



**KING EDWARD VI
ACADEMY TRUST
BIRMINGHAM**

Suspension and Permanent Exclusion Policy

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Introduction

The Academy Trust is dedicated to ensuring that our schools' environment supports learning and the wellbeing of students and staff through a strong sense of community cohesion. Cooperation, support, and respect are the foundations of our community, and we work hard to provide safe schools where students feel included in every aspect of school life and comfortable to voice their opinions.

Where a pupil displays disruptive and/or challenging behaviour, this can be an indication of unmet needs. When concerns emerge in relation to a pupil's behaviour, King Edward VI Handsworth School for Girls will attempt to identify any causal factors and intervene as early as possible to reduce the need for a subsequent suspension from school.

This policy should therefore be read in conjunction with our Behaviour for Learning Policy which outlines clearly what we expect from all our students in terms of their behaviour. This policy outlines the suspension and permanent exclusion sanctions that will be enforced if interventions have not been successful in improving a student's behaviour or the use of more significant sanctions are required. It is written in line with The Academy's statement of behaviour principles, vision statement and equality, diversity and inclusion mission statement and will be implemented if necessary to ensure that students are protected from disruption and can learn in a safe, calm, and supportive environment. To this end, managed moves, suspensions, permanent exclusions and off-site direction are essential behaviour management tools for headteachers and are a necessary part of a functioning behaviour system to establish high standards of behaviour and maintain the safety of school communities. These sanctions will be used where it is accepted that a student's behaviour cannot be remedied by pastoral processes or reasonable adjustments.

The law does not allow for extending a suspension (formerly referred to as a Fixed Term Exclusion) or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a 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. A 'fixed period' means that a suspension on disciplinary grounds can't be open-ended but must have a defined end date that is fixed at the time when the suspension is first imposed.

The Principal Legislation to which this guidance relates is:

- the Education Act 2002, as amended by the Education Act 2011;
- the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- The School Discipline (Pupil Exclusions and Reviews) (England) (Amendment and Transitional Provision) Regulations 2023;
- [SEND code of practice: 0 to 25](#);
- [Department for Education guidance: behaviour in schools](#);
- [Birmingham fair access protocol](#);
- the Education and Inspections Act 2006;
- the Education Act 1996;
- the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014; and
- Duties under the Equality Act 2010.

Aims and values

King Edward VI Handsworth School for Girls will endeavour to provide an environment where every student can feel safe, happy, healthy and able to achieve.

This policy will contribute to the protection and safeguarding of our pupils and promote their welfare by:

- Ensuring that safeguarding and child protection underpin all relevant aspects of process and policy development in school.
- Clarifying standards of behaviour for staff and pupils.
- Contributing to the establishment of a safe, resilient, and robust ethos in the school, built on mutual respect and shared values.
- Encouraging pupils and parents to engage with school and external services to respond to and support behaviours of concern.
- Alerting staff to the signs and indicators that all may not be well.
- Developing staff awareness of the risks and vulnerabilities pupils face; and
- Addressing concerns at the earliest possible stage.

This means in King Edward VI Handsworth School for Girls we will contribute to supporting our pupils by:

- Identifying and protecting all pupils, especially those identified as vulnerable.
- Identifying individual needs as early as possible; gaining the voice of pupils and designing plans to address those needs; and
- Working in partnership with pupils, parents/guardians/carers, and other agencies.

The Academy Trust believes that all staff and students in every school should be aware of the standards of behaviour that are expected of them and takes responsibility for promoting these standards. We hope that by encouraging positive behaviour we can promote good relationships throughout our schools, built on trust and understanding, and that through the use of all our behaviour policies we can support our students in developing a high level of social awareness. Our aim is to nurture and develop learners within a happy and caring environment through good behaviour, high expectations and courtesy towards all members of the Schools of King Edward VI community. We want to ensure that all our students leave school with the key skills they need to continue to progress to the best of their ability in all areas of life.

