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# **Exclusions Policy**

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## **Exclusions Policy**

**This policy relates to suspension and permanent exclusions.**

### **1. What is an exclusion?**

'Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. Therefore, the government recognises that school exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities. For the vast majority of pupils, suspensions<sup>1</sup> and permanent exclusions may not be necessary, as other strategies can manage behaviour. However, if approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.' (DfE 2022, Aim)

### **2. Gospel Values**

Our behaviour policy at BGN Catholic School is based on the Gospel Values of [Compassion](#), [Respect](#), [Truth](#), [Service](#) and [Forgiveness](#).

### **3. BGN Commitment to reducing exclusions**

BGN is committed to working to reduce suspensions and exclusions. Staff work to identify any unmet needs which might be causing a student to disengage from learning or from others around them. They try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. This could be identifying a Special Educational Need. Consideration is also given to involve a multi-agency assessment that goes beyond the pupil's educational needs. BGN is committed to employing restorative approaches to encourage engagement with all aspects of learning.

BGN compile Pastoral Support Plans (PSP) and Inclusion Support Plans (ISP) for students at risk of exclusion.

BGN is part of the strategy to reduce exclusion in Oxfordshire by using Managed Moves as a supportive intervention.

BGN is committed to implementing a safeguarding duty of care by considering:

*Is it safe for the pupil to be suspended/excluded and sent home? Are there concerns about the pupil being at risk of exploitation in the community? Is there a safer alternative to exclusion? Where the pupil is open to Early Help or Social Care, has the keyworker (or representative of the team) been consulted first? Is there a trusted adult available to collect the pupil? However, this must also be balanced with the duty of the headteacher to ensure the safety of all staff and students on the school site.*



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BGN is committed to having students suspended/excluded for the shortest time possible bearing in mind that longer than 2 days makes it difficult to reintegrate students (OCC Guidelines). However, the Principal will make a decision based on the incident and previous records.

**Suspensions and Exclusions will normally only take place:**

- In response to serious breaches of school's discipline.
- When other strategies have been tried and have failed.
- If allowing a student to remain in school would seriously harm the education or welfare of other students or staff.
- Where a school caution has previously been issued unless it is a serious offence.

**Any suspension and exclusion, even for short periods of time, must be agreed by the headteacher or deputy headteacher formally recorded.**

#### **4. Internal Isolation and Suspension**

##### **Internal isolation**

Behaviour in class, or around the school site, which is of a serious nature, but not thought to warrant a suspension, may result in a period in isolation. Students will be asked to hand in their mobile phone at the start of the isolation and will be given it back when the isolation has finished. The student will be placed on a 'Special Report' for a period of 2 weeks following the internal isolation.

Students may also spend time in internal isolation with a Head of Year or a member of SLT while a serious incident is being investigated, or while we are waiting for parents to collect a student for a suspension/exclusion.

##### **Suspension**

Wherever possible, the school seeks to avoid the issuing of suspensions. However, in cases which involve students using physical or verbal abuse or aggression to staff or physical assault on another student, then a suspension is a likely outcome. Moreover, any other high-level incident, such as theft, vandalism, substance misuse or the use or dealing of illegal drugs, is likely to result in a suspension and possibly in permanent exclusion. Suspensions are generally served at home under parental supervision. This decision is made by the Head of Year and SLT when determining the details of any suspension.

At times we recognise however, that there will be no alternative but to suspend a pupil. This suspension allows students the time to reflect on their actions and what they have learned from this experience and gives the school time to consider how they will best support the student upon their return. It also allows the school community that was damaged by poor behaviour to heal. The length of the exclusion given will sometimes vary for very similar incidents depending on the student's history. A suspension could be part of the school day.

