



## King James's School Federation

### ADDENDUM

# Behaviour for Learning Exclusions Addendum

Policy last reviewed (date)	January 2024
Ratified by Governors (date)	January 2024
Next policy review due (date)	January 2025
Due for review by Governors (date)	January 2025
Staff Lead	Deputy Headteacher

#### **MISSION STATEMENT:**

This policy will support the school by being reflective of the Governors' direction and School's development plan. It will be used in an efficient and effective manner by committed to creating a mutually respectful environment where students and staff work together to promote our core values of Ready, Respectful, Engaged.

#### **Significant revisions since the last review:**

Addition of the [Suspension and permanent exclusion guidance September 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk).

Addition to the Decision Protocol: Headteacher may now cancel exclusions before and during the progress. Governing board meetings may now be held via remote access through written parental request

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## Section 1: Legislative Background

- 1.1 Headteachers, governing bodies, local authorities and independent appeal panels should have regard to [Suspension and permanent exclusion guidance September 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk).

## Section 2: Related School Policies

- 2.1 Equalities Policy  
2.2 Anti-Bullying Policy

## Section 3: Types of Suspension / Exclusion

- 3.1 Fixed-Term Suspension (FTS)

Fixed-Term Suspensions (FTS) will be for a fixed number of school days. An individual fixed period suspension should be for the shortest time necessary. They must not exceed 45 school days in an academic year as either a single suspension or a number of shorter suspensions added together.

- 3.2 Permanent Exclusion (PEX)

Permanent Exclusions (PEX) are issued when the Headteacher believes a pupil should never return to the school because they have seriously or persistently breached the school's behaviour policy and that allowing them to remain in school would seriously harm their education or welfare (or that of others in the school). This type of exclusion must be reviewed at a meeting by a panel of governors. The pupil and parent/carer will have the opportunity to put their case at the meeting, can be represented by someone who can speak on their behalf and can be supported by a friend, if they wish. If governors agree with the Headteacher's decision to permanently exclude the pupil, pupil and parent/carer have a legal right to a further opportunity to challenge this decision via an Independent Review.

## Section 4: Suspension / Exclusion as a Last Resort

- 4.1 A pupil will be suspended/excluded from school only as a last resort and as a result of serious and/or persistent breaches of the school behaviour policy and where allowing them to remain in school would be of serious detriment to the education or welfare of the pupil or others in school.

- 4.2 Other options are always considered before resorting to an suspension/exclusion. The NYCC Ladder of Intervention provides structured, step-by-step guidance for schools to support individual pupils who have social and emotional needs manifesting in challenging behaviour that could lead to a suspension/exclusion. The guidance details a graduated response to ensure early help is in place to support children and young people with social, emotional and mental health needs, including those that are at risk of suspension/exclusion.

- 4.3 Before taking the decision to suspend/exclude, the Headteacher should consider the following:

• ***What whole-school approaches and provision are in place to support this pupil?***

e.g. whole school behaviour policy and inclusive practice to support behaviour for learning, quality first teaching, etc. Are school policies inclusive or do they discriminate against particular pupils with specific needs?

• ***What measures or strategies has the school put in place to support this specific pupil?***

e.g. behaviour plan, specific learning support, mental health and wellbeing advice, etc. Have support and intervention been put in place and has enough time been allowed for the intervention or support to take effect?

**•If there have been multiple, repeat suspensions/exclusions for similar reasons (e.g. abusive behaviour, drug use, etc.) what has been put in place to successfully address the causes?**

**•What support has been sought from outside agencies, including the Local Authority?** Through its universal and targeted provision, the LA provides access to a range of services. Has school accessed any of the following?

- SEND guidance (for pupils with Special Educational Needs or a Disability)
- Ladder of Intervention
- SEND Assessment (leading to an Education Health and Care Plan)
- Local Behaviour Collaborative or the Pupil Referral Service (PRS)
- Referral to the Locality Hubs to support additional educational and/or social, emotional and mental health needs
- Advice and support from an Educational Psychologist, the Early Help Service, Child and Adolescent Mental Health Service (CAMHS), Youth Justice Service or Children’s Social Care
- An Early Help (EH) Assessment and Action Plan

## **Section 5: Grounds for Exclusion**

5.1 In line with paragraph 16 of the statutory guidance, before excluding a pupil permanently, the Headteacher must be convinced that there is sufficient evidence that the pupil has committed a disciplinary offence and that allowing the pupil to remain in school would seriously harm the education or welfare of that pupil or others in the school.

## **Section 6: Protocol – Investigation**

6.1 Before deciding whether to suspend/exclude a pupil the Headteacher should:

- Make sure that a thorough investigation has been carried out, consulting others if necessary;
- Give the pupil a chance to say what happened;
- Think carefully about the evidence available;
- Ensure that the suspension/exclusion is for the shortest time necessary;
- Take into account the school's Behaviour and Equality Policies and, if appropriate, the Race Relations Act and Disability Discrimination Act;
- Check whether bullying or racial or sexual harassment (or any other coercion) led to their actions

## **Section 7: Protocol – Decision**

7.1 The decision to suspend/exclude (either for a fixed-term or permanently) can only be taken by the Headteacher. Upon coming to the decision to suspend/exclude, the school must inform the parent/carer by telephone as soon as possible and follow this with a formal letter. To ensure statutory returns can be made to the DfE and so that alternative education can be put in place (in the event of a permanent exclusion), the school should also inform the Local Authority.

7.2 The Headteacher can cancel any permanent exclusion that has already begun (or one that has not yet begun) but this can only happen prior to the governing board meeting to decide whether the student should be reinstated.

- 7.3 Governing board meetings can now be held via remote access through a written parental request and if the governing board decide that this meeting can be held fairly and transparently. However, this should not be the default option.

## **Section 8: Local Authority Support**

- 8.1 To ensure schools comply with statutory guidance issued by the DfE, the Local Authority recommends use of forms, templates and model letters developed by the NYCC Inclusive Education Service. These forms and the most up-to- date information and guidance on exclusions can be accessed via:  
<https://cyps.northyorks.gov.uk/exclusions>.