We wish the students of the Schools of King Edward VI:

- to know right from wrong;
- to show respect for themselves and others;
- to be supportive and praise others;
- to appreciate the needs of others and of society;
- to develop a strong sense of personal responsibility for their own behaviour, actions and learning;
- to understand the consequences of their actions;
- be responsible members of their school community; and
- and to care for their environment.

We also expect all members of our community to adhere to the following:

Diversity and Equality Mission Statement

We believe that all members of our community are entitled to be treated fairly and equally regardless of their race, ethnicity, religion, gender, sex, sexuality or disability. Our purpose is to challenge discrimination in all its forms so that our students can achieve educational excellence.

In relation to this policy, we will ensure that a permanent exclusion or suspension does not constitute discrimination under the Equality Act 2010 and understand that any discrimination could leave the school open to legal challenge.

Terminology

- The term **must** refers to what Headteacher/governing boards/academy trusts/local authorities/ parents and others are required to do by law. The term **should** refers to recommendations for good practice as mentioned in the suspensions and permanent exclusions guidance.
- A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.
- A **permanent exclusion** is when a student is no longer allowed to attend a school (unless the student is reinstated). The decision to exclude a student permanently should only be taken:
 - in response to a serious breach or persistent breaches of the school's Behaviour for Learning policy; and
 - where allowing the student to remain in school would seriously harm the education or welfare of the students or staff in the school.
- The definition of **suspend** is what is described in legislation as an exclusion for a fixed period. 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 Headteacher duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.
- **Reasons for exclusions or suspensions:** Exclusions or suspensions are often implemented as a result of physical assault; persistent verbal abuse, threatening behaviour or racism; use, or threatened use of an offensive weapon; possession or consumption of illicit drugs; or discrimination against others as a result of their protected characteristics (for example, sexual orientation, gender reassignment or disability).
- The definition of a **parent** can be found in the Education Act 1996, and this applies to all the legislation to which this guidance relates. In addition to the child's birth parents, references to parents in this guidance include any person who has parental responsibility (which includes the local authority where it has a care order in respect of the child) and any person (for example, a foster carer) who has care of the child. To reflect this, this guidance uses 'parent' to refer to both parents and carers. Where practical, all those with parental responsibility should be involved in the suspensions and permanent exclusions process.
- **Alternative Provision (AP)** refers to suitable full-time education that is arranged for a student from the sixth school day (or earlier) of a suspension or from the sixth school day (or earlier) after the first day of a permanent exclusion. In other circumstances, AP may refer to education arranged for students who are unable to attend mainstream or special school and who are not educated at home, whether for behavioural, health, or other reasons. AP includes Pupil Referral Units (PRUs), AP academies and free schools, and hospital schools, as well as a variety of independent, registered, unregistered and further education settings.
- **Cancelled exclusion** refers to an exclusion that has been cancelled before the governing body has met to consider whether the pupil should be reinstated.
- **Remote access** refers to a meeting arranged by the governing body or arranging authority that is carried out via electronic means such as a live video link.
- **Off-site direction** is when a governing board of a maintained school requires a pupil to attend another education setting to improve their behaviour. Whilst the legislation does not apply to academies, they can arrange off-site provision for such purposes under their general powers. Where interventions or targeted support have not been successful in improving a pupil's behaviour, off-site direction should be used to arrange time limited placements at an alternative provision or another mainstream school. During the off-site direction to another

school, pupils must be dual registered. Code B should be used for any off-site educational activity, if the provision is an approved educational activity that does not involve the pupil being registered at any other school. Depending on the individual needs and circumstances of the pupil, off-site direction into alternative provision can be full-time or a combination of part-time support in alternative provision and continued mainstream education. A proposed maximum period of time should be discussed and agreed upon as part of the planning phase for an off-site direction. As part of planning, alternative options should be considered once the time limit has been reached, including a managed move on a permanent basis (if a pupil is placed in a mainstream school) upon review of the time limited placement.