Reasons for suspensions may include but are not limited to:



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- Physical assault on pupils
- Swearing at staff
- Continual disregard for school rules/disruption of learning of other following an internal exclusion.
- Any other incident deemed appropriate by SLT. These circumstances may include:
  - Serious or threatened violence against another student or a member of staff
  - Supplying an illegal drug
  - Carrying an offensive weapon
  - Failure of PSP

The schools will take reasonable steps to set work for pupils during the first five days of a suspension period exclusion.

It may be appropriate to impose a suspension in the first instance, pending a decision about permanent exclusion, to allow time to check the guidance, assess the evidence, give the pupil the opportunity to state their case, seek advice and explore alternatives.

A suspension may be reduced in length or rescinded by the head teacher. Such changes will be communicated in writing to the parents/carers with an explanation. A suspension cannot be extended, but in exceptional cases, usually where further evidence has come to light, a further suspension period may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension period. (Part 3, Paragraph 10, DfE 2022)

### **5. Reintegration Meetings**

After a suspension, a reintegration meeting will take place. The purpose of a reintegration meeting is not to further punish a child but to ensure that the child, and the parent, is committed to acting in accordance with the ethos of the school. Should this be failing during the reintegration meeting the person running the meeting has the option to send the child home again as a further suspension period and reintegrate another day or to ask for another member of staff to assist in the meeting to support the child and parent to make the right decision. If this is deemed necessary; an additional suspension will need to be arranged and recorded appropriately. The student will be placed on a 'Special Report' for a period of 2 weeks following the reintegration meeting.

### **6. Permanent Exclusion**

An individual high-level incident or a series of serious incidents may result in a permanent exclusion of the student from school. This decision is taken by the Head Teacher (or acting Head Teacher) after careful consideration.

**Before an exclusion is made the Principal (or his representative) should:**

- Consider all relevant facts



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- Allow the student to give their version
- Check if the incident was provoked by racial or sexual harassment
- Consult others
- Have due regard to the school policies
- Apply the civil standard of proof i.e. the balance of probabilities

### **7. Students with Educational Health Care Plan (EHCP)**

If concerns arise suddenly, escalate quickly or a serious incident occurs which leads to consideration of suspension/exclusion of a student who has an EHCP, the relevant parties will be contacted including the SENCO. An emergency annual review could be requested at the school's discretion.

### **8. Looked After Children**

Looked After Children are particularly vulnerable to suspension/exclusion. If a concern arises that a Looked After pupil is at risk of exclusion, BGN will contact [The Virtual School for Looked After Children in Oxfordshire](#) immediately.

### **9. Directing off site and managed moves**

Before taking any decision to permanently exclude a pupil, the headteacher will consider whether a direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.

In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the school's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions would take place with parents to feed in their views about the options. There is a risk that some students can become disengaged from education if directed to off site learning and so it must be carefully considered and may not be appropriate for younger students.

Where it is thought to be in a pupils best interest to transfer them to another mainstream school permanently, the headteacher and governing board will discuss this with the parents of the pupil, and the LA if the pupil has an EHC Plan – managed moves will only go ahead with the voluntary agreement of all parties involved, including the parents and the admission authority of the new school.

Before a managed move is agreed to, the pupil attend the new school for a trial period (6 weeks, initially) to ensure that the new school would be suitable for them. We will share relevant information with the new school and check that they have an integration strategy. At the end of this period, the relevant parties (including the parents) will review the placement before a decision is taken about whether the move becomes permanent. A managed move is not appropriate if there has been a very serious breach



of school rules and where the risk assessment states that the student can not safely remain on the school site. This is because, in such circumstances, if the managed move was unsuccessful, it would not be possible for the student to return to Blessed George Napier School. A managed move may be appropriate as an early intervention to prevent permanent exclusion.

### **10. Role and responsibilities of Academy Committee Discipline Committee**

It is the role of the Academy Committee to review the exclusion policy and individual cases.

