

# ARCHBISHOP BENSON C of E SCHOOL



## Suspension and Permanent Exclusion Policy

<b>Chair of Ethos Committee</b> <b>Chair of Governing Board</b>	Judy Allies Mandy Hoare
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## 1.0 Introduction

At Archbishop Benson School, we are proud to be a Church of England school rooted in our local community. In keeping with our inclusive vision and values, we are committed to being the school of first choice for all local families providing an excellent education for all our pupils. Our policies and procedures are focused on ensuring that we all enjoy and achieve within a nurturing and enriching school community.

### Vision:

With **fun and learning**, **hand in hand**, **all things are possible**.

"**I can** do **all things** through **Him** who strengthens me. (Philippians 4:13)

### Values:

**RESPECT**      **CREATION**      **FELLOWSHIP**      **WISDOM**      **HOPE**

### School Aims:

To help fulfil this vision the school has the following aims:

- To enable each child to achieve his or her full potential in levels of academic maturity, creativity, spirituality, physical development and independence
- To educate pupils in the principles of the Christian faith, promoting respect for moral values, differing races, religions, and ways of life
- To awaken and develop every child's sense of self worth
- To develop respect, commitment and responsibility for others, to equip children to be able to make a positive contribution to the community in which they live
- To provide a wide variety of activities, visits and special events which enrich children's learning.

## 2.0 Policy aims

We are committed to following all statutory suspension and exclusion procedures to ensure that every child receives an education in a safe and caring environment. Our school aims to:

- Ensure that the suspension and exclusion process is applied fairly and consistently
- Help governors, staff, parents and pupils understand the suspension and exclusion 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

## 3.0 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](#).

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](#)
- The School Inspection Handbook, which defines off-rolling

As an academy, this policy complies with our funding agreement and articles of association.

#### 4.0 Definitions

**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 behavior.

**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.

#### 5.0 Off-rolling

We are aware that off-rolling is unlawful. Ofsted defines off-rolling as:

*"The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil."*

We will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils to attend school:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting

- By exerting undue influence on a parent to encourage them to remove their child from the school

## **6.0 Factors impacting on a suspension or exclusion.**

6.1 *“Good behaviour in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. Therefore, the government recognises that school exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities”.*

Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement  
Guidance for maintained schools, academies, and pupil referral units in England September 2023

The headteacher can use suspension and exclusion as a sanction and as a planned strategy where it is warranted.

6.2 We are committed to following all statutory suspension and exclusion procedures to ensure that every child receives an education in a safe and caring environment. Only the headteacher can suspend or exclude a pupil from school. In the absence of the headteacher, where it has not been possible to discuss the decision to suspend or exclude with him/her, the final decision can only be made by the next most senior teacher within the Leadership Group (Deputy Headteacher or Assistant Headteacher) who is acting for the headteacher.

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

### 6.2.1 Factors relating to the pupil

- Specific incidences have been investigated with all parties in a sensitive & fair way.
- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked and take sufficiently into account whether there may have been contributing or extenuating circumstances
- Consider the LA’s Exclusion Risk Assessment checklist (see Appendix 2)
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves
- Consider the views of the pupil, in light of their age and understanding, unless it would not be appropriate to do so.
- Consider if the pupil has special educational needs (SEND)
- Consider the safety and welfare of the pupil including whether he/she is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether allowing the pupil to remain in the school would seriously harm his/her education or welfare

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent, a trusted adult in school or social worker.

- With a suspension the views of the pupil may not be possible to ascertain until the child returns to school. This could be part of the reintegration process e.g. a Making it Right activity
- With a permanent exclusion, the headteacher will not reach their decision until they have heard from the pupil and will inform the pupil of how their views were taken into account when making the decision.

### 6.2.2 Factors relating to others (pupils & staff)

Consider whether allowing the pupil to remain in the school would seriously harm

- the effective education of other pupils in the school
- the safety and welfare of others in the school

### 6.3 Factors relating to the school as a whole:

- Consider the impact to date on the organisational efficiency of the school as a learning environment and a place of work.

Appendix 3 contains the National Standard list of reasons for exclusions. It should be noted that this list is not exhaustive. This list can be used to evaluate if exclusion is a reasonable response.