- A **managed move** is a process which leads to the transfer of a pupil to another mainstream school permanently. Managed moves should be voluntary and agreed with all parties involved. If a temporary move needs to occur to improve a pupil's behaviour, then offsite direction should be used. Managed moves should only occur when it is in the pupil's best interests. Where a pupil has an Education Health Care (EHC) plan, the relevant statutory duties on the new school and local authority will apply. If the local authority, schools and parents agree to the managed move, the local authority will follow the statutory procedures. The original school should be able to evidence that appropriate initial intervention has been carried out. The managed move should be preceded by information sharing between the original school and the new school, including data on prior and current attainment, academic potential, a risk assessment and advice on effective risk management strategies. It is also important for the new school to ensure that the pupil is provided with an effective integration strategy.
- **Appeals.** Parents can challenge a child's exclusion by appealing to an Independent Review Panel. The Panels have the power to uphold the exclusion, recommend that school governors look at the case again, or overrule the exclusion and ask the governors to reconsider the case.
- **Off-rolling and unlawful exclusions.** Whenever a student is made to leave school, or forbidden from attending school, on disciplinary grounds, this must be done in accordance with the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 and with regard to relevant parts of this guidance. An informal or unofficial exclusion, such as sending a student home 'to cool off', is unlawful when it does not follow the formal school exclusion process and regardless of whether it occurs with the agreement of parents. It would also be unlawful to exclude a student simply because they have additional needs or a disability that the school feels it is unable to meet, or for a reason such as: academic attainment/ability; or the failure of a student to meet specific conditions before they are reinstated, such as to attend a reintegration meeting. However, a student who repeatedly disobeys their teachers' academic instructions could be subject to exclusion. A further example of off-rolling would be putting pressure on a parent to remove their child from the school under the threat of a permanent exclusion and encouraging them to choose Elective Home Education or to find another school place.

Rights & Responsibilities

It is the duty of the Headteacher, supported by the Governing Body, to determine the standards of behaviour acceptable at our school. All staff have responsibility for maintaining discipline and ensuring that the school policies are observed.

The Governing Body, Headteacher and staff will ensure there is no differential application of the policy and procedures on any grounds as per our EDI Mission Statement. 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 a period of suspension.

- ⚡ Schools 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).

A part-time timetable should not be used to manage a pupil's behaviour and must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time education, either at school or alternative provision.

Local authority duty

Guidance can be found here: [Birmingham City Council school exclusions](#) and [Birmingham City Council managed move guidance](#)

Contact details for the Birmingham Exclusion Team

Birmingham City Council
PO Box 16542
Birmingham
B2 2DJ.

Telephone: 0121 303 2685

Academy Trust's Duty

Independent review panels contribute to a robust process of scrutiny to ensure that exclusions are lawful, reasonable, and procedurally fair. Parts 9-11 (pages 50-69) of [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 \(May 2023\)](#) sets out how and when academy trusts should organise an Independent Review Panel (IRP) when requested and guidance on the independent review process, including support from SEN experts and requests for remote access

The Governing Body

The Governing Body approves all safeguarding and pastoral policies and ensures they are reviewed annually. It ensures that policies are communicated to all relevant parties and that the expectations of the school are made clear. Governors will support the school in maintaining high standards of behaviour and any sanctions implemented as a result of breaches of the behaviour or safeguarding policies.

Governing bodies play an important role in ensuring that children who have been excluded from school receive a suitable education that facilitates their successful reintegration or meets their long-term needs.

For a suspension of more than five school days, the governing body must arrange suitable full-time education for any student of compulsory school age. This provision must begin no later than the sixth school day of the suspension. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension. Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is as a result of one decision to suspend the student for the full period or multiple decisions to suspend the student for several periods in a row.

Whilst the statutory duty on governing boards or local authorities is to arrange full-time education from the sixth day of a suspension or permanent exclusion, there is an obvious benefit in starting this provision as soon as possible.

The governing board must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher if:

- it is a permanent exclusion;
- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term;
- it would result in the pupil missing a public examination or national curriculum test.

