policy
- Attendance and Punctuality policy

Appendix 1

ALTERNATIVES TO EXCLUSION

Alternatives to exclusion will be considered where appropriate.

- Restorative Justice to enable the offender to redress the harm done. Restorative Justice meetings are chaired by trained staff, and end with an agreement between both parties.
- The Jubilee Academy is part of the Bentley Wood provision. There are three types of provision available:
 - The outreach work will provide interventions at Bentley Wood High School by Jubilee staff, such as mentoring and coping skills.
 - The second type is the respite off-site provision where students will get intensive extra support as well as a reduced curriculum during a period between six to twelve weeks at the Jubilee Academy.
 - The final provision is a permanent move to Jubilee Academy where the student will eventually be sitting their GCSE exams.

Whilst a student is placed in The Jubilee Academy as an off-site provision they are dual registered with BWHS. A member of the senior team will be aware of their attendance and engagement, liaise directly and regularly with The Jubilee Academy and parents/carers. The students will be visited on placement.

- A student can be transferred to another school as part of a '**managed move**' with full consultation and agreement of all the parties involved, including the parents. The Harrow Managed Move Panel meets on-line every month panel. The panel is chaired by the Head of Hatch End High School and consists of the Head of the Helix School, as well as Deputy Headteachers from other schools. A member of the Bentley Wood Senior Leadership Group will complete the relevant managed move paperwork and present the case to the panel. The panel will consider the case and make a decision about which school the student can move to. This will be conveyed directly to our Headteacher very shortly after the panel. A transition worker for the Helix will then set up an initial meeting at the new school. This will be followed by a six week trial period. If the trial period is successful, the student will be on role with the new school.

Appendix 2

6TH DAY Suspension PROTOCOL

The Local Governing Body's duty to arrange education from the 6th day of a suspension

- Both schools (Bentley Wood High School and Sacred Heart Language College) will only go beyond 5 days suspension in exceptional circumstances.
- Any suspension of more than 5 days will include a paragraph in the suspension letter asking the student to report to reception at the partner school at 10.00am on the 6th day (date, address and contact details to be inserted).
- The alternative provision will run from 10.00am – 2.00pm with no lunch break and the student will be supervised by a Suspension Supervisor (a member of staff from the excluding school).
- Sufficient work to be set by the excluding school and brought by the Suspension Supervisor.
- The Suspension Supervisor will take a file to the partner school with all necessary documentation: copy of exclusion letter, contact details for the student.
- The student will need to wear full school uniform.
- If there are any incidents, the student will be sent home and the member of staff will inform the excluding school, who in turn will contact Admissions for further advice.
- The Deputy Headteacher will be responsible for finding a room for the student to work and will line manage the Suspension Supervisor whilst on site:
 - Bentley Wood - Lawrence Viala (Lead Deputy Headteacher)
 - Sacred Heart – Rose-Marie Sorohan (Lead Deputy Headteacher)
- If the Suspension Supervisor is ill, and no replacement can be found at short notice, the student will be sent home.

SACRED HEART DETAILS: Rose-Marie Sorohan 0208 863 9992

email: RSorohan@tshlc.harrow.sch.uk

Appendix 3- Reintegration Contract proforma

BEHAVIOUR CONTRACT FOLLOWING SUSPENSION

Our expectations:

- For you to comply with the Home School Agreement.
- For you to comply with the Behaviour for Learning Policy and the School Code of Conduct.

Your responsibility:

- To follow all instructions.
- To behave responsibly in and out of lessons, in and beyond school.
- Attend every day and be punctual.
- To wear school uniform in school and to and from school.

I have read/listened to the Code of Conduct in the school Exclusions and Suspensions Policy and understand the sanctions if I break this contract.

