COLCHESTER COUNTY HIGH SCHOOL FOR GIIRLS

A6 EXCLUSION POLICY

COMMITTEE	Curriculum & Student Matters
SLT RESPONSIBLE	Dawn Frost Associate Principal (Teaching & Learning)
REVIEW	Every 2 years or earlier if there are changes to statutory guidance
POLICY REVIEWED	October 2024 Amended - January 2026
REVIEW DUE	October 2026
APPROVED BY THE GOVERNING BODY	November 2024

RATIONALE

Good behaviour in schools is essential to ensure that all students benefit from the opportunities provided by education. Colchester County High School for Girls recognises that in order to ensure a positive atmosphere based on a sense of community and shared values it may, on occasions, be necessary to use suspension, not exceeding forty five days in any one academic year, or, in some circumstances, permanent exclusion.

This Policy has been updated in line with the DfEs Behaviour in Schools guidance, which provides advice to headteachers, trust leaders and school staff on implementing a behaviour policy which creates a school culture with high expectations of behaviour. Suspensions and permanent exclusions should only be necessary when strategies, practices and interventions set out within the Behaviour in Schools guidance have not been successful in improving a student's behaviour or the use of more significant interventions or sanctions are required.

Such exclusions should only be resorted to when the school can demonstrate with adequate evidence that all reasonable steps have been taken and/ or that the presence of the student is likely to be severely detrimental to themselves, other students or staff. There may also be occasions when a suspension is appropriate because of unacceptable behaviour.

The decision to exclude a student must be lawful, reasonable and fair. The School has a statutory duty not to discriminate against students on the basis of protected characteristics, such as disability or race. The School should give particular consideration to the fair treatment of students from groups who are vulnerable to exclusion.

Purpose

1. To maintain an environment where students can develop academically, morally and socially where there are the highest standards of behaviour. Suspension and exclusion from school are only used when it is necessary, in maintaining good order in the school, and in keeping with clear guidelines.

2. All students are treated fairly with respect to exclusion. Student voice is fully heard throughout the process.

3. Parents feel that their children have been treated fairly.

4. When exclusion is necessary, the legal procedures are properly carried out and all concerned know their roles.

5. Appropriate records of exclusions are kept, and Governors are kept aware of any exclusions and can monitor these records through updates during the Curriculum & Student Matters Committee or in the EP/AP Report.

6. Suspension/exclusion is understood by students and parents to be a legitimate and necessary sanction which can be applied if students do not conform to the standards which the school expects whilst students are under the care and discipline of the school.

Setting a clear process for suspensions/exclusions

The Executive Principal and Associate Principals should consider the following, when setting a clear process for exclusions:

- adopting a reliable method for monitoring the 45 day suspension rule, including suspensions received from other schools;
- ensuring there is a formal process for informing parents, social worker (where relevant), governing board and local authority, clearly setting out all reasons for the exclusion;
- providing up-to-date links to sources of impartial advice for parents;
- reintegrating suspended or permanently excluded students and supporting students' future behaviour;
- ensuring a formal process for arranging, at short notice, suitable full-time alternative education for students receiving suspensions over five school days.

Reasons and recording exclusions

Headteachers should use their professional judgement based on the individual circumstances of the case when considering whether to exclude a student. The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion. This list is non-exhaustive and is intended to offer examples rather than be complete or definitive.

- Physical assault against a student or any kind of child-on -child abuse
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a student
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying (including online abuse)
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Possession of drugs or other prohibited items like knives

The DfE collects data on suspensions and permanent exclusions from all state-funded schools via the termly school census. CCHSG must provide information via the school census on students subject to any type of suspension or permanent exclusion in the previous two terms. Up to three reasons can be recorded for each suspension or permanent exclusion (where applicable).

Guidelines

The school follows DfE Guidance 'Suspension and Permanent Exclusion from maintained schools, academies and student referral units in England, including student movement' published August 2024.

1. Students demonstrating anti-social behaviour should usually move through the hierarchy of sanctions outlined in the Behaviour, Rewards & Sanctions Policy A4. However, students may be excluded for serious or persistent breaches of the school's behaviour policy or where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

2. Only the Executive Principal or Associate Principals may exclude. The Executive Principal or Associate Principals may cancel any exclusion that has already begun, but this should only be done where it has not yet been reviewed by the governing board. Where an exclusion is cancelled, then Parents, the governing board, and the LA should be notified without delay and, if relevant, the social worker and Virtual School Head (VSH) (if applicable); Parents should be offered the opportunity to meet with the Executive Principal or Associate Principals to discuss the circumstances that led to the exclusion being cancelled; All schools should report to the governing board once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight and the student should be allowed back into school.