During an exclusion, it is important that the child does not go onto the school site at any time unless it has been agreed in advance with the Headteacher/Leadership Group in advance or invited to attend a Discipline Committee Meeting

## **7.0 The decision to use suspension - refer to Appendix 1: Exclusion process flowchart**

### 7.1. The DfE Suspension & Exclusion statutory guidance (Sep 2023) states that

*“A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool that should be set out within a school’s behaviour policy”.*

*“A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school’s behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. “*

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7.2 As well as a sanction, the school also seeks to use a suspension as a period of review. The period of the suspension creates the required time and space for the school to re-assess the child’s needs and to secure the support and resources which will be needed to successfully re-integrate and include that child. The school will seek to make all reasonable adjustments within the parameters of a mainstream setting. This could include:

- Implementation of new/revised individual risk assessments
- Implementation of an Individual Safety Plan and/or an Individual Behaviour Plan
- The involvement of agencies able to offer specialist support
- Further adjustments
- Internal alternative provision
- Bespoke external support and assessment

It also offers an immediate, short-term arrangement so that the learning and teaching for the majority of pupils in a particular class or across the school can continue uninterrupted and that the impact of any suspended child’s persistently disruptive

behaviour on the health and well-being of staff and pupils can be assessed and addressed.

7.3 The duration of a suspension will be based on the consideration of a number of factors including

- the nature, frequency & severity of the incident,
  - who has been affected or harmed by the incident,
  - the time it will take the school to
- carry out an incident review, if needed
  - Update a risk assessment
  - liaise with any necessary agencies
  - make further reasonable adjustments
  - coordinate staffing.

Suspensions are temporary. A pupil can be suspended for 1 or more fixed terms, up to a maximum of 45 days in total per school year. Suspensions can also be for just a part of the school day, such as a lunchtime suspension.

## **8.0 Returning from a suspension**

### **8.1 Re-integration process**

Following a suspension, the school will put in place a reintegration process to help the pupil return successfully to school life and full-time education. Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life:

- Communicate to the pupil that they are a valued member of the school community and are always welcome back to the school
- Discuss re-adjusted strategies, involving all staff who come into contact with the pupil, to minimise the recurrence of the behaviour(s) resulting in the suspension
- Any need for an internal isolation
- If this is not a first suspension, an evaluation of whether suspensions are having an impact on improving behavior.
- A temporary alternative timetable, and perhaps even a part-time timetable, if this is agreed by the relevant parties
- Graduated personalised provision

A temporary part-time timetable (TPTT) is a recognised intervention and will not be used as a tool to manage behaviour. If used, it will be put in place for the minimum time necessary for an intervention of this nature, typically 6 weeks in duration. A shorter TPTT may be used on occasion, where it has already proven to be an effective intervention to avoid suspensions.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

### **8.2 Re-integration meetings**

On returning from a suspension, a re-integration meeting will be held involving the pupil (as age/stage appropriate), parents/carers, a member of senior staff and other staff, where appropriate.

The following measures may be discussed

- **Pupil support**
  - additional, reasonable adjustments to support child's inclusion
- **Family support**
  - Evaluate regular home-school contact during the suspension or off-site direction and welcome the pupil back to school
  - What is going well at home? Agreed further action(s) at home
- **School support**
  - What is going well at school? Agreed further action(s) at school
  - Agree (further) support from multi-agencies: (Who to do what?)
  - Further considerations for family if outcomes are not improving for child
  - Factors for family and school to consider regarding potential permanent exclusion
- **Multi-agency support**
  - Has multi-agency support and engagement been secured? Is the family being proactive in engaging with this support
  - Has a school request for external alternative provision been agreed by the LA?
  - Has a temporary LA funded alternative timetable been agreed by the LA?

8.3 On returning from a suspension, we also facilitate a restorative process. This includes the suspended child completing a Making It Right (MIR) activity at home during the suspension with his/her parent(s)/carer(s) and then using this MIR activity to engage with a member of the Inclusion Team for an extended Meet & Greet session on the morning of their return to school.

This relates directly to our school value of fellowship. Our definition of fellowship is: *We recognise and celebrate that we are all fellow brothers and sisters connected within a big, global family and that we are stronger together.*

It is part of being human for children and adults to experience distance in their relationships and separation in their friendships. If a person is hurt or harmed as a result of a child's decisions & actions which has led to a suspension, then a barrier of hurt, mistrust and resentment could potentially build up. This barrier can affect a child or an adult's ability to thrive and flourish. The factors that caused the barrier have to be dealt with in an age-appropriate and developmental-appropriate manner. They cannot just be ignored.

