



...where children shine

# Behaviour, Antibullying and Exclusion Policy

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<b>Author:</b>	Headteacher; SLT
<b>Contributors:</b>	
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## 1 Introduction

1.1 All staff at Sutton Manor Community Primary School are committed to creating an environment where exemplary behaviour is at the heart of productive learning and where good conduct and behaviour allow children to shine. Everyone is expected to maintain the highest standards of personal conduct, to accept responsibility for their behaviour and encourage others to do the same. Our behaviour policy guides all staff to teach self-discipline not blind compliance. It echoes our core values (SHINE) with a heavy emphasis on respectful behaviour, a partnership approach to managing conduct which falls below our expectations and dynamic interventions that support staff and learners.

### Our expectations



## 2 Aims of the policy

- 2.1
- To build a cohesive community which values (SHINE) kindness, care, good humour, good temper, obedience and empathy for others
  - To ensure that excellent behaviour is a minimum expectation for all.
  - To create a culture of exceptionally good behaviour: for learning, for community for life.
  - To ensure that all learners are treated fairly, and shown respect and to promote good relationships.
  - To help learners take control over their behaviour, developing confidence and self-discipline.
  - To refuse to give undue attention and importance to poor conduct.
  - To ensure that the exclusions process is applied fairly and consistently.
  - To help governors, staff, families and children understand the exclusions process.
  - Prevent children from becoming NEET.
  - Ensure all suspensions and permanent exclusions are carried out lawfully.
  - To protect children from off-rolling and gaming.
  - To protect children from all forms of bullying through preventative work and appropriate reactions to instances of bullying to individual children. We therefore do all we can to prevent it, by developing a school ethos in which bullying is regarded as unacceptable.

### 2.2 Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: Suspension and permanent exclusion from maintained schools, academies and child referral units in England, including child movement - from September 2023.

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

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Child Exclusions and Reviews) (England) Regulations 2012
- Section 89 of the Education and Inspections Act 2006
- Part 6 of the Equality Duty
- The Children Act 1989

#### In addition, the policy is based on

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

### 3 Behaviour Approach

3.1 Our Behaviour Policy is based on **Five Pillars of effective practice** that every adult adheres

1. **Consistent, calm adult behaviour**
2. **First attention for best conduct**
3. **Relentless routines**
4. **Visible kindness**
5. **Certainty over severity**

### 4 Expectations and Routines

4.1 Consistent adult behaviour will lead to children consistently conforming to our expectations.

**We expect every adult to:**

- **Meet and greet** at the door/entrance after each transition
- Consistently and relentlessly refer to '**Ready, Respectful, Safe**'
- **Model** positive behaviours and build strong relationships based on visible kindness
- **Plan** lessons that engage and meet the needs of every learner and **productively** use every minute
- Use a **visible recognition** display in every classroom
- Use de-escalation and **prevention** before any consequences or sanctions
- **Follow** up every time, retain ownership and engage in reflective dialogue with learners **Never ignore** or walk past learners who are not being ready, respectful or safe

#### School Leaders

Leaders are not expected to deal with behaviour referrals in isolation. Rather they are to stand alongside colleagues to support, guide and show a unified consistency to children.

**Leaders will:**

- **Meet and greet** learners at the key points of the day
- Be a **visible** presence around school to encourage and enforce appropriate conduct
- **Support** staff in returning learners to learning
- Regularly **celebrate** learners whose efforts go **above and beyond** expectations
- Ensure staff training needs are identified and targeted and good practice is shared
- Use behaviour data to target and assess school wide behaviour policy and practice
- Regularly review provision for learners who fall beyond the range of written policies

### 5 Recognition and rewards for effort

5.1 We recognise and reward learners who go '**over and above**' our expectations. In order to support children to master self-discipline, we reward effort as well as performance. The use of praise in developing a positive atmosphere in the classroom cannot be underestimated and a quiet word of personal praise can be just as effective as a larger, more public reward. It is the key to developing positive relationships, including with those learners who are hardest to reach.

#### 5.2 Positive Rewards

Intrinsic reward  
Recognition Boards  
Personal and/or public praise  
Notes and phone calls home  
Stickers, dojos and certificates

#### 5.3 Over & Above

Our over and above assembly is on a Friday, one child from each class will be chosen to receive a certificate for going above and beyond our expectations or displaying our values during the week. Families will be invited to this assembly. The child will be invited to reward time at 14:30 on Friday.

### 6 Relentless Routines

- 6.1
1. **Wonderful Walking** – all adults will consistently ensure that children are walking around school in a clam and orderly way. Staff will stop regularly while walking lines of children to ensure the line is quiet, clam and orderly.
  2. **Legendary Lines** - all adults will consistently ensure that children are lining up in a clam and orderly way. Staff will stop regularly while walking lines of children to ensure the line is quiet, clam and orderly.

3. **Magnificent Manners** – At all times of day and in all areas of school, staff will always insist on good manners. Children will be reminded constantly about the need for good manners: holding doors open, saying please, thank you, sorry; standing aside to let others pass etc

## 7 Managing undesirable behaviours

<b>Stage one</b>	<b>Informal Approach</b>	Most behaviour will be dealt with at this stage.  At the later stages of the informal approach, children may need to miss a break time – if this happens, families are notified.	Unless there is a one-off serious breach of the behaviour policy (step 6), which may result in suspension or exclusion, it is not usually necessary to record these incidents/intervention
<b>Stage two</b>	<b>Formal Approach</b>	If a child has had to miss many break times in one half-term, families will be asked to meet the class teacher and/or key stage leader.	A record of the meeting will be kept.
<b>Stage three</b>	<b>Behaviour Plan</b>	If behaviour persists after the formal meeting, families will meet with the class teacher and SENDCO to write an ISP.  The behaviour plan will be reviewed with families each half-term.	A copy of the behaviour plan will be kept on record.
<b>Stage Four</b>	<b>PSP</b>	If a child's behaviour puts them at risk of suspension or exclusion a Pastoral Support Plan will be put into place.	A copy of the PSP will be kept on record. Records of behavioural incidents will be kept.
<b>Stage Five</b>	<b>Suspension and exclusion</b>	Suspension and permanent exclusions can only be by the headteacher or designated to the deputy headteacher by the headteacher. They will be used as a last resort when the other four stages have been exhausted; <b>however</b> , if there are serious breaches of the behaviour policy, including one-off incidents, suspensions and exclusions may be used without moving through the other formal stages (Stages 2-4) see 10.1	A record of the suspension or exclusions will be kept.  All suspensions and exclusions are reported to the local authority.

## 8 Inconveniences

- 8.1 Most inconveniences are determined by the class teacher and are a direct consequence of the behaviour. Inconveniences can be informal as detailed in step 4 of the informal approach or formal as detailed in stages two-five.

## 9 Recording incidents

- 9.1 Incidents are recorded on Arbor.

## 10 Serious breaches

- 10.1 A serious breach of conduct or lesser but continual breaches may lead to suspension or exclusion in accordance with the suspension and exclusion policy.

## **11 Bullying**

### **11.1 Definition of bullying**

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences. Stopping violence and ensuring immediate physical safety is obviously a school's first priority. (DFE 2017)

**11.2** Bullying of staff, whether by children, families or colleagues, is unacceptable. The DFE have published a separate advice note which provides advice for headteachers and all school staff on how to protect themselves from cyberbullying.

**11.3** Low-level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed as banter or horseplay it can also lead to reluctance to report other behaviour. Early intervention can help to set clear expectations of the behaviour that is and isn't acceptable and help stop negative behaviours escalating. At Sutton Manor, we have a behaviour policy that aims to eradicate low level behaviour.

**11.4** School works with external agencies to support children and give them a greater understanding of preventing and tackling bullying such as: assemblies and visits from the community police, the NSPCC, intervention from specialist agencies such as CAMHS and Barbardo's, Butterflies, inclusion services and educational psychology through the Local Authority. We also complete Early Help Assessment Tools (EHAT) to support families and have a full time learning mentor who works with our most vulnerable children and a full time safeguarding support lead.

## **12 Cyber bullying**

### **12.1**

Cyber-bullying is a different form of bullying and can happen at all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click.

The Education Act 2011 amended the power in the Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized by a member of staff who has been formally authorised by the headteacher, that staff member can examine data or files, and delete these, where there is good reason to do so. This power applies to all schools and

there is no need to have family consent to search through a young person's mobile phone. If an electronic device that is prohibited by the school rules has been seized and the member of staff has reasonable ground to suspect that it contains evidence in relation to an offence, they must give the device to the police as soon as it is reasonably practicable.

Bullying of staff, whether by children, families or colleagues, is unacceptable

### **12.2**

At Sutton Manor we have clear and understood policies in place that include the acceptable use of technologies by children and staff that address cyberbullying.

Advice to families about keeping safe online can be found on the school website, with links to NSPCC materials to support families and children. Our social media code of conduct outlines expectations for staff, children and families. Incidents of cyberbullying are logged using the same procedures as other bullying incidents and are reported to governors in the termly head teacher's report.

## **13 Bullying outside the school premises**

Teachers have the power to discipline children for misbehaving outside the school premises "to such an extent as is reasonable". This can relate to any bullying incidents occurring anywhere off the school premises, such as on school or public transport, outside the local shops, or in a town centre.

Where bullying outside school is reported to school staff, it should be investigated and acted on. The head teacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the action taken against a child. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed. In all cases of misbehaviour or bullying the teacher can only discipline the child on school premises or elsewhere when the child is under the lawful control of the staff member.

## **14 Roles**

### **14.1 Governors**

The governing body supports the headteacher in all attempts to eliminate bullying from school. The governing body will not condone any bullying at all in our school, and any incidents of bullying that do occur will be taken very seriously and dealt with appropriately.

A family who is dissatisfied with the way the school has dealt with a bullying incident can ask the chair of governors to look into the matter. The governing body responds within ten days to any request from a family to investigate incidents of bullying. In all cases, the governing body notifies the headteacher, and asks them to conduct an investigation into the case, and to report back to a representative of the governing body.

### **14.2 Headteacher**

It is the responsibility of the headteacher to implement the school anti-bullying strategy, and to ensure that all staff are aware of the school policy and know how to identify and deal with incidents of bullying. The headteacher reports to the governing body about the effectiveness of the anti-bullying policy on request.

The headteacher ensures that all children know that bullying is wrong, and that it is unacceptable behaviour in this school. The headteacher draws the attention of children to this fact at suitable moments. For example, if an incident occurs, the headteacher may decide to use an assembly as the forum in which to discuss with other children why this behaviour was wrong, and why a child is being punished.

The headteacher sets the school climate in line with the five pillars of the behaviour policy.

### **14.3 Staff**

All the staff in school take all forms of bullying seriously and seek to prevent it from taking place.

Teachers investigate all instances of witnessed and reported bullying referring it to the headteacher.

If a child is being bullied over a period of time, then, after consultation with the headteacher, the teacher informs the child's families or carers.

Staff record all incidents of bullying that occur both in and out of class in their safeguarding log and on CPOMS. Any concerns that may be classed as potentially escalating to bullying or are potential 'near misses' are recorded on family concerns forms which are kept in the Headteacher's office. We also record incidents that occur near the school, or on the children's way between school and home. Any adult who witnesses an act of bullying should record it and inform a senior leader.

When any bullying has taken place between members of a class, the teacher will deal with the issue immediately. This may involve counselling and support for the victim, and punishment for the offender. Time is spent talking to the child who has done the bullying, explaining to them why their action was wrong and how they should change their behaviour in future. If a child is repeatedly involved in bullying, we inform the headteacher and the special needs coordinator. We then invite the child's families or carers into the school to discuss the situation. In more extreme cases, e.g. where these initial discussions have proved ineffective, the headteacher may contact external support agencies, such as the social services.

Teachers use a range of methods to help prevent bullying and to establish a climate of trust and respect for all. They use drama, role-play, stories etc., within the formal curriculum, to help children understand the feelings of bullied children, and to practise the restraint required to avoid lapsing into

bullying behaviour. Circle time is used to praise, reward and celebrate the success of all children, and thus to help create a positive atmosphere.

School has a designated week where there is a clear focus on 'Anti Bullying', in November (in line with National initiatives) This week's activities may include: whole school focus, assemblies and competitions. We also focus on positive relationships and friendships.

#### **14.4 Families**

Families who are concerned that their child might be being bullied, or who suspect that their child may be the perpetrator of bullying, should contact their child's class teacher immediately. If they are not satisfied with the response, they should contact the headteacher. If they remain dissatisfied, they should follow the school's complaints procedure.

Families and carers have a responsibility to support the school's anti-bullying policy, actively encouraging their child to be a positive member of the school.

#### **14.5 Children**

Children are encouraged to tell anybody they trust if they are being bullied, and if the bullying continues, they must keep on letting people know.

Children are invited to tell us their views about a range of school issues, including bullying, in the annual child questionnaire.

An active school council reports on bullying in school.

### **15 Suspensions and Exclusions**

#### **15.1 Definitions**

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

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

### **16 Roles and Responsibilities**

#### **16.1 The headteacher**

Only the headteacher, or acting headteacher, can suspend or permanently exclude a child 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.

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

- In response to serious or persistent breaches of the school's behaviour policy, and
  - If allowing the child to remain in school would seriously harm the education or welfare of others
- Before deciding whether to suspend or exclude a child, 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 child to give their version of events
  - Consider whether the child has special educational needs or disabilities (SEND)
  - Consider whether the child is especially vulnerable (e.g. the child 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 child, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so. Children who need support to express their views will be allowed to have their views expressed through an advocate, such as a family or social worker.

### **Informing families**

If a child is at risk of suspension or exclusion the headteacher will inform the families/child as early as possible, in order to work together to consider what factors may be affecting the child's behaviour, and what further support can be put in place to improve the behaviour. This may not be possible if there is a serious one-off incident which requires suspension.

If the headteacher (or deputy headteacher) decides to suspend or exclude a child, the families/child will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The families/child will also be provided with the following information in writing at the earliest possible time:

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

If the child is of compulsory school age, the headteacher will also notify families 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 families 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
- Families 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 child 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 families' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the families/child without delay, and provide a reason for the cancellation.

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 child
- Any suspension or permanent exclusion which would result in the child 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 child missing a National Curriculum test or public exam



- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

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

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

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

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

If a:

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

- They have decided to suspend or permanently exclude the child
- 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 child's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

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

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

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

- The families (or the child if they are 18 or older), governing board and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The governing board's duty to hold a meeting and consider reinstatement ceases
- Families (or the child if they are 18 or older) will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- The child will be allowed back in school without delay

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

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

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

During the first 5 days of a suspension, if the child is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the child. Online pathways such as [Google Classroom/Oak Academy/any other online pathway your school uses] may be used for this. If the child has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

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

### **The governing board**

Responsibilities regarding suspensions and permanent exclusions are delegated to a panel of at least 3 governors.

The panel has a duty to consider families'/the child's representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded child in certain circumstances.

The governing board has a duty to consider families'/the child's (if they are 18 or older) representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded child (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the governing board will provide the secretary of state insert 'and the LA' if you are a maintained school or child referral unit (PRU) with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the governing board insert 'LA' instead of 'governing board' if you are a PRU will arrange suitable full-time education for the child. This provision will begin no later than the sixth day of the suspension.

For secondary schools only:

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

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

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

The governing board will consider:

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

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

## **17 Considering the reinstatement of a child**

The governing board will consider and decide on the reinstatement of a suspended or permanently excluded child 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 child's total number of days out of school to more than 15 in a term; or

- It would result in a child missing a public exam or National Curriculum test
- Where the child has been suspended, and the suspension does not bring the child's total number of days of suspension to more than 5 in a term, the panel must consider any representations made by families. However, it is not required to arrange a meeting with families/the child and it cannot direct the headteacher to reinstate the child.

Where the child has been suspended for more than 5, but not more than 15 school days, in a single term, and the families make representations to the board, will consider and decide on the reinstatement of a suspended child within 50 school days of receiving notice of the suspension. If the family do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the child.

Where a suspension or permanent exclusion would result in a child missing a public exam or National Curriculum test, the panel will, as far as reasonably practicable, consider and decide on the reinstatement of the child before the date of the exam or test. If this is not practicable, the chair of the governing board (or the vice-chair, if necessary) may consider the suspension or permanent exclusion and decide whether or not to reinstate the child.

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

- Families, or the child if they are 18 or older (and, where requested, a representative or friend)
- The child, 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 child's social worker, if they have one
- The VSH, if the child is looked after
- Maintained schools or PRUs add: A representative of the local authority

Governing board meetings can be held remotely at the request of families. 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 panel can either:

- Decline to reinstate the child, or
- Direct the reinstatement of the child 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 panel 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 child and their peers
- Any evidence that was presented to the governing board
- They will decide whether or not a fact is true 'on the balance of probabilities'.
- The clerk will be present when the decision is made.

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

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

- The family
- The headteacher
- The child's social worker, if they have one
- The VSH, if the child is looked after
- The local authority
- The child's home authority, if it differs from the school's

Where an exclusion is permanent and the [governing board/name of committee of the governing board] has decided not to reinstate the child, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of families' /the child's (if they are 18 or older) 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 families)
- 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 child's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded child has recognised SEN, families have a right to require the [LA/academy 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 families for this appointment
- That families must make clear if they wish for an SEN expert to be appointed in any application for a review
- That families may, at their own expense, appoint someone to make written and/or oral representations to the panel, and families may also bring a friend to the review
- That, if families 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

## 18 Independent review

If families apply for an independent review within the legal timeframe, the LA will, at their own expense, arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded child.

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

Independent reviews can be held remotely at the request of families/children. See section 9 for more details on remote access to meetings.

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 [LA/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 [LA/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 [LA/academy trust], school, governing board, families or child, 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 1 for what training must cover)

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

Taking into account the child's age and understanding, the child or their families will be made aware of their right to attend and participate in the review meeting and the child 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 child'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 child's experiences, needs, safeguarding risks and/or welfare may be relevant to the child'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 child'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 child within 10 school days

Any information that the panel has directed the governing board to place on the child's educational record

### **School registers**

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

- 15 school days have passed since the family were notified the decision to not reinstate the child and no application has been made for an independent review panel, or
- The family 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 child's name from the register.

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

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

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

### **Returning from a suspension**

#### **Reintegration strategy**

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

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

#### **Reintegration meetings**

The school will clearly explain the reintegration strategy to the child in a reintegration meeting before or on the child's return to school. During the meeting the school will communicate to the child that they are getting a fresh start and that they are a valued member of the school community. The child, families, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The school expects all returning children and their families to attend their reintegration meeting, but children who do not attend will not be prevented from returning to the classroom. The meeting can proceed without the families in the event that they cannot or do not attend.

#### **Monitoring arrangements**

The school will collect data on the following:

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

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 children are identified by this analysis, the school will review its policies in order to tackle it.

**Informal Approach: Children may need time to reset. This strategy can be used at any point in the following process.**

Step	Notes	Actions and micro-scripts
<b>Step 1 Redirection /Reminder</b>	<p>This is the main strategy we use as it gives the adult ownership and authority and helps build relationships. Adults give a gentle reminder or redirection and give 'take-up-time'.  <b>A vast majority of children will comply at this stage.</b>                      For a serious breach in conduct, teachers may feel it necessary to move to step 4, 5 or 6.</p>	<p>A reminder of our expectations (<b>Ready, Respectful, Safe</b>) delivered <b>privately (10-15 seconds does not interrupt learning)</b>.                      Take necessary actions to keep things at this stage.                      Praise/thank you will be given if the child is able to model good behaviour.  <b>This step can/should be repeated a number of times.</b></p>
<b>Step 2 Caution</b>	<p>This step will be used for continual breaches of the expectations and when redirections and reminders have continually failed.                      A clear instruction with take-up-time.                      Repeat if necessary.</p>	<p>A clear verbal warning delivered privately, making the learner aware of their behaviour (<b>10-15 seconds does not interrupt learning</b>).  <b>I have already reminded you that you should be...(ready, respectful, safe)                      I need to see...thank you.</b></p>
<b>Step 3 Last Chance</b>	<p>If efforts to redirect, remind and caution fail, give children a 'last chance'.</p>	<p>Speak to the child privately and give them a final opportunity to engage by <b>using a 30 second scripted interventions</b></p> <ul style="list-style-type: none"> <li>• <b>I have noticed that even after a reminder you...right now</b></li> <li>• <b>At our school, we should always be ready, respectful and safe</b></li> </ul> <p>If the behaviour continues:</p> <ul style="list-style-type: none"> <li>• <b>We will talk for a few minutes at...thank you</b></li> </ul>
<p>If the reminders, redirections, cautions and last chance warning is not heeded and the behaviour continues another member of staff can be called upon to support, repeat and reinforce steps 1-3.</p>		
<b>Step 4 Intervention</b>	<p>Intervention occurs when steps 1-3 have not worked.                      Intervention should serve the purpose of stopping undesirable behaviour rather than being an attempt to punish.</p> <p>For breaches at lunch-times/break-times, children will be expected to stay inside with an adult for the remainder of the break/lunchtime.</p>	<p>Intervention is at the adult's discretion and is best decided on an incident-by-incident basis to ensure it's used to stop unwanted behaviour rather than chastise. Interventions may be but are not limited to: temporarily moving a child's seat, time in the class calm area, ending an activity early, missing some break or lunch. Children will be expected to have a reflective dialogue with the adult who worked through steps 1-3 if possible.</p> <p><b>All intervention should be recorded on Arbor, families informed, and followed up with a restorative conversation.</b></p>
<b>Repair Restorative Conversation</b>	<p>During reflection, children will have a reflective conversation. Keep these short, to-the-point and avoid dealing with secondary issues or behaviours.</p> <p>What should we do to put things right needs to be a restorative – a consequence of the behaviour not a punishment for it. For example, if a child has broken something, an attempt to repair it.</p>	<p><b>5 questions from the following:</b></p> <ul style="list-style-type: none"> <li>• What happened?</li> <li>• What were you thinking at the time?</li> <li>• What have you thought since?</li> <li>• How did this make people feel?</li> <li>• Who has been affected?</li> <li>• How have they been affected?</li> <li>• <b>What should we do to put things right?</b> (consequence <b>NOT</b> punishment)</li> <li>• How can we do things differently in the future?</li> </ul>

