



Suspensions and Exclusion Policy BFC School

Review Date	Reviewed by	Signed	Next review
September 2021	Gemma Trickett		September 2022
September 2023	Gemma Trickett		September 2024

This policy has due regard to the related statutory legislation including, but not limited to, the following:

- The Education Act 2002
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2023
- The Education and Inspections Act 2006
- The Education Act 1996
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- The European Convention on Human Rights (ECHR)
- The Equality Act 2010

This policy also has due regard to statutory and non-statutory guidance, including, but not limited to, the following:

- DfE (2023) Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement.
- DfE (2022) 'Behaviour in schools'
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2018) 'Mental health and behaviour in schools'

Intent

This policy outlines BFC School's use of suspension and exclusion. It is underpinned by the shared commitment of all members of the School to achieve three important aims:

- 1) To ensure the safety and well-being of all members of the school, and to maintain an appropriate educational environment in which all can learn and succeed.
- 2) To work towards reducing the need to use exclusion as a sanction.
- 3) To use exclusion only as a last resort or when alternative sanctions:
 - Would fail to recognise the severity of the action
 - Would fail to recognise the impact of the action on others
 - Have been used repeatedly and have failed to have impact/modify behaviour
 - Would potentially place the health, safety, or wellbeing of other members of the school in jeopardy.

A suspension is defined as the temporary removal of a student from the school for behavior management purposes. A student may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year. A suspension does not have to be for a continuous period.

An exclusion is defined as the permanent removal of a student from the school in response to a serious breach or persistent breaches of the school's behavior policy, and where allowing the student to remain in school would seriously harm the education or welfare of the students or staff in school.

Preventing Exclusion

BFC School recognises its duty to provide students with an environment where they feel respected and accepted. It provides a supportive environment to encourage positive behaviours and attitudes with an emphasis on restorative practice from all students and staff.

We recognise that at times a student's conduct, manner and behaviour can be indicative of a broader situation which that student is dealing with. The school seeks to offer early intervention and family support to seek to prevent a suspension. Any student whose ongoing poor behaviour means that they are at risk of permanent exclusion will be offered early help support.

The school will take into account those students who may have additional vulnerabilities which impact on their behaviour and therefore potentially put them at higher risk of exclusion e.g CLA, students with SEMH or other SEND. The school will work to find creative support solutions for these groups at an early intervention stage and may work with external agencies to find alternatives to permanent exclusion in these cases.

The Decision to Suspend or Exclude

The decision to suspend or exclude a student will be taken in the following circumstances:

- 1) In response to a serious breach of the school's policies regarding behaviour, bullying and drugs and alcohol.
- 2) If allowing the student to remain in school would seriously harm the education and welfare of the student or others in the school.

Suspension and exclusion are extreme sanctions and will only be administered by specified members of the senior leadership team (Head of School/Deputy Head of School).

Suspension or exclusion may be used for any of the following:

- Verbal abuse to staff and others
- Physical abuse to staff
- Physical abuse to students
- Fighting
- Indecent behaviour
- Deliberate damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Serious or persistent acts of bullying
- Theft
- Threatened violence against another student or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson
- Continuing defiance to follow school behaviour policy
- Continuing defiance to staff

This is not an exhaustive list and there may be other situations where the Head of School makes the judgement that exclusion is an appropriate sanction.

Procedures for suspension or exclusion – see also Appendices 1,2

Most suspensions are of a fixed term and short duration – between 0.5-5 days. The length of a suspension will be determined by the senior member of staff responsible for issuing the sanction. The severity of the incident will be taken into consideration alongside the previous behaviour record of the student involved.

If the decision is made to suspend a student for longer than three days then the school will provide work to complete at home after day 1 and will make alternative arrangements for educational provision from day four.

The DfE regulations permit the Head of School to suspend a student for one or more fixed periods not exceeding 45 days in any one school year. At the end of 45 days the school cannot put in place any further periods of fixed term suspension but does not have to permanently exclude at that time.

A representative from the referring school, BFC School steering group and the Head of School will meet to discuss any student who exceeds 15 days of fixed term suspension in any one school term.

Where a serious incident has occurred every effort will be made to contact parents/carers as soon as possible to inform them and to explain the investigation process for the incident. Following the decision to suspend/exclude contact will be made with parents/carers by telephone/message/email. If a student has a social worker they will also be informed without delay. If a student is CLA the virtual school will also be consulted/informed as appropriate. A letter will be sent out on the day of the decision giving full details of the suspension/exclusion and the date that it ends. Parents have a right to make representations to the deciding board and the LA as directed in the letter. Students who are CIN or who are LAC are entitled to have representations from their social work team or virtual school present at any decision board meetings.