Where a suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, the governing body must, so far as is reasonably practicable, consider and decide on the suspension or permanent exclusion before the date of the examination or test. If it is not practical for sufficient governors to consider the reinstatement before the examination or test, the chair of governors may consider the suspension or permanent exclusion alone and decide whether or not to reinstate the pupil.

The Governors must decide whether or not they agree with the headteacher's decision to permanently exclude a child. When making their decision, the Governors will consider a number of different things, including:

- Whether the school's decision to permanently exclude was justified;
- Oral representations and documentation provided by the School and by parents;
- Any evidence or witness statements collated after the event that led to permanent exclusion (if applicable);
- The school's policies (eg. Behaviour, Uniform, or Bullying Policies);

If the pupil has Special Education Needs, there are additional factors that the Governors will need to consider, including whether the school made the necessary 'reasonable adjustments'.

The Governors need to be satisfied that the exclusion was justified on a 'balance of probabilities'. They do not need to be satisfied to the criminal standard of 'beyond reasonable doubt'. If the Governors agree with the headteacher's decision, the exclusion can be challenged at an Independent Review Panel. If the Governors disagree with the headteacher's decision, the exclusion is cancelled, and the child can return to school. Parents will be informed of the outcome of the decision in writing. The letter should clearly outline the reasons for which the Governing Body came to their decision.

For further guidance and adherence to the latest DfE guidance, including when an independent review panel directs or recommends a student's reinstatement, the governing body should refer to the guidance [NGA Suspension and exclusion procedural guide for governing boards in schools and trusts](#) and [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](#)

Governing board reinstatement meetings and IRPs can now be held via the use of remote access (for example, live video link) for suspension and permanent exclusions if requested by the parents, provided certain criteria are satisfied. The Exclusion Guidance confirms that meetings held via the use of remote access should not be a default option and face to face meetings should always be encouraged. However, if a virtual meeting is to be held, the parties should ensure that they

understand the proceedings and how to raise any issues. Further information is set out in Part Eleven.

The Chair of The Governing Body

The chair of the governing board should ensure that there are clear processes in place to comply with its legal duty to arrange suitable full-time educational provision for students of compulsory school age from the sixth consecutive school day of a suspension. This includes:

- Checking that there is a process in place for the governing board to assure itself that the education provided is suitable and full-time;
- Quality assuring provision, and ensuring that any previous placements been evaluated, including in relation to support for any Special Educational Needs and Disabilities (SEND) the student may have;
- Checking whether there is a process in place to monitor the student's attendance and behaviour at the provision;
- Checking whether the correct attendance code is being used;
- Checking whether the student's child protection file and any other information relevant to the student's safeguarding and welfare have been securely transferred to their new setting as early as possible, in line with Keeping Children Safe in Education.

Suspension and exclusion: A procedural guide for governing boards in schools and trusts, updated July 2023 can be found on the National Governance Association [website](#).

The Headteacher's Powers to Exclude or Suspend a Student

The Headteacher and relevant members of the Senior Leadership and Pastoral Teams will defer to the Department for Education guidance on [Factors to consider before making a decision to exclude](#).

- Only the Headteacher/Principal (or Acting Headteacher) can suspend or permanently exclude a student on disciplinary grounds.
- The Headteacher should refer to [Statutory Guidance To The Headteacher, Governing Board And Independent Review Panel Members](#) when it is known that there is police involvement and/or parallel criminal proceedings.
- A student's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision by the Headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful; reasonable; fair; and proportionate.
- When establishing the facts in relation to a suspension or permanent exclusion decision the Headteacher 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 headteacher / principal should accept that something happened if it is more likely that it happened than that it did not happen.
- The Headteacher must take account of their legal duty of care when sending a student home following an exclusion.
- For the majority of children who have a social worker, this is due to known safeguarding risks at home or in the community. For children with a social worker, education is an important protective factor, providing a safe space for children to receive support, be visible to professionals and realise their potential. When children are not in school, they become more vulnerable to harm. Headteachers should balance a child's context with the need to ensure calm and safe environments for all pupils and staff before making a decision.