We promote a restoration approach to barriers and breakdowns in friendships & relationships. Our restoration approach is based on reconciliation and forgiveness: Reconciliation is about mending the hurts or wounds caused by unkindness and separation. Forgiveness is central to reconciliation, without it the friendship or relationship cannot be repaired. Forgiveness is the means by which damaged relationships are restored. Where a child or adult does an act of dis-respect, they are expected and asked to say or show sorry to the person they have offended, hurt or harmed. The person is given the opportunity to forgive. By accepting an apology, we learn first-hand about the power of forgiveness to heal hurts, to strengthen relationships and to allow fresh starts.

## **9.0 Reviewing a suspension**

### **9.1 Suspensions of 5 days or less**

For suspensions of 5 days or less (in total or cumulative in one term) the Discipline Committee cannot overturn any suspension or reinstate the pupil (unless the pupil



would miss the opportunity to sit a public examination) but must consider any representations made by the parent/carer.

## **9.2 Suspension for 6 -15 school days**

On receiving notice that a pupil has been suspended for more than 5 days (but no more than 15) the Discipline Committee should convene a meeting of the Committee within **50 school days** of the date of the suspension notification, if parents/carers have requested a meeting. The Discipline Committee can overturn the suspension and reinstate the pupil

## **9.3 Suspension for 16 - 45 school days**

For suspensions exceeding 15 days (in total or cumulative in one term) and permanent exclusions, the clerk to the Discipline Committee must convene a meeting to discuss the suspension(s) and determine whether they uphold or rescind it. The timescale is 6 – 15 days from the date of the suspension notification.

The school remains responsible for setting and marking work during the suspension process. When suspensions exceed 15 school days the LA will liaise with the school to ensure educational provision is being provided, and will assist with these arrangements if necessary. The timescale is 6 – 15 days after the suspension or exclusion.

If the pupil is suspended again within the term for any reasons, the Discipline Committee must meet again.

Where several fixed-period suspensions have been issued in a term, the school will continue to make parents aware of their legal right

## **9.4 For any meeting to review a suspension**

(The process is the same for 9.2 and 9.3)

In advance of the meeting, the Discipline Committee:

- Must invite the parents/carers with the pupil to the meeting at a time convenient to all parties. Parents/Carers may be accompanied by a friend or legal representative.
- Invitations must also be sent to the LA Inclusion Officer (via LA EWO), the Virtual Schools Head (if CP or CiC) or to the child's social worker (if CP or CiN))
- Receive the Head Teacher's report (for distribution to all parties), at least 5 days in advance of the meeting.

At the meeting, the Discipline Committee should:

- Consider the written evidence presented by the Head Teacher, including witness statements and support provided by the school.
- Consider the views of the parents/carers, virtual school headteacher and social worker.
- Determine if the suspension should be upheld or if the pupil should be reinstated immediately or by a particular date
- Notify all parties (parents/carers, Head Teacher & LA reps) **within one school day** of the decision. The letter should contain the reasons in detail as to why the committee took their decision.
- For suspensions where a pupil may lose the right to take a public examination the Discipline Committee must consider the case before the examination is due to take place and decide whether the pupil should be reinstated. **Exceptionally** the Chair of the Committee may take this decision alone

## **10.0 The decision to use a permanent exclusion - refer to Appendix 1: Exclusion process flowchart**

*"This government supports headteachers in using suspension and permanent exclusion as a sanction when warranted as part of creating calm, safe, and supportive environments where both pupils and staff can work in safety and are respected. To achieve this, suspension and permanent exclusion are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes, or consequences within the school"*

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A permanent exclusion means that a child is not anticipated to return to the school. A permanent exclusion will be taken as a last resort and will be taken only:

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

The headteacher should ensure he or she has all the relevant facts and firm evidence before making a decision to permanently exclude.

In the event of a particularly serious incident of bad or dangerous behaviour, the pupil will have a suspension pending further investigation which may lead to a permanent exclusion. The suspension allows the school to carry out a thorough investigation. The LA would be notified of a potential permanent exclusion.

Behaviour outside of school can also be a reason for exclusion. This would include behaviour on school trips, behaviour when in school uniform, behaviour on the way to and from school and behaviour which may bring the school into disrepute.

## **11.0 The role of the headteacher**

### 11.1 Informing the parent/carer:

11.1.1 If a pupil is at risk of suspension or exclusion the headteacher will inform the parents 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 will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.

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

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil, and that parents have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend

- That parents have the right to request that the meetings be held remotely, and how and to whom they should make this request – see section 14.0.

11.1.2 The headteacher will also notify parents without delay and by the end of the afternoon session on the first day 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 the 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. The school will engage with parents regarding alternative provision but parental consent is not needed.