The governing body's discipline committee will need to convene by the 15th school day after the date a permanent exclusion was issued to review the head teacher's decision to permanently exclude. A Clerk is appointed to administrate the process. Governors must ensure that the headteacher has carried out any investigation in accordance with the school policy, but they do not carry out their own investigations, for example by interviewing students. Statements from other students should be redacted in line with data sharing policies. Safeguarding information should only be shared which is relevant, necessary, and appropriate and the DSL must check the redacted safeguarding record.

The Governor Disciplinary Committee hearing must consist of at least 3 Governors, the Head Teacher must attend as they took the decision to permanently exclude; Parents and the pupil will be invited and may choose to bring an advocate or friend for support. The hearing should be arranged at a time that the Parents can attend, although some Parents choose not to attend at all or some choose to attend without their child. The hearing must proceed even if the parent chooses not to attend and should be conducted and minuted as if the parent were in attendance.

### **11. Informing Parents, Governors and Local Authority**

Parents are informed either face to face if there is a meeting, or over the telephone in the first instance. Written notification must follow without delay, the letter must include specific information as outlined in the DfE guidance.

All permanent exclusions must be communicated with Oxfordshire County Council using the PEX email [pex@oxfordshire.gov.uk](mailto:pex@oxfordshire.gov.uk) by emailing the letter notifying parents and a completed Exclusion Form.

An Exclusion and Reintegration Referral form (ERRF) must be completed and sent with supporting documents to [ERT@oxfordshire.gov.uk](mailto:ERT@oxfordshire.gov.uk). The ERRF enables OCC to arrange interim provision for the pupil from day 6 of the permanent exclusion. All documents must also be uploaded to the Oxfordshire County Council Schools Portal.

#### **Independent appeal panels**

All students who are permanently excluded have the right to have their case heard by an independent appeal panel.



### **Reconsidering reinstatement following a review**

Where the independent review panel instructs the governing board to reconsider their decision not to reinstate a pupil, they will do so within 10 school days of being given notice of the review panels decision.

### **12. Criminal Offence**

If a student is accused of a serious criminal offence but the offence took place outside the school's jurisdiction, the Principal may decide that it is in the interests of the individual concerned and of the school community as a whole for that student to be educated off site for a fixed period, subject to review at regular intervals. **This is not an exclusion.**

The school will consider whether or not to inform the police where such a criminal offence has taken place. We will also consider whether or not to inform other agencies, e.g. Youth Offending Teams, social workers, etc.

A school-related incident may sometimes also be the subject of a police investigation which may subsequently result in criminal proceedings. This can mean that the evidence available to the Principal, Academy Committee is very limited. It should be remembered that the police and the courts will be applying the criminal standard of proof — beyond reasonable doubt — whereas the Principal, Academy Committee and Independent Appeal Panel will apply the civil standard of proof (the balance of probabilities).

### **13. Legislation and statutory requirements**

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

- Education Act 1996
- Education Act 2002
- Education and Inspections Act 2006
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- Equality Act 2010
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The European Convention on Human Rights (ECHR)

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

- DfE (2022) 'Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, including Pupil Movement'
- DfE (2015) 'Special Educational Needs and Disability Code of Practice: 0 to 25 years'

This policy operates in conjunction with the following school policies:



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- Behaviour Policy and Pupil Code of Conduct (School rules in the School Planner)
- Anti-Bullying Policy
- Child Protection and Safeguarding Policy

## References

Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England September 2022:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1101498/Suspension and Permanent Exclusion from maintained schools academies and pupil referral units in England including pupil movement.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101498/Suspension_and_Permanent_Exclusion_from_maintained_schools_academies_and_pupil_referral_units_in_England_including_pupil_movement.pdf)

Oxfordshire County Council Quick Reference PEX Process for Schools (August 2015)

<https://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/socialinclusion/PEXFlowchart.pdf>

Oxfordshire County Council Exclusion and Reintegration Team Guidance: [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(publishing.service.gov.uk\)](#)

Checklist for reducing exclusions in schools in Oxfordshire:

<http://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/attendanceandengagement/Checklistforsupportingschoolstoreduceexclusion.pdf>

The Virtual School for Looked After Children in Oxfordshire:

<http://schools.oxfordshire.gov.uk/cms/node/87>





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## Appendix Roles and responsibilities

### The LA is responsible for:

- Having due regard to the relevant statutory guidance when carrying out its duties in relation to the education of LAC.
- Arranging suitable full-time education for any pupil of compulsory school age excluded permanently, in coordination with the school.
- Reviewing and reassessing pupils' needs in consultation with their parents where they have an EHC plan and are excluded permanently, with a view to identifying a new placement.

The Pope Francis Multi Academy Company is responsible for:

- Arranging for an independent review panel hearing to review the decision of the governing board not to reinstate a permanently excluded pupil where required.

### The local governing board is responsible for:

- Providing information to the Secretary of State and LA about any suspensions and exclusions within the last 12 months.
- Arranging suitable full-time education for any pupil of compulsory school age who is suspended, where required.
- Considering parents' representations about suspensions and exclusions **within 15 school days** of receiving notice if the appropriate requirements are met.
- Where a suspension or exclusion would result in a pupil missing a public examination or test, considering the suspension or exclusion before this date.
- Considering whether it would be appropriate for a pupil to be permitted onto the school premises to sit the public examination or test.
- Arranging the representation meeting at a time and date convenient to all parties, but in compliance with the statutory time limits.
- Adhering to its responsibilities to consider the reinstatement of pupils.
- Considering the interests and circumstances of the suspended or excluded pupil, including the circumstances in which they were suspended or excluded, and have due regard to the interests of others at the school.
- Using the civil standard of proof (based on the 'balance of probabilities', it is more than likely that the fact is true) when establishing the facts relating to a suspension or exclusion.
- Ensuring clear minutes are taken of the representation meeting.
- Noting the outcome of the representation meeting on the pupil's education record, along with copies of relevant papers for future reference.
- Notifying the pupil's parents, the headteacher and the LA of its decision and the reasons for it, without delay.
- Appointing a clerk to provide advice to the relevant panel and parties to the review on procedure, law and statutory guidance on suspensions and exclusions.
- Where appropriate, informing parents of where to apply for an independent review panel.



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- Informing parents of relevant sources of information.
- Ensuring a pupil's name is removed from the school admissions register, where appropriate.
- Reconvening **within 10 school days** to reconsider reinstatement of a pupil where directed to do so by the independent suspensions and exclusions review panel.
- Using data to evaluate the school's practices regarding intervention, suspension and exclusion.

**The clerk to the suspensions and exclusions review panel is responsible for:**

- Informing the appropriate individuals that they are entitled to:
  - Make written representations to the panel.
  - Attend the hearing and make oral representations to the panel.
  - Be represented.
- **Circulating copies of relevant papers at least five school days before the review to all parties.**
- Giving all parties details of those attending and their role, once the position is clear.
- Attending the review and ensuring that minutes are produced in accordance with instructions from the panel within the timeframe of the policy.

**The headteacher is responsible for:**

- Implementing good levels of discipline to ensure all pupils can benefit from the opportunities provided by education and to minimise potential suspensions and exclusions.
- Applying the civil standard of proof when establishing the facts in relation to a suspension or exclusion
- Determining whether a pupil will be suspended or excluded on disciplinary grounds.
- Withdrawing any suspensions or exclusions that have not been reviewed by the governing board, where appropriate.
- Ensuring any decision to suspend or exclude is lawful, rational, reasonable, fair and proportionate.
- Complying with the requirements of the Equality Act 2010 when deciding whether to suspend or exclude a pupil.
- Complying with their statutory duties in relation to pupils with SEND when administering the suspension or exclusion process, as outlined in the Special Educational Needs and Disabilities (SEND) Policy.
- Considering any contributing factors that are identified after an incident of poor behaviour has occurred, e.g. if a pupil has suffered bereavement, experienced bullying or has a mental health issue.
- Considering the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour.
- Reviewing the effectiveness of suspensions and exclusions as sanctions, e.g. if a pupil has received multiple suspensions or is approaching the legal limit for suspensions in an academic year.
- Considering what extra support may be needed to identify and address the needs of individual pupils, particularly those with SEND, those eligible for FSM, LAC and those from certain ethnic groups.
- Engaging effectively with parents in supporting the behaviour of pupils with additional needs.



