



Bracebridge Infant and Nursery School

Policy	Suspension and Exclusion Policy
Date original adopted	January 2020
Revision	5
Date reviewed	January 2026
Date for next review	January 2027

Rationale

At Bracebridge Infant and Nursery School, we understand that good behaviour and discipline is essential for promoting a high-quality education.

Amongst other disciplinary sanctions, the school recognises that exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the school's behaviour policy. Excluding a pupil may also be required in instances where allowing the pupil to remain in school would be damaging to the education and welfare of themselves or others; in all cases, excluding pupils should only be used as a means of last resort.

The school has created this policy to clearly define the legal responsibilities of the Headteacher, Board of Trustees and LA when responding to pupil exclusions, to ensure that they are dealt with both fairly and lawfully, and in line with DfE statutory guidance.

This policy also aims to secure a pupil's right to an education despite having been excluded, by ensuring that appropriate arrangements are in place.

No exclusion will be initiated without first attempting other strategies or, in the case of a serious single incident, a proper investigation

Legal framework

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

- Exclusion from maintained schools, academies and pupil referral units in England (2017)
- Education Act 2002
- A review of school exclusion; terms of reference (2018)
- Education and Inspections Act 2006
- Education Act 1996
- Changes to the school exclusion process during the coronavirus (COVID-19) outbreak (2020)

This policy will be implemented in conjunction with the following school policies

- Behaviour Policy
- Anti-Bullying Policy
- Code of conduct
- Special Educational Needs and Disability (SEND) Policy
- Child Protection and Safeguarding Policy

Types of exclusion

Internal suspension

Internal suspension is when a pupil is excluded from the rest of the school and must work away from their class for a fixed amount of time. This will be in a different classroom.

An internal suspension is a discretionary measure, where a pupil's behaviour is escalating and more serious measures need to be taken but there are not yet grounds for an external / fixed-term exclusion. Typically, a child receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them to avoid their behaviour escalating to a point where a suspension is necessary (examples: behaviour chart to address specific behaviours causing a problem; support from the learning mentor etc)

Suspension

A suspension is when a child is excluded from school and must remain home for a fixed amount of time. This was previously referred to as a 'fixed-term exclusion'

This should be for the shortest time necessary to ensure minimal disruption to the child's education, whilst mindful of the seriousness of the breach of policy.

Permanent exclusion

A permanent exclusion is when a child is permanently excluded from school and not allowed to return. The child will then be taken off the school roll. This is a very serious decision and the Headteacher will consult with senior leaders and Chair of the Board of Trustees as soon as possible in such a case.

Reasons for Exclusion

A decision to exclude a pupil, either internally, for a fixed period or permanently is seen as a last resort by the school. The physical and emotional health of our children and staff is our primary concern, and we therefore accept, that in some serious situations, exclusion may be necessary, if all other strategies have been exhausted.

The decision to exclude will usually follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of school rules and policies or a disciplinary offence such as:

- Serious actual or threatened violence against another pupil or a member of staff;
- Possession or use of an illegal drug on school premises;
- Persistent bullying;
- Persistent prejudice based harassment or hatred based acts

Exclusion may be the result of persistently poor behaviour or a serious single incident.

Persistent or cumulative problems

Internal and temporary/fixed-term exclusion may be used in response to a persistent poor behaviour which breaches school rules and policies. In the most serious cases where the problem persists and there is no improvement a permanent exclusion may be necessary.

These would be imposed only when the school had already offered and implemented a range of support and management strategies. These could be joint action plans with parents, child and school, behaviour intervention with the Learning Mentor, target setting, home/school communication book etc.

The length of an exclusion will depend upon a number of factors, such as the severity of the incident, and the likely impact on the child's learning and ability to succeed on returning to school. Such decisions will be made in the best interests of the child, whilst also mindful of the need to maintain order and reinforce the rules and expectations of the school in a clear and consistent way.

Single incident

Internal and temporary/fixed-term exclusion may be used in response to a very serious breach of school rules and policies or a disciplinary offence. In the most serious cases where the problem persists and there is no improvement a permanent exclusion may be necessary.

In such cases the Headteacher or a designated senior leader will investigate the incident and consider all evidence to support the allegation, taking account of the school's policies. The pupil will be encouraged to give his/her version of events and the Headteacher will check whether the incident may have been provoked, for example by bullying or racial harassment.

