



King James's School Federation

**POLICY STATEMENT**

# Behaviour for Learning, Suspension and Permanent Exclusion Policy

Policies last reviewed (date)	November 2024
Ratified by Governors (date)	November 2024
Next policy review due (date)	November 2025
Due for review by Governors (date)	November 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:

This policy has been combined with the Behaviour for Learning Exclusions Addendum in October 2024.

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### Section 1: Aims

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our school aims to:

- Ensure that the exclusions process is applied fairly and consistently.
- Help governors, staff, parents and pupils understand the exclusions process.
- Ensure that pupils in school are safe and happy.
- Prevent pupils from becoming NEET (not in education, employment or training).
- Ensure all suspensions and permanent exclusions are carried out lawfully.

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil's poor academic performance.

### Section 2: Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](#).

It is based on the following legislation, which outlines schools' powers to exclude pupils:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- 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](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

## **Section 3: Definitions and Types of Suspension**

**Suspension** – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

**Permanent exclusion** – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

**Off-site direction** – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.

**Parent** – any person who has parental responsibility and any person who has care of the child.

**Managed move** – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

**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.

**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: Choices and Consequences Behaviour System**

### **Recognition and Rewards:**

At King James's School we recognise and reinforce positive behaviour choices. We recognise and reward students who go 'over and above' our expected standards. In addition to this, positive progress that has been achieved

through effort and resilience is rewarded accordingly.

Our staff understand that a quiet word of personal praise can be as effective as a larger, more public reward.

However, the school does offer a range of ways that students can gain rewards and recognition.

- Certificates
- Well Done Postcards
- KJX Badges
- Sports Colours
- Positive Comments on Bromcom
- Year group praise assemblies, to recognise and reward excellent attendance and positive net balance on Bromcom.
- Form Tutor, Learning Manager, Key Stage Co-ordinator, Deputy Head positive phone calls home on a regular fortnightly basis.

King James's School ensures that there are regular opportunities for success to be celebrated, these opportunities include;

- Annual prize giving
- Tutor Time
- End of Year rewards trips
- Rewards & Celebration Days
- Student Recognition Boards

### Choices and Consequences:

Our 'Consequence System' of positive behaviour management here at King James's, encourages students to uphold high standards and help create a sense of community throughout the school. The aim is to allow students to learn in a respectful, safe, structured environment and to make the right choices.

Staff will consistently seek to adopt a positive approach to student discipline in ensuring a safe and secure environment where learning can flourish and prosper. Parental involvement and interest in their children's education will be actively encouraged through the use of Student Planners, MCAS and Parents' Evenings with subject teachers and the range of events for the community which take place at the school. We are committed to using other practical measures to promote good behaviour from students.

The Consequence System is designed to give students choices. Its principal role is to support learning by tackling and dealing with low level disruptive behaviour i.e. behaviour that undermines the student's own learning or that of others.

Our Behaviour Consequences System at KJS is as follows:

**Remind** - Rule Reminder. A reminder can be given for things like talking, poor work rate and not following instructions.

**Caution** - A warning that behaviour has still not improved.

**Move** - Here the student could be moved to another part of the classroom or outside the room and spoken to on their own by the member of staff. This would be the students' final opportunity to modify their behaviour.

**Department Removal** - The student would now be removed to another classroom within the subject area.

**Unsuccessful Removal**- The student would receive a D60, (60-minute detention) the next day after school from 3:20-4:20pm. Students can receive a D60 for more serious incidents of poor behaviour such as refusal to comply

and defiance.

**Unsuccessful D60 Detention** – The student would receive a DConsequence. This would be a full day in our Consequence Room (CR) the next day until 3:45pm.

**Unsuccessful DConsequence** – The student would receive a full day in our Internal Exclusion Room (IER). This is our last sanction before a fixed term suspension. This would be from 9:00am-3:45pm.

Examples of immediate referral to the **CR and/or IER** room can be given for:

- Theft
- Violence or threatening behaviour towards others
- Persistent disruptive behaviour and/or refusal to comply with a reasonable request from staff
- Verbal abuse
- Vaping and vaping by association
- Refusing to hand over items which are not allowed in the school.

The above could equally be internal exclusion / fixed term suspension, dependent on the individual circumstances.

## Section 5: Suspension / Exclusion as a Last Resort

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.

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.

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 6: Grounds for Exclusion**

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 7: Protocol – Investigation**

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 8: Areas for Consideration**

### **Vaping:**

It is illegal in the UK to sell such products to under 18s.

Government guidance allows authorised school staff to search pupils, even without their consent, where they have “reasonable grounds for suspecting that the pupil may have a prohibited item. This includes vapes.

Due to the legal issues and potential health risks associated with vaping, any student suspected of vaping on school site will receive one of our most serious consequences in our behaviour policy, including suspension. This may include a student being with others at the time when vaping has been found to occur and the balance of probabilities would lead the Headteacher to presume they were involved in vaping. Any student found on school site in possession of a vape will have it confiscated and disposed of.

**Additional Negative Behaviour:**

Any student receiving 6 negative comments on Bromcom in a week will also receive a D60 (60 minute detention) the next day after the third negative has occurred.

Any student who receives a concern event on Bromcom will have the event reviewed by the pastoral team. The recommended consequence for a severe event is a D60 (60 minute detention) the next day.

**Punctuality:**

All students must be on school site by 8:40am. Any student arriving after 8:45am will receive a 15-minute lunchtime detention on the same day.