A return to school meeting will be held following the expiry of the suspension. This will involve a parent/carer, a member of the school's leadership team and/or a member of the student's pastoral support team as appropriate. At this meeting a decision will be taken as to whether a further period of monitoring or intervention is required. Students may also be required to undertake restorative work with the behaviour support team to reduce to the risk of further negative incidents.

For any period of suspension/exclusion of longer than 1 day the school will provide guidance on work that can be completed at home. Where a student is close to a period of external examinations the work set will be relevant to support them at this important time of their studies.

A suspension can at times take place in a school on an alternative site or an alternative provision in certain circumstances such as:

- When the suspended child's safety is at risk from them being at home
- When the suspended child is approaching external examinations and so the suspension would impact on their ability to succeed
- When the suspended child has specific SEND which would impact on their ability to access work independently.

Permanent Exclusion

The decision to exclude a student permanently is a serious one. There are two types of situation in which a permanent exclusion may be considered:

- 1) A final formal step in the process for dealing with disciplinary offences where a wide range of other strategies have already been employed without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort.
- 2) Where there are exceptional circumstances and it is not appropriate to implement other strategies. These situations may include:
 - Serious actual or threatened violence against another student or a member of staff
 - Sexual abuse or assault
 - Supplying or using an illegal drug
 - Carrying an offensive weapon
 - Arson
 - Theft

The school will work with parents and where necessary the police and other external agencies when dealing with incidents identified by the above criteria.

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline within the school.

In the event of a permanent exclusion the school will inform the Local Authority on Day 1 and will send the permanent exclusion referral form to ged.mcnally@blackpool.gov.uk along with other information requested to enable the Local Authority to provide education from Day 6.

If the student being permanently excluded has an EHCP school must call an early Annual Review – Blackpool Council SEND team must be informed.

If the student being permanently excluded is CLA the designated teacher must inform the Virtual School Head immediately. Permanent exclusion for CLA students should be avoided wherever possible.

Factors to be consider when taking the decision to suspend/exclude

- The timing of the suspension/exclusion. Suspension/exclusion need not be imposed instantly unless there is an immediate threat to the safety of others or if the student concerned or the learning environment would be unsettled by allowing the student to remain on the school site. However, the school will implement the suspension/exclusion at the closest time possible to the incident occurring.

- The school will ensure that appropriate investigations have been carried out – including taking statements from the perpetrator, victim(s) and witnesses to the alleged incident(s).
- The school will consider all evidence available to support the allegations taking into account the Equalities policy.
- The school will fully consider any mitigating factors around the incident or the circumstances of the perpetrator.
- The school will consider the impact on the victim if the reason for the suspension/exclusion has been an assault of any type.

Further details on how these factors will be considered can be found in Appendix 1.

Exercise of Discretion

In reaching a decision the school will always look at each case on its own merits. A tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction the Head of School will consider a) the gravity of the incident or series of incidents and whether it constitutes a serious breach of the school's discipline and b) the effect that the student remaining in school would have on the education and welfare of the other students and staff.

In the case of a student being found with an offensive weapon, whether it is their intention to use it or not, the school will consider each case on an individual basis with advice from individuals agencies such as the Police. Where the weapon is knife, permanent exclusion would apply.

However, in the most exceptional of cases some leniency may be shown. Discretion in these matters will be shown if there is clear evidence that the student did not know that the weapon was in their possession or if the student has additional needs which would prevent an understanding of the seriousness of the act. Where there are reasonable grounds to believe that the student had intent to use the weapon then the school's policy is to permanently exclude.

In the cases of a student being found in possession of illegal drugs or alcohol the school's default position is to suspend. If there is strong evidence that the student intended to supply drugs or alcohol to others, or if the quantity of substance is significant, then the default position is to suspend pending a Police investigation prior to a permanent exclusion decision.

The Head of School may cancel any suspension or exclusion that has already begun, or one that has not yet begun. However, this power will only be used if the suspension has not been reviewed by the governing board.

School Disciplinary Panels

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the School Disciplinary Committee (Member of the steering group, Head of School and Chief Executive Officer), when it meets to consider the Head of School's decision to suspend or exclude. The committee will require the Head of School to explain the reasons for the decision and will look at appropriate evidence, such as the student's behaviour record, witness statement and the previous strategies used by the school to support the student prior to suspension or exclusion.

School disciplinary panels will be held when:

The decision is to permanently exclude

The suspension is fixed-period and would bring the student's total number of suspended school days to more than 15 in any given term

The suspension or exclusion would result in the student missing a public examination

Parents, and representatives from social care/virtual school, are able to make a request for school board meetings and independent review panels to be held via remote access. Requests will be considered on a case by case basis and meetings will only be held via remote access if the school board is satisfied that the meeting can be held fairly and transparently. If this cannot be done then options will be explored to facilitate a face to face meeting within appropriate timeframes.