The headteacher will also notify the LA Inclusion Officer (via LA EWO), the Virtual Schools Head (if CP or CiC) or the child's social worker (if CP or CiN)

## 11.2 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

The headteacher will notify the governing board once per term of any other suspensions or exclusions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

## 11.3 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.

#### 11.4 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)

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 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.

#### 11.5 Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun, but this will only be done 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 notified without delay
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation
- As referred to above, the headteacher will report to the governing board once per term on the number of cancellations
- The pupil will be allowed back in school

## 11.6 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 such as Google Classroom or Oak Academy 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.

## 12.0 The role of the Governing Board

### 12.1 Considering suspensions and permanent exclusions

Responsibilities regarding suspensions and exclusions are delegated to the Discipline Committee consisting of at least 3 governors

The Discipline Committee 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 pupil in certain circumstances.

Within 14 days of receiving a request, the Governing Board will provide the secretary of state 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.

### 12.2 Monitoring and analysis of suspensions and exclusions data

The governing board will 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
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- 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

### **13.0 The role of 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 LAC 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.

### **14.0 Considering the reinstatement of a pupil**

14.1 The Discipline Committee 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
- The suspension totals more than 5 days but less than 15 days and parents request a review
- 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

14.2 Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the Discipline Committee must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the headteacher to reinstate the pupil.

14.3 Where the pupil has been suspended for more than 5 days, but less than 16 days, in a single term, and the parents make representations to the board, the Discipline Committee will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

14.4 Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the Discipline Committee will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the chair of the governing board (or the vice-chair) may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

14.5 The following parties will be invited to a meeting of the Discipline Committee and allowed to make representations or share information:

- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend)
- 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

The Discipline Committee meeting can be held remotely at the request of parents – see section 14 for more details on remote access to meetings.

14.6 The Discipline Committee 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 Discipline Committee can either:

- 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 Discipline Committee 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'.

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.

14.7 Discipline Committee will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents, or the pupil, if they are 18 or older
- 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

14.8 Where an exclusion is permanent and the Discipline Committee 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, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the school to appoint an SEN expert to advise the review panel
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment

- 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
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

### **15.0 Remote access to meetings**

The school will be as accommodating as possible with the scheduling of the meeting to ensure parental/carer attendance.

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

In case of extraordinary or unforeseen circumstances, which means it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely. Should a parent or carer not be able to attend reintegration meeting, it can proceed and the key points will be shared with them in writing.

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 to 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

### **16.0 Independent review**

16.1 If parents apply for an independent review within the legal timeframe, the school will, at their own expense, arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Discipline Committee of its decision to not reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.



16.2 A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category and 2 members will come from the headteacher category. At all times during the review process there must be the required representation on the panel.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a Member/Director of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee, or on the governing board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the school, the governing board, the parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 4)

16.3 The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.

Taking into account the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

16.4 Following its review, the independent panel will decide to do one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing board to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing board reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

16.5 Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the governing board does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the governing board to place on the pupil's educational record

## **17.0 School registers**

17.1 A pupil's name will be removed from the school admission register if:

- 15 school days have passed since the parents were notified the Discipline Committee's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made within 15 school days, the governing board will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

17.2 Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency

- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house
- 

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

### **18.0 Post-exclusion**

When removing a pupil from the school roll, the school will ensure this is done under the circumstances prescribed by the Education (Pupil Registration) (England) Regulations 2006, as amended.

Things to consider

- the common transfer file is transferred within 15 school days of the pupil ceasing to be registered at the school.

### **19.0 Safeguarding** (Please refer to our Safeguarding Policy for further details)

The health, safety and well-being of every member of the school community is our paramount concern. Our vision states that our children should enjoy their time & their learning as pupils at this school. Our safeguarding provision is committed to underpinning this policy by:

- establishing and maintaining an environment where all our children feel safe and secure
- ensuring that all children know that there are adults in the school whom they can approach if they are worried about anything inside or outside school.
- including opportunities in the curriculum for children to develop the skills they need to
  - understand the range of pupil behaviour within a school
  - manage their own individual behaviour
  - reasonably support other pupils' behaviour
  - know how to keep themselves safe if confronted with aggressive, abusive or violent behaviour
  - know how to seek help and report concerns to adults within the school.

Staff must immediately report any worrying, unusual or escalating pupil behaviour to their phase leaders. Cases causing concern should be shared with the Designated Safeguarding Lead. Problematic behaviour which places a child at potential risk of isolation and exclusion may warrant the involvement of parents, MARU (Multi-Agency Referral Unit, Social Services, medical services or an assessment by the Educational Psychologist. The Pupil Welfare Group will support the headteacher in making that decision.

### **20.0 Use of Reasonable Force** (Please refer to our Positive Behavior for Learning Policy for further details)

Sometimes, some of our children may get anxious or agitated. At such times we use communication skills (e.g. PACE approach), distraction & regulation techniques and the

removal of triggers where possible, to help pupils to calm down. However, there may be occasions when children need more help to calm down.

On rare occasions, it may be necessary to have physical contact with a child and to use reasonable force. All staff, based on their professional judgement, have the legal power to use reasonable force to maintain good order and discipline at the school or among pupils.

DfE guidance states that 'reasonable in the circumstances' means using no more force than is needed. Schools do not require parental consent to use force on a pupil but it is likely that parents will already be aware of any potential need for physical contact in relation to their child and a risk assessment may well be in place.

Schools can use reasonable force to control or restrain a child who is behaving in a way that is dangerous to themselves or others or who is damaging property. This could include

- removing a disruptive child from a classroom/room/space where they have refused to follow an instruction to do so or where there is a need for a class evacuation.
- preventing a pupil from behaving in a way that disrupts a school event or a school trip or visit;
- preventing a pupil from leaving the classroom/room/space where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- preventing a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground where a pupil is refusing to separate or where they are refusing to leave an area. It may be necessary for an adult to physically guide a pupil out of an area.
- preventing a pupil at risk of harming themselves through physical outbursts

All staff will make reasonable adjustments when using reasonable force for children with special educational needs and disabilities. If such incidents occur and reasonable force has been used, the incident is recorded, and parents/carers of the child are informed

## **21.0 Collaborative Working Links**

We understand that exclusion is both serious and upsetting for parents and children. At Archbishop Benson School we value the positive relationships that have been built between the school, families, the local community, the Local Authority and a range of external agencies. We recognise the positive benefits that such multi-agency working partnerships bring to the school and work closely with a range of services and professional to nurture the highest possible standards of behaviour for all the pupils attending Archbishop Benson School. In promoting positive behaviour and creating the best possible environment in which teaching and learning for all pupils can take place, we actively work in partnership with agencies including:

- Families
- SENDIAS
- Educational Psychologists
- Health professionals
- Education Welfare Officers
- Alternative provision providers
- Child and Adult Mental Health Service (CAMHS)
- Early Help Hub

- Social Services MARU (Multi-Agency Referral Unit)

We seek to signpost families toward support from:

Coram Children's Legal Centre

[http://www.childrenslegalcentre.com/index.php?page=school\\_exclusions](http://www.childrenslegalcentre.com/index.php?page=school_exclusions)

ACE Education also run a limited advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1 pm during term time. Information can be found on their website: <http://www.ace-ed.org.uk/>

National Autistic Society (NAS) School Exclusion Service (England) can be contacted on 0808 800 4002 or via [schoolexclusions@nas.org.uk](mailto:schoolexclusions@nas.org.uk)

Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

## **22.0 Monitoring arrangements**

The Ethos Committee is responsible for monitoring the number of exclusions every term and reporting back to the Governing Board. The monitoring will include a discussion with the headteacher including:

- evaluating the consistent application of the school's exclusion policy
- ensuring the reasons for all exclusions are clearly recorded, including the impact on others
- ensuring that all relevant evidence is properly recorded/retained/documentated (e.g. summaries of interviews, past behaviour, sanctions and support provided.)

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions and managed moves
- Anonymous surveys of staff, pupils and other stakeholders on their perceptions and experiences

The data will be analysed every term by the SENCO. The SENCO will report back to the headteacher for the termly HT Report.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

This policy will be reviewed by the Leadership & Management governor focus group every 2 years. At each review, the policy will be shared with the Governing Board.

## **23.0 Links with other policies**

This exclusions policy is linked to our

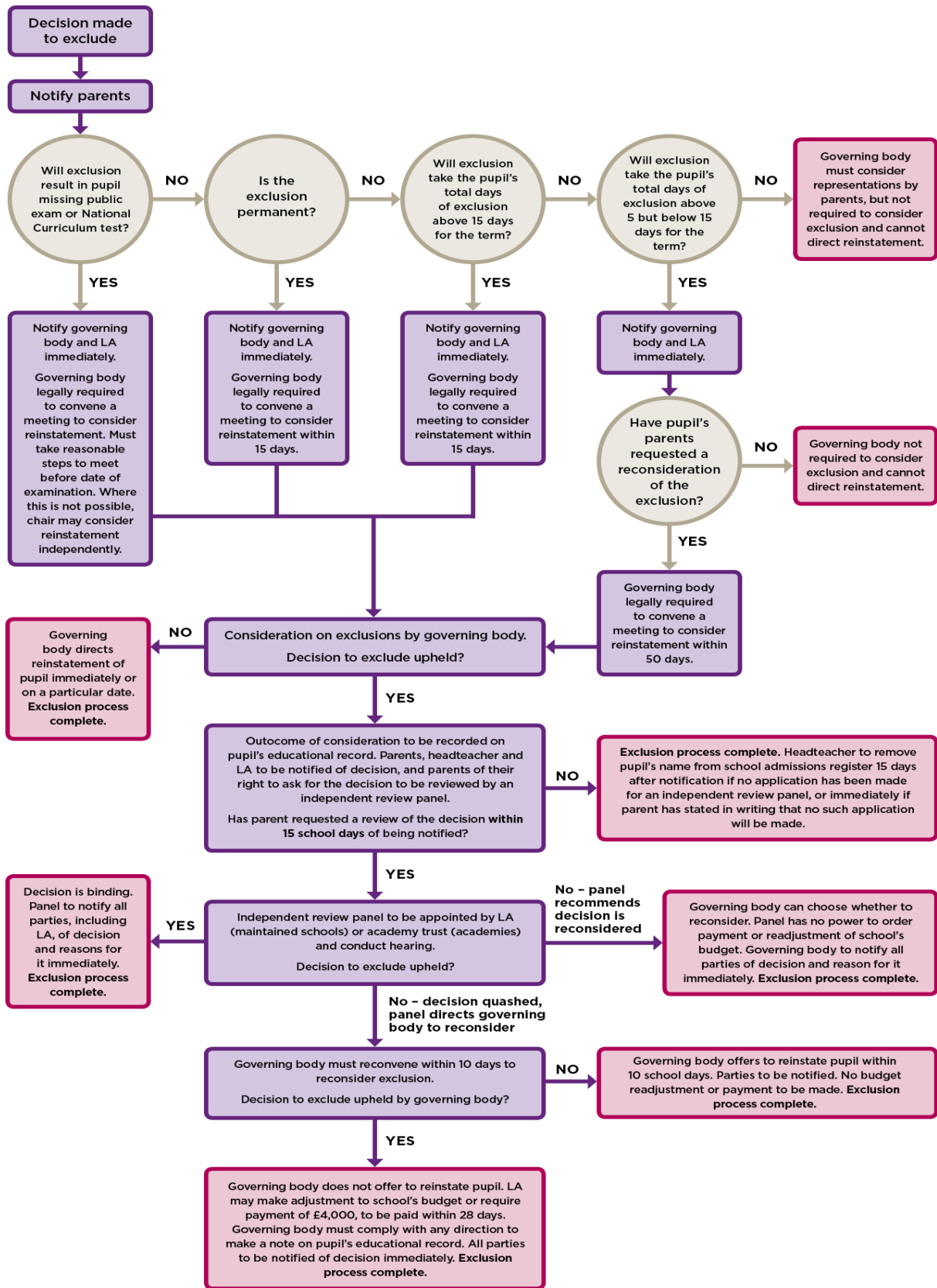
- Behaviour for Learning Policy

- SEN Policy and information report
- Safeguarding Policy

Date of (re)adoption: 27<sup>th</sup> February 2024

Date of review, February 2026

# Appendix 1 - Exclusions process flowchart



**RISK OF PERMANENT EXCLUSION REVIEW FORM**

**School/setting:** Archbishop Benson School

Name of pupil: \_\_\_\_\_ DOB: \_\_\_\_\_ NC Year: \_\_\_\_\_

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Attendance \_\_\_\_\_ Punctuality: \_\_\_\_\_

Pupil Premium	ViSTs	ACEs	Child & Family Plan	Child in Need Plan	Child Protection Plan	Child in Care/LAC

SEN		SEN Support	EHC Plan	
Descriptor		Y/N	Descriptor	
Medical	Asthma		Dyslexia	
	Epilepsy		Dyspraxia	
	Diabetes		ADHD	
Physical impairment or disability	Audio:		ASD	
	Visual:		Trauma	
			Mental health issues	
Taking medication			School avoidance/refusal	


TEACHING & LEARNING ADJUSTMENTS		SEMH ADJUSTMENTS	
Descriptor	Tick	Descriptor	Tick
Personalised bespoke timetable		Extended Meet & Greet sessions	
Full-time TA support		Safe space	
Use of visuals		Lunchtime adjustments	
		Nurture support	