Any student who is late 6 times in a week and/or accumulates 60 minutes of missed learning due to being late, will receive a 60-minute D60 detention.

**Uniform:**

All students are expected to maintain smart, conventional and business-like standards in all aspects of their appearance, and our Governors expect that, in choosing KJS, parents will accept and support this dress code for their children. Having high standards of personal presentation is important for our ethos and the correct wearing of uniform is a key part of this.

Guidance as to uniform expectations can be found on our website.

We will always work hard to support families and hold a stock of pre-loved uniform we can provide if needed. Students not wearing uniform as expected will be supported to do so through the provision of pre-loved uniform if needed, and available. Students who do not comply with uniform expectations will be placed in the Consequence Room until issues are resolved.

**Out of School Activities:**

Whilst our Consequence System is designed for in school behaviour, its principles and subsequent necessary actions can and will be applied to out of school activities. Individual student behaviour will be taken into consideration when offering any out of school activities.

## **Section 9: Roles and Responsibilities**

### **9.1 The Headteacher**

Deciding whether to suspend or exclude:

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort.

A decision to suspend or exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, and
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a pupil, the headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

### **Informing Parents:**

If a pupil is at risk of suspension or exclusion the headteacher will inform the parents/pupil as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or exclude a pupil, the parents/pupil will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/pupil will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent.
- Information about the parents'/pupil's right to make representations about the suspension or permanent exclusion to the governing board and, where the pupil is attending alongside parents, how they may be involved in this.
- How any representations should be made.
- That parents/the pupil have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the pupil is of compulsory school age, the headteacher will also notify parents without delay and by the end of the afternoon session on the first day, if possible, their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies.
- Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included, if possible:

- The start date for any provision of full-time education that has been arranged.
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place.
- Any information the pupil needs in order to identify the person they should report to on the first day.

If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.



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

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents/pupil without delay, and provide a reason for the cancellation.

### **Informing the governing board:**

The headteacher will, without delay, notify the governing board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil.
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term.
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam.
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation.

### **Informing the local authority (LA):**

The headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

### **The notification will include:**

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it. The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

### **Informing the pupil's social worker and/or virtual school head (VSH):**

If a:

- Pupil with a social worker is at risk of suspension or permanent exclusion, the headteacher will inform the social worker as early as possible
- Pupil who is a looked-after child (LAC) is at risk of suspension or exclusion, the headteacher will inform the VSH as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil.
- The reason(s) for the decision

- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances that may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

### **Cancelling suspensions and permanent exclusions:**

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents governing board and LA will be notified without delay.
- Where relevant, any social worker and VSH will be notified without delay.
- The notification must provide the reason for the cancellation.
- The governing board's duty to hold a meeting and consider reinstatement ceases.
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay.
- The pupil will be allowed back in school without delay

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.

A permanent exclusion cannot be cancelled if the pupil has already been suspended for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

### **Providing education during the first 5 days of a suspension or permanent exclusion:**

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways may be used for this. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

## **9.2 The Governing Board**

### **Considering suspensions and permanent exclusions**

Responsibilities regarding suspensions and permanent exclusions are delegated to the Head's PA who will organise a committee consisting of at least 3 governors.

The governing board has a duty to consider parents' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded.

Within 14 days of receiving a request, the governing board will provide the LA with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the governing board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

The governing board does not have to arrange such provision for pupils in their final year of compulsory education who do not have any further public exams to sit.

### **Monitoring and analysing suspensions and exclusions data.**

The governing board will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The governing board will consider:

- How effectively and consistently the school's behaviour policy is being implemented.
- Instances where pupils receive repeat suspensions.
- Interventions in place to support pupils at risk of suspension or permanent exclusion.
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working.
- The characteristics of suspended and permanently excluded pupils, and why this is taking place.
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site.

### **9.3 The Local Authority (LA)**

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For pupils who are looked after or have social workers, the LA and the school will work together arrange suitable full-time education to begin from the first day of the exclusion.

## **Section 10: Considering the Reinstatement of a Pupil**

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

- The exclusion is permanent.
- It is a suspension which would bring the pupil's total number of days out of school to more than 15 in a term; or
- It would result in a pupil missing a public exam or National Curriculum test.

The following parties will be invited to a meeting of the governing board and allowed to make representations or share information:

- Parents.
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The headteacher
- The pupil's social worker, if they have one.
- The VSH, if the pupil is looked after.

Governing board meetings can be held remotely at the request of parents. See section 9 for more details on remote access to meetings.

The governing board will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply

on the grounds that it was not made within these time limits.

The governing board:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision the governing board will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the governing board

They will decide whether or not a fact is true 'on the balance of probabilities'.

The clerk will be present when the decision is made.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

The governing board will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents.
- The headteacher.
- The pupil's social worker, if they have one.
- The VSH, if the pupil is looked after.
- The local authority.
- The pupil's home authority, if it differs from the school's.

Where an exclusion is permanent and the governing board has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion.
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- The name and address to which an application for a review and any written evidence should be submitted.
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion.
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review.
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.

## **Section 11: Remote Access to Meetings**

Parents, can request that a governing board meeting, or independent review panel be held remotely. If the parents don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The governing board should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology which will allow them to hear, speak, see and be seen
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

- Compromise the ability of participants to contribute effectively, or
- Prevent the meeting from running fairly and transparently.

## **Section 12: Related School Policies**

Equalities Policy

Anti-Bullying Policy