Alternatives to exclusion

Alternative strategies to exclusion are considered in all cases of one off serious incidents or in instances of on-going defiance to school procedures. The school will utilise the option of internal suspension. The threat of a permanent exclusion will never be used as a means to coerce parents to move their child to another school. Extensive behaviour support strategies will be put in place internally for any student who is at risk of exclusion. This may involve a modified curriculum for a fixed period of time to assist students in accessing school whilst working with the behaviour support team.

Behaviour Outside School

Students' behaviour outside school whilst connected to school activities (trips/events/fixtures etc.) or whilst on placement/work experience is governed by the school behaviour policy. Poor behaviour whilst away from the school premises in these circumstances will be treated in the same way as if it had taken place in school.

For behaviour which takes place outside of school but which is not directly governed/organised by school will still be covered by this policy if there is a clear link between that behaviour and maintaining good behaviour and discipline amongst the school community as a whole. If the poor behaviour occurs in the immediate vicinity of school, whilst travelling to/from school or whilst wearing school uniform, then the Head of School may still take the decision to suspend or exclude.

Monitoring and Evaluation

The Head of School will ensure that the numbers and details of suspensions and exclusions are presented to the school steering group on a regular basis – but at least annually.

The school steering group are responsible for ensuring that the school works effectively to prevent suspension and exclusion, to keep suspensions to a minimum and in any instances of Permanent exclusion ensure that due process is followed .

Appendix 1 – Suspension and Exclusion Process at BFC School

Behaviour incident occurs

Immediate actions

Ensure the situation is safe and calm

Ensure students have received any first aid and/or emotional support needed

If required - conduct search of student/property in line with school policy.
Confiscate and secure any prohibited items

Contact parents to inform of the incident occurrence and alert of the investigation taking place.

Stage 1

Statement to be written by student. Statement may be dictated to a member of staff if the student is unable to write. Statement should include full details of incident including date, time, exact location and any potential witnesses. Statement should be signed and dated. If the student has been injured/is not emotionally fit then their statement should be acquired as soon as they are able to complete it. **No final decision should be made on sanctions/actions until the student has been able to give their full account.**

Risk assessment to be completed - if required the student should remain supervised until further investigations have taken place/information gathered. It may be appropriate for this supervision to take place in Reflection until a clear outcome has been decided. Any time spent in reflection should be considered as part of the actions/sanctions.

Statements to be written by any other students involved/witnesses to the incident. Statements should include as much detail as possible and should be signed and dated by the student.

Statements to be written by any staff involved/witnesses to the incident. Statements should include as much detail as possible and should be signed and dated by the staff member.

CCTV footage to be extracted if available.

Student behaviour log to be reviewed for any contextual information (e.g. repeat incidents, ABC etc.)

Incident to be logged on School Synergy

If the investigating staff member feels that once the above information has been collated and reviewed that the incident potentially meets the threshold for suspension or exclusion it should be presented to the Head of School (or Senior Leadership Team if the HT is unavailable). No student should be sent home from school following a behaviour incident without the approval of the Head of School/Senior Leader unless they are required to receive urgent medical treatment.

Stage 2 – Considering the decision to exclude

The Head of School/Senior Leader should ensure that the following '**10 key questions**' have been comprehensively addressed prior to making the decision to suspend/exclude a student:

- 1) Has the student had a fair opportunity to discuss the incident with a member of staff to explain what happened?
- 2) Do we have full and detailed written statements from those involved? Have any ambiguous statements or missing details been clarified? Have the statements been signed and dated?
- 3) Has any available CCTV footage been reviewed by two members of staff and a clear narrative of what it shows recorded?
- 4) Does the incident potentially meet the criteria for a suspension or exclusion (is it a serious breach of school behaviour policy or would allowing the student to remain in school seriously harm the education and welfare of others?)
- 5) Have the personal circumstances of the student been considered including previous behaviour record and any mitigating factors?
- 6) Has the full impact of the incident been considered including the impact on others (other students/staff/wider community), safety (physical and emotional) of the student and others, reputation of the school?
- 7) Have alternative sanctions to suspension/exclusion been considered?
- 8) Is the child working with a social worker (CLA/CP/CIN) or do they have an EHCP? Has a discussion taken place with relevant agencies to discuss support/sanctions?
- 9) Has the school fulfilled its commitments to any support that should have been in place for the student?
- 10) Have staff acted in accordance with school policy and procedures in the lead up to/response to the incident?

Appendix 2