The Board of Trustees will be informed of all exclusions on a termly basis; and additional consultation may also take place about key incidents with the Chair of Board

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 Local Governing Committee and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the Local Governing Committee 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
- plan a meeting with parents and pupil on his/her return to be conducted by a suitable senior member of staff. See **Appendix A** for further guidance

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 the all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

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

Informing the Trustee Board

The Headteacher will, without delay, notify the Board of Trustees or, at the very least the Chair of the Board 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.

Informing the Local Authority (LA)

The Headteacher will notify the LA of all suspensions and permanent exclusion without delay, regardless of the length of 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 it is permanent.

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 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 Local Governing Committee 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.

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 may be used for this. 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.

Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from school, or, in more severe circumstances the school may contact Children's Services and/or the Police to safely take the pupil off site.

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 Local Governing Committee 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 local governing sub-committee 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 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 Local Governing Committee, 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, Local Governing Committee, 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 1 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 Trustee Board decision
- Recommend that the Trustee Board reconsiders reinstatement
- Quash the Trustee Board 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 Local Governing Committee at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the Local Governing Committee 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 Local Governing Committee 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 Local Governing Committee 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 Board does not subsequently decide to offer to reinstate the pupil within 10 school days.
- Any information that the panel has directed the Local Governing Committee to place on the pupil's educational record

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 may be used for this. 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.

Re-integration

Following a suspension the pupil and parent will be requested to attend a reintegration meeting with a senior member of staff to put a place a strategy to help the pupil integrate successfully into school life. At this meeting the behaviour leading to exclusion will be discussed and targets will be set for improvement. Support around behaviour will be also be discussed. The meeting will be recorded on a discussion with parents form and a copy retained by the parent, child and school.

Behaviour outside school

Pupils' behaviour outside school e.g. on school trips, at sports events, is subject to the school's behaviour policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in school; and additionally this includes the any serious breach of policy which could 'bring the school into disrepute'.

Pupils with special educational needs and disabled pupils

The school must take account of any special educational needs when considering whether or not to exclude a pupil. The Headteacher should ensure that reasonable steps, in line with the Disability Discrimination Act have been taken by the school to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

Managed move

In cases where the Headteacher and parent's agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parents failure to engage in strategies implemented by the school are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the Headteacher may consult with the Local Authority and propose a managed move to another school. This is not exclusion and in such cases the Headteacher may assist the parents in placing the pupil in another school.

Removal from the school for other reasons

The Headteacher may send a pupil home, after consultation with that pupil's parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time. A pupil cannot be 'sent home' for other reasons, including poor behaviour.

Equal Opportunities

The Board of Trustees recognise that it is unlawful to take into account anyone's gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation. Full consideration has been given to this during the formulation of this policy as it is the trustees' aim that no-one at Bracebridge Infant and Nursery school should suffer discrimination, either directly or indirectly, or harassment on any of these grounds.

Reintegration meeting

After every period of fixed term exclusion the parent and child will be offered a reintegration meeting with a senior member of school's staff.

At this meeting targets will be agreed for improving behaviour and a written agreement produced for all parties to sign.

Procedure for appeal

If parents wish to appeal the decision to exclude, the matter will be referred to the Board of Trustees and handled through the school and appeal procedure.

Monitoring, evaluation and review The

Policy will be reviewed annually **Signed:**

A handwritten signature in black ink, appearing to be 'Rob Pitman', written in a cursive style.

Mr Rob Pitman Chair of Trustees

Date; 05.02.25

APPENDIX A

Guidance on Fixed Term Exclusions (Based on LA and Statutory Advice)

Informing Parents of Exclusion At a glance guidelines	
MUST	SHOULD
<ul style="list-style-type: none">• Notify parents/carers immediately- ideally by telephone• Letter within 1 school day specifying;<ul style="list-style-type: none">○ Precise period of fixed period of exclusion or effective date of permanent exclusion○ If permanent, that it is permanent○ Reasons for the exclusion○ Parents right to make representations to the Board of Trustees○ Parents right to see and have a copy of the child's school record upon written request	<ul style="list-style-type: none">• Date and time when pupil should return from fixed period exclusion• Any relevant previous history• Arrangements for continuing education, including the marking and setting of work• Latest date by which the Board of Trustees must meet• Person whom the parent should contact if they wish to make representation (usually the Clerk to the Board)• ACE exclusions helpline number 0808 800 0327• Information translated as necessary