PRE-EMPTIVE MEASURES (can be in place while alternative provision us being sought)			
Descriptor	Tick	Descriptor	Tick
Temporary alternative timetable		Individual risk assessment	
School—based alternative provision sessions		Parent/care co-regulation	
Low/no demand timetabling		Temporary reduced timetable	

ADDITIONAL MEASURES			
Descriptor	Tick	Descriptor	Tick
Face to face teaching at home		Therapeutic intervention	
External alternative provision e.g. Wave project, Bishops Forum		S	

AGENCY INVOLVEMENT			
Descriptor	Tick	Descriptor	Tick
SALT		External therapy	
Occupational Therapist		External counselling	
CAMHS		Social Care	
EWO		MARU	
		Police – PCSO, White Gold	



<h1 style="margin: 0;">Medium</h1> 		<b>Severity (1-5 Rating)</b> These relate to <b>level of risk of harm</b> to staff, students, others (including self) <b>5 (H)</b> = a probable dangerous risk to staff / pupils (including self) e.g. Use of weapons, volatile, unpredictable, irrational. <b>3 (M)</b> = a possible dangerous risk to staff / pupils (including self) e.g. Reacts to known triggers <b>1 (L)</b> = a low risk to staff / pupils (including self) e.g. Will verbalise and communicate before reacting. Predictable	<b>Likelihood (1-5 Rating)</b> This scale relates to <b>likelihood of this behaviour – frequency</b> <b>1</b> = Very <b>rarely</b> happens, but has been known <b>3</b> – <b>Regularly</b> happens <b>5</b> = Very <b>frequently</b> happens Blank = not known to have ever happened
<b>Severity</b> Minor    Moderate    Significant    Serious    Major			
<b>Likelihood</b>	Rare    1    2    3    4    5 Unlikely    2    4    6    8    10 Possible    3    6    9    12    15 Likely    4    8    12    16    20 Almost Certain    5    10    15    20    25		

**IDENTIFIED RISKS (refer to individual RA & individual PRAG timetable to see measures for reducing risk)**

Risks	Descriptors	Severity	Likelihood	SCORE
<b>Risk to self</b>	Persistent or general disruptive pupil learning	Non-compliance with adult requests/ instructions		
		Cannot work in groups or pairs		
		Walks out of classroom/learning space		
		Wanders round the school		
		Challenging behaviours -persistent violation of school rules/IBP/PRAG targets		
		Unable to use own support strategies		
		Persistent risk-taking behaviours		
		*Goes off site		
		*Draws others off site		
		*Self harm		
<b>Risk to others</b>  Refer to National Standard List of Reasons for Exclusions	Persistent or general disruptive pupil learning	Wandering round classroom		
		Interfering with equipment		
		Interfering with pupils		
		Damage to classroom or learning spaces		
		Need for class evacuation		
		Wandering around school building		
		Wandering around school grounds		
		Draws others away from learning		
		Harmful impact on pupil SEMH		
		Harmful impact on staff SEMH		
<b>Risk to organisation</b>	Inability to maintain high supervision staffing levels	Negative impact on ability to retain staffing		
		Negative impact on operational efficiency		
		Negative impact on educational effectiveness		
<b>Violence &amp; aggression</b>	Verbal abuse against a pupil	Verbal abuse against an adult		
		Threatening or intimidating behaviour towards pupil		
		Threatening or intimidating behaviour towards adult		
		*Physical harm, violence or assault against pupil		
		*Physical harm, violence or assault against adult		
		Use, or threat of use, of an offensive or prohibited item		
		Persistent damage to personal/class/school environment		
<b>Prejudiced behaviour</b>	Verbal bullying	Physical bullying		
		Social bullying		
		Cyberbullying		
		Racist bullying/abuse		
		Sexual bullying/abuse		
		Disability bullying/abuse		
		Abuse against sexual orientation & gender identity		

<b>Other risks</b>	*Drug and/or alcohol related concerns			
	*Sexual misconduct – lewd comments or behaviour, sexual graffiti, sexual harassment,			
	Theft			
	Inappropriate use of social media or online technology			
	Wilful transgression of protective measures in place to protect public health			
	Animal cruelty			

<b>CPOMs summary analysis</b>	<b>PRAG summary analysis</b>	<b>Individual RA summary analysis</b>
See pie charts below	See below	See attached
<b>Summary conclusion:</b>		

## **RISK ASSESSMENT PROCESS**

### **What is it?**

A comprehensive assessment of risk on working with this young person  
Measured steps to reduce risk in the event of reduced provision in the school

### **Who should do it?**

Responsible senior member of staff

### **When should you complete the form?**

Prior to arranging a reduced timetable (at the planning stage)  
On gaining new information about the young person / family

### **Why do it?**

Consistency of approach  
Protection of young person, others, including family members  
Maximising awareness  
Accountability  
Reducing risk  
Planning for the future

### **How to do it?**

Complete prior to implementation of reduced timetable  
Any interested parties to give information

### **Who should see it?**

Sign off by senior member of staff  
Virtual School in the case of a child in care [virtualschool@cornwall.gov.uk](mailto:virtualschool@cornwall.gov.uk) (secure email required)  
For reduced timetables: [schoolaccess@cornwall.gov.uk](mailto:schoolaccess@cornwall.gov.uk) (secure email required)  
Carers / Parents  
Young person (if appropriate)

### **Reviewing Process:**

Senior staff member with responsibility for vulnerable pupils  
Virtual School in the case of a child in care [virtualschool@cornwall.gov.uk](mailto:virtualschool@cornwall.gov.uk) (secure email required)  
For reduced timetables: [schoolaccess@cornwall.gov.uk](mailto:schoolaccess@cornwall.gov.uk) (secure email required)  
Carers / Parents  
Young person (if appropriate)

## **Appendix 3 - National Standard List of Reasons for Exclusions**

<p><b>1. Physical assault against pupil</b></p> <ul style="list-style-type: none"> <li>• Fighting</li> <li>• Violent behaviour</li> <li>• Wounding</li> <li>• Obstruction and jostling</li> </ul>	<p><b>2. Physical assault against adult</b></p> <ul style="list-style-type: none"> <li>• Violent behaviour</li> <li>• Wounding</li> <li>• Obstruction and jostling</li> </ul>
<p><b>3. Verbal abuse/ threatening behaviour against pupil</b></p> <ul style="list-style-type: none"> <li>• Threatened violence</li> <li>• Aggressive behaviour</li> <li>• Swearing</li> <li>• Homophobic abuse and harassment</li> <li>• Verbal intimidation</li> <li>• Carrying an offensive weapon</li> </ul>	<p><b>4. Verbal abuse/ threatening behaviour against adult</b></p> <ul style="list-style-type: none"> <li>• Threatened violence</li> <li>• Aggressive behaviour</li> <li>• Swearing</li> <li>• Homophobic abuse and harassment</li> <li>• Verbal intimidation</li> <li>• Carrying an offensive weapon</li> </ul>
<p><b>5. Bullying</b></p> <ul style="list-style-type: none"> <li>• Verbal</li> <li>• Physical</li> <li>• Homophobic bullying</li> <li>• Racist bullying</li> </ul>	<p><b>6. Racist abuse</b></p> <ul style="list-style-type: none"> <li>• Racist taunting and harassment</li> <li>• Derogatory racist statements</li> <li>• Swearing that can be attributed to racist characteristics</li> <li>• Racist bullying</li> <li>• Racist graffiti</li> </ul>
<p><b>7. Sexual misconduct</b></p> <ul style="list-style-type: none"> <li>• Sexual abuse</li> <li>• Sexual assault</li> <li>• Sexual harassment</li> <li>• Lewd behaviour</li> <li>• Sexual bullying</li> <li>• Sexual graffiti</li> </ul>	<p><b>8. Drug and alcohol related</b></p> <ul style="list-style-type: none"> <li>• Possession of illegal drugs</li> <li>• Inappropriate use of prescribed drugs</li> <li>• Drug dealing</li> <li>• Smoking</li> <li>• Alcohol abuse</li> <li>• Substance abuse</li> </ul>
<p><b>9. Damage</b></p> <ul style="list-style-type: none"> <li>• Vandalism</li> <li>• Arson</li> <li>• Graffiti</li> </ul>	<p><b>10. Theft</b></p> <ul style="list-style-type: none"> <li>• Stealing school property</li> <li>• Stealing personal property (pupil or adult)</li> <li>• Stealing from local shops on a school outing</li> <li>• Selling and dealing in stolen property</li> </ul>
<p><b>11. Persistent disruptive behaviour</b></p> <ul style="list-style-type: none"> <li>• Challenging behaviour</li> <li>• Disobedience</li> <li>• Persistent violation of school rules</li> </ul>	<p><b>12. Other</b></p> <p>Includes incidents that are not covered by categories 1-11 but this category should be used sparingly</p>

## **Appendix 4: Independent review panel training**

Archbishop Benson School ensures that all members of an independent review panel and clerks have received training on exclusion legislation, policy & procedures within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act