3. A thorough investigation should be conducted into the incident, talking to any witnesses, staff and/or students as soon as possible, and independently. Once the facts have been established or while this is taking place, the student(s) involved may be isolated, as a means of minimising the after effects of the action. The senior member of staff investigating the incident should find out from the student if there was any reason for the behaviour and extenuating circumstances or provocation. For example, it may come to light that a student has suffered bereavement, has mental health issues or has been subject to bullying. A note must also be made of any Equality, Disability or SEN issues which may have had a bearing on the circumstances. A copy of all notes will be retained on file. Any statements collected from students should be read back and verified by the student. Throughout the process the voice of the student is paramount to the process.

4. A student's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of the Executive Principal

or Associate Principals, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

5. The decision on whether to exclude is for the Executive Principal or Associate Principals to take. However, excluded students should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and ability to understand.

6. The Executive Principal or Associate Principals have the right to determine the length of the exclusion period, taking into account Points 1 to 4 above.

7. All exclusions must be formally notified in writing to the parents, indicating brief details of the offence, the evidence that has been taken into account, the period of exclusion, the right of parents to appeal, details of work set, and the date for the re-admission meeting.

8. When establishing the facts in relation to a suspension or permanent exclusion decision the Executive Principal or Associate Principals must apply the civil standard of proof, i.e., 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Executive Principal or Associate Principal should accept that something happened if it is more likely that it happened than that it did not happen. The Executive Principal or Associate Principals must take account of their legal duty of care when sending a student home following an exclusion.

9. The Executive Principal or Associate Principals must, without delay, notify the governing body and the local authority of:
   -a permanent exclusion (including where a fixed period exclusion is made permanent);
   -suspensions which would result in the student being excluded for more than five school days in a term; and
   -exclusions which would result in the student missing a public examination or national curriculum test.

   The Executive Principal or Associate Principals must notify the local authority of all exclusions. Notification must include the reasons for and duration of the exclusion.

10. Parents will be invited into school to discuss with the Executive Principal, Associate Principals or designated member of the Senior Leadership Team/Year Leader, the criteria by which a student may be readmitted, where possible on the first day the student returns to school. In more severe cases, a Governor may also be asked to attend.

11. In all cases parents will be informed of their right to make representations to the Governing Board (via the Clerk). The Governing Board has a duty to consider parents' representations about an exclusion. The requirements on a

governing body to consider an exclusion depend upon a number of factors (See Appendix A)

12. In the case of a fixed period suspension which does not bring the student's total number of days of exclusion to more than five in a term, the Governing Board must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

13. Consideration of Student Reinstatement Following Exclusion/Suspension; The governing body must convene to consider the reinstatement of an excluded/suspended student within 15 school days of receiving notification of the exclusion/suspension if any of the following apply:

- The exclusion is permanent.
- It is a fixed-period exclusion that would result in the student being excluded/suspended for more than 15 school days in a single term.
- The exclusion/suspension would cause the student to miss a public examination or a National Curriculum test.

All such hearings will be conducted in accordance with the Department for Education (DfE) statutory guidance.

The panel may include trustees, governors, and, where necessary, governors from other schools within the trust to ensure the process is fair, impartial, and balanced.

For fixed-period of suspension exceeding 5 but not more than 15 school days in a term, the governing body is **not** required to meet **unless the parents make representations.** In such cases, the governing body cannot direct reinstatement unless a meeting is held.

14. It is important that during a suspension, students still receive their education. The Executive Principal and Associate Principals should take steps to ensure that work is set and marked for students during the first five school days of a suspension. This can include utilising any online pathways such as Microsoft Teams resources or Oak National Academy. The school's legal duties to students with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled students during this period. Any time a student is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension.

15. A suspension can also be for parts of the school day. For example, if a student's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the Executive Principal or Associate Principal's duty to notify parents, apply in all cases. Arrangements should be made for students who are entitled to free school meals. This may mean providing a packed lunch. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.

16. Where a student is given a fixed period of suspension of a duration of 6 days or longer, the school will arrange suitable full time educational provision from and including the 6th day of the exclusion. The local authority will make alternative provision from the 6th day in the case of permanent exclusions.

17. During the initial period of up to 5 school days, the parent(s) of the excluded student must ensure that the student is not present in a public place during normal school hours without reasonable justification. This requirement applies whether or not the student is in the company of the parent(s).

18. The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension 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.

Linked Documents:
DfE Guidance 'Suspension and Permanent Exclusion from maintained schools, academies and student referral units in England, including student movement' August 2024
DfE Behaviour in schools. Advice for Headteachers and school staff, February 2024
Related Policies:
A4 Behaviour, Rewards & Sanctions Policy
A5 Anti-bullying Policy
A11 Objectives and the Equality Duty
48 Drugs and Alcohol Policy
40 Harmful Sexual Behaviour and Child-on-child Abuse Policy
44 CCHSG E-Safety Policy inc AUP Staff (44a) and students (44b) and Social Media Policy (44c)

Appendix A

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