- Where a student has a social worker, e.g. because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the Headteacher/Principal should inform their social worker, the Designated Safeguarding Lead (DSL) and the student's parents immediately to involve them all in relevant conversations.
- A suspension is also one of the sanctions laid out in the Behaviour for Learning Policy for serious breaches of a code of conduct in school or as a reminder that the student is putting themselves at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a student, the Headteacher can consider whether suspension alone is an effective sanction for the student and whether appropriate strategies need to be put in place to address behaviour.
- It is important that during a suspension and a permanent exclusion, the Headteacher takes steps to ensure that a continuation of education occurs; work should be set and marked for students during the first five school days of a suspension or permanent exclusion (where the student will not be attending alternative provision). This can include utilising any online pathways such as Google Classroom but does not include live streaming of lessons.
- The Headteacher will ensure there is a formal process for informing parents, social worker (where relevant), governing board and local authority immediately clearly setting out all reasons for the exclusion.
- Each disciplinary suspension and permanent exclusion will be confirmed to the parents in writing with notice of the reasons for the suspension or permanent exclusion. The Headteacher must provide up-to-date links to sources of impartial advice for parents in this letter. When notifying parents about a suspension or permanent exclusion, the Headteacher should draw attention to relevant sources of free and impartial information. This information should include:
 - [statutory guidance on exclusions](#)
 - [Coram's Child Law Advice service](#) can be accessed through their website or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
 - [Independent Provider of Special Education Advice](#) (IPSEA) is a registered charity offering free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
 - [Autism Education Trust](#) (AET) operates a helpline and advice service for parents whose child is at risk or has been excluded. They also provide guidance and advice for education professionals on good practice and the law with regard to autistic children/young people and exclusion.
 - SEN Information Advice & Support Services Network (formerly known as the local parent partnership)
 - The Headteacher is responsible for 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.
 - The Headteacher can cancel any exclusion that has already begun (or one that has not yet begun), where new evidence has come to light after the decision to exclude but before the governing board has met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:
 - The headteacher must notify the parents, the governing board, the LA and the pupil's social worker and VSH as applicable, immediately. The notification must also provide the reason for the cancellation.
 - The governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement.

- Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled which should be arranged immediately.
- The pupil must be allowed back into the school from which they were excluded immediately.
- Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in any school year.

Designated Safeguarding Lead (DSL)

- The DSL and Deputies will adhere to the statutory duty to make arrangements for safeguarding and promoting the welfare of students in school and have due regard to the most recent Keeping Children Safe in Education.
- Any appropriate referrals to support services will be considered and the DSLs and Deputies will cooperate with such safeguarding partners and engage with them in a meaningful way.
- If a pupil has a social worker, the DSL will notify the social worker in writing of any suspensions or exclusions.
- Any decision to suspend or permanently exclude a student will be discussed with the DSL and Deputies prior to a decision being made, with them using their professional judgement and knowledge of the students.
- Where an assessment of a pupil's wider needs is required, King Edward VI Handsworth School for Girls will contact CASS. The information provided will be considered and a determination made as to whether the threshold for an assessment has been met – and if so, what type of assessment is required. This could lead to an Early Help Assessment or a Request for Support; or a decision may be reached that no assessment is required, with signposting to other services.
- The DSL and Deputies may be supported by other agencies, such as children's social care and the police as required before making a decision.
- If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a student or if a student has been reinstated following a governing board review, it is likely that there will be complex and difficult decisions that need to be made. These decisions will be made alongside the school's duty to safeguard and support children and our duty to provide an education.
- When there has been a report of sexual violence, the DSL or Deputies should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis." As always when concerned about the welfare of a child, the best interests of the child should come first. In all cases, schools should follow general safeguarding principles as found in Keeping Children Safe in Education.
- The Senior Leadership Pastoral Directors will ensure that the concerns of any students involved in incidents which may result in suspension or permanent exclusion are listened to and appropriately addressed.
- The common transfer file will be transferred within 15 school days of the student ceasing to be registered at the school.
- When students leave the school (including in year transfers) the DSL will ensure their child protection file is transferred to the new school or college as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of a new term. This should be transferred separately from the main student file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving schools and colleges should ensure key staff such as DSLs

and SENCOs or the named person with oversight for Special Educational Need (SEN) in colleges, are aware as required.