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- Ensuring they have considered their legal duty of care when sending a pupil home following a suspension or exclusion.
- Making the decision to suspend or exclude based on the evidence available at the time, regardless of any police investigation and/or criminal proceedings.
- Notifying a pupil's parents without delay where the decision is taken to suspend or exclude the pupil, including the days on which the parents must ensure the pupil is not present in a public place at any time during school hours, as well as any other necessary information statutorily required.
- Ensuring that all information provided to parents is clear and easily understood.
- Notifying the governor responsible and LA of their decision to exclude a pupil where appropriate, as well as the pupil's home authority if required.
- When a pupil has been suspended or excluded, the headteacher will, without delay, notify the pupil's social worker, if they have one, and the VSH, if they are a looked-after child. This notification will include the period of any suspension and the reasons for suspension or permanent exclusion.
- Notifying the governing board once per term of any exclusions in the headteacher's report to governors.
- Organising suitable work for excluded pupils where alternative provision cannot be arranged.

## Exclusions – Checklist



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Exclusions should not be made in the heat of the moment but after due consideration.

### **EXCLUSION CHECKLIST (FIXED TERM)**

**Where appropriate attach information from a central source**

NAME: \_\_\_\_\_ FORM: \_\_\_\_\_

1. Conduct Log from SIMs
  2. Pastoral support plan (details of that given and responses) – (HOY)
  3. Reports (stages / dates) – (copies attached or summary)
  4. Attainment report information – copies attached.
  5. SEN level if applicable \_\_\_\_\_
  6. Is child 'looked after'? Y / N
  7. Is child from ethnic minority group? Y / N
  8. Has warning / caution been given before? Y / N
- Date: \_\_\_\_\_
- Details:
9. Information on incident / incidents giving rise to consideration of exclusion. These should be in a bullet point, incident by incident.
  10. Evidence of misdemeanour? (Detail or attach)
  11. Is this a serious breach of school's discipline? Y / N
  12. Is this a one-off serious incident? Y / N
  13. Will allowing the student to remain in school affect the education and welfare of other students? How? Y / N
  14. Has student given their version of events? Y / N (in writing, signed, dated and attach).
  15. What previous strategies have been tried with this student?

### **PERMANENT EXCLUSION CHECKLIST (IN ADDITION TO FIXED TERM CHECKLIST)**

NAME: \_\_\_\_\_ FORM: \_\_\_\_\_

1. PSP / Full details should be attached.
2. All strategies tried? (detail) Y / N Reports, pastoral support plans, caution.
3. Have parents/carers and child been warned by letter. Y / N OR verbally.
4. Other reason for request.



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**DECISION TO EXCLUDE  
(FIXED TERM OR PERMANENT)**

To be completed by Principal or Representative.

NAME: \_\_\_\_\_

A)

1. Any doubt on allegations.
2. Student version of events logged/checked.
3. Sexual / racial incident.
4. Criminal offence.
4. Drugs.
5. PSP evidence.

B)

1. Informing parents – who, how and when
2. Informing student – who, how and when

**Academy Committee Representative /Link Governor Link to complete**

1. Post exclusion meeting (if appropriate)  
Academy Committee Representative

Parent

Staff

Day \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

2. Work set details / letter sent informing of work.

3. Arrangements for reintegration:

- a) Work catch up
- b) Report
- c) Review
- d) PSP