Signed(student): _____

Parent: _____

Headteacher/Senior Leader: _____

Date: _____

Appendix 4: independent review panel training

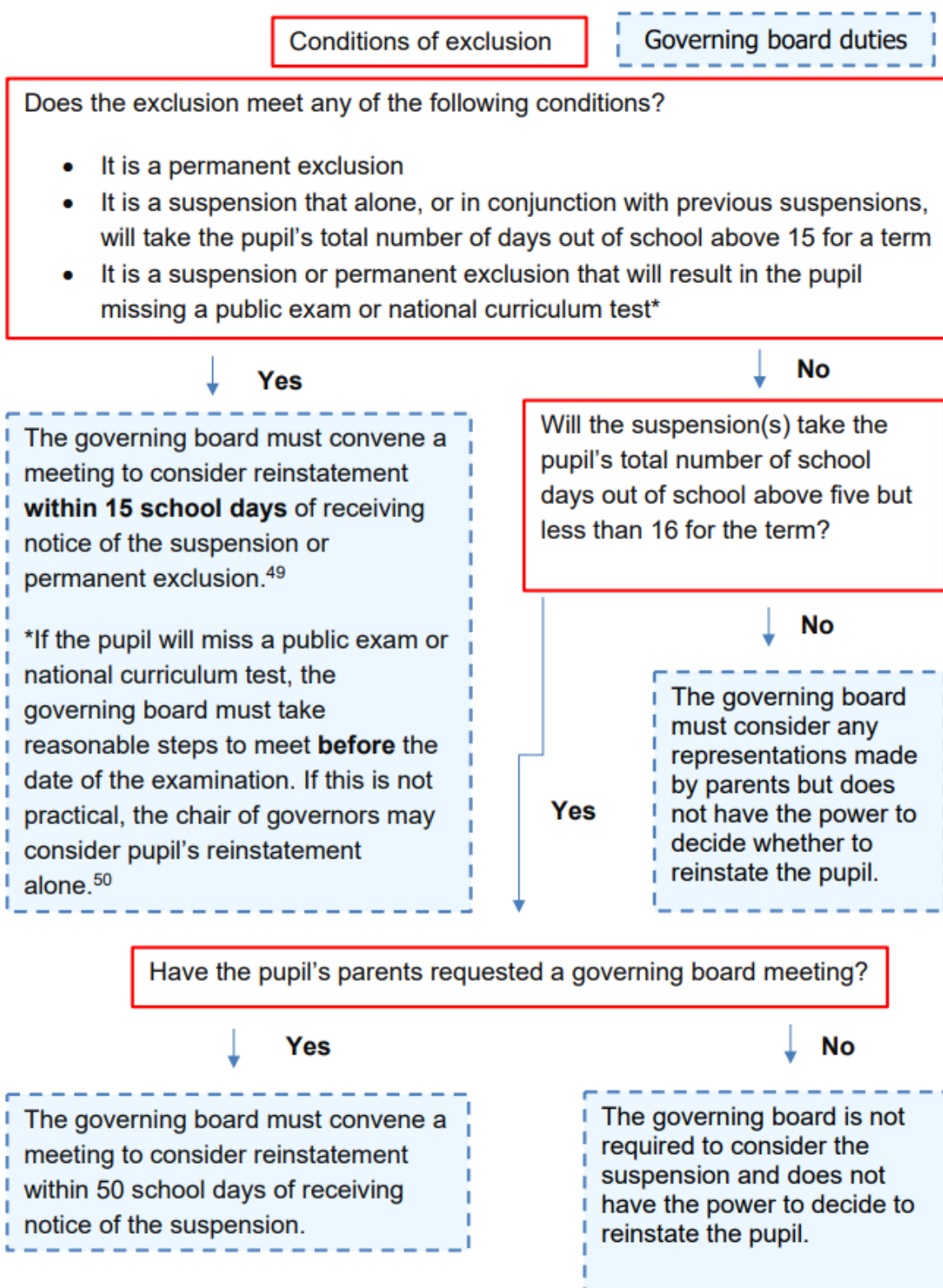
The academy trust must make sure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

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
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Appendix 5

A summary of the governing board's duties to review the headteacher's exclusion decision



⁴⁹ The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

⁵⁰ The ability for a chair to review in the case of public exams refers only to maintained schools.