Designated Teacher (DT) For Looked-After Children

It's widely recognised in Birmingham that children in care should not face permanent exclusion from schools or educational settings. Instead, the Virtual School Head (VSH), working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child's social worker, foster carers, or children's home workers.

Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT), will contact the local authority's VSH and social worker immediately. Where a looked-after child is excluded, the school should document the provision of immediate suitable education in the child's Personal Education Plan (PEP).

The Local Authority must also be notified of all suspensions and exclusions, including those where the total has not exceeded 5 school days in the current term.

For previously looked-after children who are on the path to being suspended or permanently excluded, the school should engage with the child's parents and the school's DT. The school may also seek the advice of the VSH on strategies to support the student. Further information can be found in the [guidance for the designated teacher](#) for looked-after and previously looked-after children.

Special Educational Needs and Disabilities Coordinator (SENDCo)

Where King Edward VI Handsworth School for Girls has a concern about the behaviour, or risk of suspension and permanent exclusion, of a student with additional needs, a disability or an Education Health Care Plan (EHCP), it will, in partnership with others (and where relevant, the local authority), consider what additional support or alternative placement may be required. This may involve assessing the suitability of provision for a student's SEN or disability.

Where a student has an EHC plan, the school SENCO will contact the local authority about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude. For those without an EHC plan, the SENCO and Pastoral Leaders will review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may provide a point for schools to request an EHC assessment or a review of the student's current package of support, which may then be increased.

Concerns about the behaviour, learning or wellbeing of a pupil with an EHCP, including concerns over the suitability of the setting, should be raised with Birmingham Council's SEND Team. Concerns can be raised as they emerge and during scheduled reviews. If concerns arise suddenly, escalate quickly, or a serious incident occurs which leads to exclusion being considered, school will first seek an early annual review or interim/emergency review of the pupil's EHCP to consider what additional support or alternative placement may be required.

Attendance Officer

Whilst a permanently excluded student's name remains on a school's admission register, the student should be marked using the appropriate attendance code. Where alternative provision has been made and the student attends it, an appropriate attendance code, such as Code D (Dual Registered -

at another educational establishment) or Code B (Off-site educational activity, if the provision is an approved educational activity that does not involve the student being registered at any other school), should be used. Where students are not attending alternative provision, they should be marked absent using Code E (suspended/permanently excluded).

Following a decision to permanently exclude, schools may only remove a pupil from their roll after the 15 school days following a Governing Body decision not to reinstate (during which parents can apply for an Independent Review) have passed (or earlier if parents notify the school in writing that they do not intend to apply for an Independent Review). Where an Independent Review is held, the pupil cannot be removed from the school roll until after the Independent Review Panel meeting and any subsequent Governing Body meeting which may be held.

All staff

All staff must recognise that one of the most prevalent causes for suspension or permanent exclusion is **persistent disruptive behaviour**. This could include (but is not exhaustive):

1. **Verbal Aggression and Disruption:**
 - Repeatedly using offensive language or verbally threatening others.
 - Disrupting lessons by talking out of turn or refusing to follow instructions.
2. **Physical Aggression:**
 - Physically assaulting peers, staff, or property.
 - Engaging in fights or violent behaviour.
3. **Defiance and Refusal to Comply:**
 - Consistently refusing to follow rules or comply with authority.
 - Ignoring instructions from teachers or school staff.
4. **Bullying and Harassment:**
 - Engaging in persistent bullying, cyberbullying, or harassment.
 - Creating an unsafe environment for others.
5. **Persistent Disruption in Classrooms:**
 - Continuously disrupting lessons, preventing others from learning.
 - Refusing to engage in classwork or complete assignments.

To reduce incidents of behaviour that may result in suspension or permanent exclusion due to ongoing disruptive behaviour, staff should use the following de-escalation strategies whenever possible:

- Keep verbal instructions simple and minimal, using a calm tone of voice.
- Use clear, direct language (focus on the behaviours you want them to display rather than the ones you don't).
- Reinforce the desired behaviour or positive alternate behaviours when demonstrated.
- Acknowledge the student's underlying or expressed emotion (e.g. anger/distress/sadness).
- Use active listening skills.
- Provide the student with time to act on your instructions.
- Be aware of body language (adopt a non-threatening stance – open, relaxed and hands down).
- Problem-solve with the student to address the issue if it is safe to do so.
- Allow adequate personal space.
- Use non-verbal cues.
- Provide options (within the limits) to help student feel they are in control of their decisions.

- Allow the student to access an alternative space with school staff that is less stimulating or removes access to the triggers of behaviour in order to self-regulate and problem-solve. (Never forcibly remove or coerce a student to an alternate space).

Parents

- Whenever the Headteacher suspends or permanently excludes a student they must notify parents, immediately, of the length of the suspension or permanent exclusion and the reason(s) for it. Notification should be in person or by telephone in the first instance as this would give parents an opportunity to ask any initial questions or raise concerns directly with the Headteacher.
- They must also provide parents the following information in writing:
 - the reason(s) for the suspension or permanent exclusion;
 - the period of a suspension or, for a permanent exclusion, the fact that it is permanent;
 - parents' right to make representations about the suspension or permanent exclusion to the governing board and how the student may be involved in this;
 - how any representations should be made; and
 - where there is a legal requirement for the governing board to consider the suspension or permanent exclusion, that parents or a student if they are 18 years old
 - have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.
- Further guidance can be found here: [A guide for parents on school behaviour and exclusion - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- Written notification of the information mentioned above can be provided by delivering it directly to the parents, leaving it at their usual or last known home address, or posting it to that address. Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way.
- If a child is permanently excluded, parents should receive a letter informing them of the exclusion and that there will be a Governor meeting within 15 school days from the date of notification. Parents confirm their attendance at the meeting in writing to the named contact.
- A 'Clerk to the Governors' will be appointed, and they will be parents point of contact for the formal arrangements of the meeting. The Clerk is the person to whom parents should send any documents they want the Governors to consider during the meeting. If they want the Governors to consider any documents, parents must make sure that they are sent to the Clerk with plenty of time before the meeting (ideally five days before). The Clerk will be present at the meeting and will take the minutes.
- Where a suspended or permanently excluded student is of compulsory school age the Headteacher must also notify the student's parents of the days on which they must ensure that the student is not present in a public place at any time during school hours.
- These days would be the first five school days of a suspension or permanent exclusion (or until the start date of any full-time alternative provision or the end of the suspension where this is earlier). Any parent who fails to comply with this duty without reasonable justification commits an offence and may be given a fixed penalty notice or be prosecuted. The Headteacher must notify the parents of the days on which their duty applies without delay and, at the latest, by the end of the afternoon session on the first day of the suspension or permanent exclusion.
- Effective methods for providing the information may include email or text message, giving the notice directly to the parents, or sending the information home with the suspended or permanently excluded student. Where information is sent home with the student, the

Headteacher should consider sending a duplicate copy by an alternative method or confirming that the information has been received.

- If alternative provision is being arranged, then the following information must be included with this notice where it can reasonably be found out within the timescale:
 - the start date for any provision of full-time education that has been arranged for the child during the suspension or permanent exclusion;
 - 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; and
 - any information required by the student to identify the person they should report to on the first day.
- Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session on the first day of the suspension or permanent exclusion, it may be provided in a subsequent notice, but it must be provided 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 information can be provided with less than 48 hours' notice with parents' consent.
- The information above must be provided in writing but can be provided by any effective method (as described above).
- The failure of a Headteacher to give notice of the information by the required time does not relieve the Headteacher of the duty to serve the notice. A notice is not made invalid solely because it has not been given by the required time.
- If a child is suspended again following their original suspension, or is subsequently permanently excluded, the Headteacher must inform parents and where relevant, the student's social worker or local authority if the student has an EHCP, without delay and issue a new exclusion notice to parents and the social worker.
- If a parent believes that they are being pressured into a managed move or is unhappy with a managed move, they can take up the issue through the school's formal complaints procedure with the governing body and, where appropriate, the local authority.

Re-Integration after Reinstatement or Off-Site Direction

Following a suspension or after a period of being educated off-site there will be reintegration meeting with the Headteacher (or a designated member of the Senior Leadership Team) in order for the student to reflect on their past behaviour and how they will manage their behaviour in future to negate the risk of further suspension or permanent exclusion. Other staff/organisations can be invited into the meeting to ensure a successful return into school.

The focus of the meeting is to draw a line under previous actions and for the student and parent(s) to feel supported in returning back into the normal routine of school. The student will also be reminded that they are valued, and their previous behaviour should not be seen as an obstacle to future success.

Depending on the outcome of the original suspension or exclusion meeting, it may be appropriate to discuss with the student the reasons that led up to the sanction being used; help them understand the effect of their behaviour on themselves and others; how to meet the high expectations of behaviour in line with the school culture; build belonging and engagement; and set targets they can report back on with relevant staff, e.g. Form Tutor/Pastoral Leader.

During the meeting it will be outlined how school staff will work with the student, so they can understand the impact of their behaviour on their own learning and that of others, and how to improve their behaviour in the future.

A student should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting. Non-attendance at a reintegration meeting is also not a valid reason to extend a pupil's suspension. In cases where a pupil's conduct at a reintegration meeting or on return to school is such that a suspension is considered by the headteacher, that is classed as a separate matter to the initial suspension. It may be that this leads to a further suspension.

Monitoring, Evaluation and Review

This policy will be promoted and implemented throughout the school.

The DSL will ensure that accurate records of all behaviour incidents are logged on SIMS and CPOMS and reported to the School Governing Body termly. Behaviour and achievement data will be analysed by the Pastoral Leaders who will support the DSL in reviewing the Behaviour for Learning Policy to assess its implementation and effectiveness and re-design further strategies to improve procedures if necessary.

The Governing Body will ensure that they review data to consider the level of pupil moves and the characteristics of pupils who have been permanently excluded to ensure the sanction is only used, when necessary, as a last resort. Support is available from: [Guidance on Understanding your data: a guide for school governors and academy trustees.](#)

It is the responsibility of the Headteacher to implement the school's Behaviour for Learning strategy, to ensure that all stakeholders are aware of the school policy, and that they know how to deal with inappropriate incidents. The Headteacher can also report to the Governing Body about the effectiveness of this Policy on request.

The Governing Body will monitor incidents that do occur and review the effectiveness of this policy and the school's Behaviour for Learning strategies annually. The Governing Body will not condone any inappropriate behaviour and any inappropriate behaviour that impacts on student/staff health, safety and wellbeing will be taken very seriously and dealt with appropriately.

A parent/carer who is dissatisfied with the way the school has dealt with an incident can make a complaint to the Chair of Governors. The complaint will be dealt with in accordance with the complaints policy which can be accessed from the school's website.

Related Documents and Policies

- Safeguarding and Child Protection Policy
- Attendance, Punctuality and Children Missing from Education Policy
- Drugs, Alcohol, Smoking, Vaping and Substances Policy
- Mobile Phone Procedures
- Anti-Bullying Policy
- Behaviour for Learning Policy
- No Platform for Extremism Policy
- Sexual Violence and Sexual Harassment Policy
- Online Safety Policy

Additional support for Headteachers and Governors:

[Headteacher permanent exclusion checklist](#)

Governors for Schools guidance on the governing board's duties to review the headteacher's exclusion decision:

