



## **ST PHILIP'S CE PRIMARY ACADEMY**

### **EXCLUSION AND SUSPENSION POLICY**

Date of policy:	September 2025 (Copy in file in school)	Signed: Headteacher: Michelle Hargreaves-Swales Chair of Governors: Clare Leighton
Review date:	September 2026	

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## **Safeguarding Statement**

At St Philip's Primary Academy, we respect and value all children and are committed to providing a caring, friendly and safe environment for all our pupils so they can learn, in a relaxed and secure atmosphere. We believe every pupil should be able to participate in all academy activities in an enjoyable and safe environment and be protected from harm. This is the responsibility of every adult employed by or invited to deliver services at St Philip's Primary Academy. We recognise our responsibility to safeguard all who access the academy and promote the welfare of all our pupils by protecting them from physical, sexual or emotional abuse, neglect and bullying.

## **Vision Statement**

Fostering curiosity and a love of learning is at the heart of our teaching. Broadening horizons enables all children to flourish and be fulfilled. Successes are celebrated and failure learned from, allowing us to shine through challenges. Together, we develop qualities of character necessary to be positive future citizens.

## **Our Guiding Principles**

At St Philip's CE Primary Academy we pride ourselves on developing a positive ethos built on the foundations of the Christian faith, whilst taking into consideration that most of our pupils, staff and community follow the faith of Islam. We endeavour to ensure we are always **'Working together with hope in our hearts'**

This ethos is based on the following principles that, as stakeholders, we all aim to uphold:

### **Value 1: NURTURING**

We demonstrate kindness and caring towards each other so that we can find happiness and fulfilment. We promote and support children's wellbeing to support their growth and development.

### **Value 2: OPTIMISTIC**

We believe that having a positive attitude towards situations enables us to be forward thinking and supports us in our goal of providing a good and better education for all of our pupils.

### **Value 3: ASPIRATIONAL**

We have high aspirations for the futures of the children in our Academy. Through a high-quality curriculum and planning of lessons that are specifically tailored for our pupils, they will have the opportunity to achieve and surpass their potential.

### **Value 4: HOPEFUL**

The value of hope is interwoven into our teaching and is and is an expression of our faith. Hope supports our spirituality, and through that, virtues such as forgiveness, empathy and compassion come to the fore.

**Value 5: SINCERE**

We are united as a whole to ensure integrity, honesty and trust are maintained. This quality within our academy means that we follow our values to ensure that we always do our best for pupils, staff and community.

**Value 6: ASSURED**

Our goal is to see our pupils confident, armed with independence and conviction, echoing 'Let your light shine' - Matthew 5:16

**Value 7: RESPECTFUL**

All members of our academy, including pupils, staff, governors, visitors and the wider community, should be treated with respect. We hold politeness in high regard and we are accepting of each individual's uniqueness.

**Value 8: KNOWLEDGEABLE**

By fostering resilience, collaboration and risk-taking, we craft an environment where pupils are ready to be lifelong learners.

**The Need for a Policy**

St Philip's Church of England Primary School promotes positive behaviour through the example set by adults and student role models, the Behaviour Policy and by having high expectations. Learning that there are consequences to inappropriate behaviour is an important aspect of education and the behaviour strategy has clear sanctions for when expectations are not met.

There are occasions when it is necessary and appropriate to suspend students for a fixed period, or, in very rare cases, permanently exclude. In most cases permanent exclusion will be the last resort after a full range of measures have been tried to improve the student's behaviour and engender a sense of personal responsibility.

Whenever suspensions or permanent exclusions are used, the DfE Suspension and Permanent Exclusion Guidance August 2024 is followed. At St Philip's Church of England Primary School, students identified as being at risk of suspension and permanent exclusion are provided with strategies to meet individual needs so that school leaders can support the student and their family as much as possible. Permanent exclusion is viewed as the strongest sanction possible and is available to the school only through the authority of the Headteacher, or Deputy Headteacher in their absence.

A decision to exclude a student from the school should be taken only if

- a) There is a serious breach or persistent breaches of the Behaviour Policy and
- b) Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

## **Purpose of the Exclusion Policy**

The purpose of this policy is to set out the process for fixed term suspensions and permanent exclusions for the benefit of parents, staff and students to ensure a consistent and fair process for all concerned.

## **Parents**

The definition of a parent for the purposes of the Education Act is broadly drawn. In addition to the child's birth parents, references to parents in this guidance include any person who has parental responsibility (which includes the local authority where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives.

## **Managing Behaviour**

Every effort will be made to discuss behaviour problems with parents and to seek co-operation in resolving problems before exclusion is considered for any child.

The academy Behaviour Policy identifies support mechanisms available to staff in their work with pupils whose behaviour is challenging. If a child's behaviour causes a concern, they may have an individual behaviour plan and specific de-escalation strategies in place to support their behaviour.

Whilst a single, major incident may justify exclusion, continued failure to respond to other sanctions may also arise. In such cases, incidents causing concern and actions taken must be fully and accurately recorded by the staff concerned. If the academy has a particular concern about pupil behaviour, we will try and identify if there are any causal factors and intervene early, in order to reduce the need for a subsequent exclusion. This may require a multi-agency assessment. Before deciding to exclude a child, the Headteacher will:

1. Ensure that an appropriate investigation has been conducted.
2. Ensure that all the relevant evidence has been considered.
3. Give the child the opportunity to be heard.
4. Consult with other relevant people if necessary.

Having considered these matters the Headteacher will make a decision based on the balance of probability, having regard to current guidance. If the balance of probabilities has been established, the child may be excluded.

## **Off-Site Behaviour**

In certain circumstances, at the discretion of the Headteacher, the Academy will treat poor behaviour off-site as though it occurred on the premises. This usually involves such behaviour committed on the way to and from the Academy or during an educational visit.

## **Prevention of Suspension and Permanent Exclusion**

### Managing Serious or Persistent Problems

- School leaders accept that it is the behaviour that is the problem and not the child
- The behaviour of children giving cause for concern will be assessed
- Triggers or antecedents will be established
- Individual programmes will be planned to help modify inappropriate behaviour
- The child may be referred to the Behaviour Support Service at Bradford Local Authority for additional support, e.g. anger management training.
- Parents will be invited into school to discuss their child's behaviour with their child's class teacher and the Behaviour leader. An individual Behaviour Support Plan will be drawn up which takes parents' views into consideration. Parents will then be kept informed of their child's progress.

The aim of the Behaviour Policy is:

- To help pupils realise the appropriate behaviours and provide strategy/guidance on making the right behaviour choice.
- To promote positive behaviour
- To help support behaviour modification if pupils persist in making 'wrong' choices with their behaviour

To support good behaviour school staff ensure that the school rules are followed and these are regularly reinforced in class and Collective Worship to ensure that the children are clear about the levels of expectation of their behaviour and reviewed to ensure consistent use across the whole school.

### **Behaviour Support Plans**

These will be used to help pupils at risk of suspension and permanent exclusion in order to support them to make correct behaviour choices.

Behaviour Support Plans will:

- Identify objectives and address no more than three at a time
- Include strategies for managing the environment, the class or group, and the activities which give rise to the inappropriate behaviours
- Emphasise teaching the child alternative positive behaviours
- Specify the behaviour that is unacceptable and the consequence should it occur
- Include some form of assessment e.g. chart to grade behaviour during a session, to encourage responsibility for own behaviour

Classroom teaching and learning must be able to take place undisturbed in classrooms. If this is prevented from happening by an individual or group, the behaviours must be tackled.

### **Adult-Led Reflection Time**

It is the decision of the Headteacher, or Assistant Headteacher in their absence, as to whether to implement adult-led reflection time following a incident of poor behaviour (see Behaviour Policy).

This will mean that the pupil will remain in school, with a member of school staff to re-regulate. Parents will be informed if a child requires adult-led reflection time.

### **Fixed Term Suspension**

Fixed Term Suspension means that a student is not allowed to come to the school for a fixed period of time. Students can also be suspended for lunchtime periods if behaviour at lunchtime is disruptive. A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in an academic year).

Suspension will not be used for minor incidents, poor academic performance or punctuality concerns, etc.

The length of fixed term suspension is at the discretion of the Headteacher but will be for the shortest time deemed appropriate.

### **Procedure**

1. Parents/carers will be informed by telephone that a decision to suspend has been made. This will be followed by a letter of confirmation outlining the reasons for the decision and the Governors' Pupil Disciplinary Committee process.
2. Any suspension that leads to a student totalling over 15 school days suspension in a term must be referred to the Governors' Pupil Disciplinary Committee. This Committee must meet within 15 school days of receiving notice of the suspension. The Headteacher and parents/carers will be invited to make representations to the Committee. The Committee will consider whether the Headteacher's decision to suspend was lawful, reasonable, procedurally fair, and proportionate, and will make a decision on whether or not to reinstate the pupil i.e. whether or not to uphold the suspension which lead to the student totalling over 15 school days suspension in a term. The clerk will inform parents/carers in writing of the Governors' decision within 1 school day.
3. This Committee must also convene if parents/carers request such a meeting for a suspension that leads to a student totalling over 5 school days suspension in a term or up to 15. This Committee must meet within 50 school days of receiving notice of the suspension.
4. If parents/carers request a Committee meeting in relation to a suspension that leads to a student totalling 5 school days suspension in a term or less, the

Committee must consider any representations made by parents/carers, but it cannot direct reinstatement and is not required to arrange a meeting with parents/carers.

5. Before a meeting of the Governors' Pupil Disciplinary Committee the school will send all the relevant material to the parents/carers and the governors on the panel 5 school days in advance of the meeting. Parents/carers have the right to be accompanied by a friend or representative.

6. Students will have a reintegration meeting after a fixed-term suspension (normally with the Headteacher or Deputy Headteacher) where it is expected that parents/carers will attend with the pupil in question. The purpose of the meeting is to promote an improvement in behaviour, to emphasise the joint responsibility between school and parents/carers regarding the student and to explore measures to prevent further misbehaviour.

7. The school will keep a formal record of all fixed-term suspensions.

### **Pupil Welfare**

1. The parents have a legal responsibility to ensure that the pupil is not present in a public place e.g. parks, shopping centres at any time during school hours. (Bradford Council may issue fines to parents if this is breached.)

2. The school will set work, which will be sent electronically via email, but it is the parent/carers' responsibility to collect the work and return it to school.

3. After day 5 of suspension the school will arrange for alternative temporary education – usually at a different local school, or a at a Pupil Referral Unit.

4. If a student is suspended at lunchtimes and is entitled to Free School Meals, then the school can make arrangements for a packed lunch to be provided if parents/carers wish.

### **Permanent Exclusion**

**Permanent exclusion is very rare as it is a very serious matter and is never undertaken lightly.**

Only the Headteacher, or Deputy Headteacher in their absence, can permanently exclude a pupil.

### **Situations Leading to Permanent Exclusion**

After all other initiatives to improve behaviour have been exhausted permanent exclusion may result from serious on-going behaviour problems or the failure of a managed move. There will, however, be exceptional circumstances where, in the Headteacher's judgment, it is appropriate to permanently exclude a student for a first or 'one-off' offence.

These may include:

- a) Serious actual or threatened violence against another student or a member of staff.
- b) Sexual abuse or assault.
- c) Supplying or being in possession of drugs or illegal substances (including alcohol) on the premises or on the way to or from school in the community
- d) Students who have a dangerous weapon on the premises or on the way to or from school in the community.
- e) Students who purposely tamper with or set off the fire alarm.

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community. The decision to permanently exclude a student is never taken lightly. The DfE Suspension and Permanent Exclusion Guidance August 2024 also states on page 11 that ‘a pupil’s behaviour outside school can be considered grounds for a suspension or permanent exclusion.’

### **Procedure – Decision Making**

The standard of proof to be applied is the civil standard of proof i.e. on the balance of probabilities if it is more probable than not that the student did what they are alleged to have done, the Headteacher may permanently exclude the student.

Permanent exclusion will not be imposed in the heat of the moment. In exceptional circumstances, usually where further evidence has come to light through an investigation, the Headteacher may issue a permanent exclusion to begin immediately after the end of a suspension.

Before deciding whether to exclude a student permanently the Headteacher will:

- a) Ensure that a thorough investigation has been carried out;
- b) Consider all the evidence available to support the allegations, taking account of the school’s behaviour and equal opportunities policies, and, where applicable, Race Relations legislation and Disability Discrimination legislation;
- c) Allow the student to give their version of events;
- d) Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment;
- e) If necessary, consult others, but not anyone who may later have a role in reviewing the Headteacher’s decision, for example a member of the Governing Body.

### **Procedure – Post Decision Made to Permanently Exclude**

1. Parents/carers will be informed without delay that a decision to permanently exclude has been made – either by telephone or in a meeting with the Headteacher. This will be followed by a letter of confirmation outlining the reasons for the decision

and the Governors' Pupil Disciplinary Committee process (sent electronically or via the post).

2. The school will inform the parent/carer of the date of the Governors' Pupil Disciplinary Committee meeting at which governors will hear the school's case and the parents/carers/student's case.

3. Before the meeting, the school will send all the relevant material to the parents/carers and the Governors on the committee 5 school days in advance of the meeting.

4. The Governors will hear the case, at which parents/carers may be accompanied by a friend or representative. Governors will consider whether the Headteacher's decision to permanently exclude was lawful, reasonable, procedurally fair, and proportionate, and will make a decision on whether or not to reinstate the pupil i.e. whether or not to uphold the permanent exclusion. The clerk will inform parents/carers in writing of the Governors' decision within 1 school day.

5. Parents/carers do have a right of appeal to an independent review panel in the event that Governors uphold the permanent exclusion. Information regarding this will be included in the letter sent to parents/carers. Parents must make this request within 15 school days of receiving notification of the permanent exclusion, and the panel should meet to review the case within 15 school days of the parents' request. Parents have a right to require the Trust to appoint a SEND expert to attend the review, regardless of whether the pupil has recognised special educational needs.

The panel may make one of three decisions:

- uphold the governing board's decision not to reinstate;
- recommend that the governing body reconsiders reinstatement; or
- quash the governing board's decision and direct that the governing body board reconsiders reinstatement.

The Headteacher (or Deputy Headteacher in their absence) are able to cancel an exclusion before the governing board has met to consider whether the pupil should be reinstated. This practice is sometimes known as withdrawing or rescinding an exclusion. If this occurs, the parents, the governing board and the local authority, must be notified and, if relevant, the social worker and VSH.

Governing board reinstatement meetings and IRPs can now be held via the use of remote access (for example, live video link) for suspension and permanent exclusions if requested by the parents, provided certain criteria are satisfied. Meetings held via the use of remote access should not be a default option and face to face meetings should always be encouraged.

## **Pupil Welfare**

1. The student may not come to the school or into the school grounds unless invited in.
2. The parents have a legal responsibility to ensure that the pupil is not present in a public place e.g. parks, shopping centres at any time during school hours. (Bradford Council may issue fines to parents if this is breached.)
3. From day 6 onwards of permanent exclusion the Local Authority will arrange for alternative temporary education – usually at a Pupil Referral Unit.

## **The Role of the Headteacher**

The Headteacher may suspend a pupil for one or more fixed periods for up to 45 days in any one school year or exclude a pupil permanently.

The Headteacher cannot extend a Fixed-Term Suspension or convert a Fixed-Term Suspension into a Permanent Exclusion. However, they can issue a further Fixed-Period Suspension or a Permanent Exclusion to begin immediately after the end of the first fixed period. This usually happens where further evidence has come to light.

When Headteachers suspend or permanently exclude a pupil they must, without delay, notify parents. Legislative changes mean that if a pupil has a social worker, or if a pupil is looked-after, the headteacher must now, also without delay after their decision, notify the social worker and/or VSH, as applicable.

When headteachers suspend or permanently exclude a pupil, they must also notify the local authority, without delay. Legislative changes mean that this must be done regardless of the length of a suspension.

For Permanent Exclusions, schools are required to inform the Local Authority on the day the decision is made (*Bradford Schools Online Guidelines*) in addition to informing parents.

The Headteacher will inform BDAT central team, the Chair of Governors and full Governing Body of any fixed term or permanent exclusions.

Headteachers may cancel an exclusion that has not been reviewed by the governing board. This practice is sometimes known as withdrawing/rescinding a suspension or permanent exclusion. If this occurs, parents, the governing board and the local authority should be notified, and if relevant, the social worker and VSH.

The Headteacher may cancel any exclusion that has already begun, but this should only be done where it has not yet been reviewed by the governing board. Where an exclusion is cancelled, then:

- Parents, the governing board, and the LA should be notified without delay and, if relevant, the social worker and VSH;

- Parents should be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled;
- Schools should report to the governing board once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight and;
- The pupil should be allowed back into school.

### **The Role of Parents**

We hope to encourage parents to play a positive part in the resolution of any behaviour difficulties. Every effort will be made to enable a discussion to take place with the parent, especially when suspension or exclusion are being contemplated.

Where, despite approaches and the involvement of outside agencies, the Academy is unable to persuade a parent to visit and discuss problems; the matter will be passed to the Governing Body.

### **The Role of Governors**

The Governing Body has the responsibility of setting down these general guidelines on standards of discipline and behaviour which reflect the Academy ethos of positive behaviour and of reviewing their effectiveness. The Governing Body will follow the LA guidelines on exclusion. The governors also support the Headteacher in carrying out these guidelines. The Headteacher has the day-to-day authority to implement the Academy Behaviour Policy, but Governors may give advice. The Governors also have a role to uphold or dismiss an exclusion recommendation.

Only the Headteacher has the power to permanently exclude a pupil from the Academy. The Governing Body itself cannot either exclude a pupil or extend a suspension period made by the Headteacher.

### **Role of the Child**

Suspended pupils should be enabled and encouraged to participate at all stages of the process, taking into account their age and understanding.

### **Pupils with Education, Health and Care (EHC) plans and looked after children (CLA)**

These children have been identified as being particularly vulnerable to the impact of suspension and exclusion. As a result, schools should, as far as possible, avoid permanently excluding these pupils. To mitigate the possibility of Permanent Exclusion, the Academy would engage proactively with parents, social workers, foster carers, and local authorities to support these pupils. Where a pupil with an EHC plan is at risk of exclusion, additional support or an alternate placement should be considered. This should include requesting an early annual review or interim/emergency review.

Whether or not the Academy recognises that a pupil has special educational needs (SEN) all parents have the right to request the presence of an SEN expert at an independent review panel. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion; for example, whether the academy acted reasonably in relation to its legal duties when excluding the pupil.

### **Record Keeping**

The Headteacher monitors the effectiveness of this policy on a regular basis. The Headteacher will also report to the Governing Body on the effectiveness of the policy and, if necessary, makes recommendations for changes and improvements.

The Academy will keep a variety of records regarding behaviour. Staff will record behavioural incidents on CPOMs. The SLT (Senior Leadership Team) will record any incidents of Internal Suspension or Fixed-Term Suspension using CPOMs. The Headteacher will keep a record of any pupil who is suspended or excluded and report to the Governing Body, Trust and Local Authority as required. The Headteacher must inform the LA on all exclusions using the appropriate form.

### **Right of Appeal**

In all aspects of this policy, parents will reserve the right to appeal any decisions made by academy leaders. In the first instance, parents should contact the Headteacher, then the Chair of Governors.

When an appeals panel of Governors meets to consider a suspension or an exclusion, they consider the circumstances in which the pupil was suspended or excluded, consider any representation by parents and the LA and consider whether the pupil should be reinstated.

If a Governor appeal panel decides that a pupil should be reinstated, then the Headteacher must comply with this ruling.

Where parents dispute the decision of a Governing Body not to reinstate a permanently excluded pupil, they reserve the right for this decision to be reviewed by an independent review panel.

Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a Fixed-Period Suspension or Permanent Exclusion, parents can also make a claim to the First-Tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). An independent review panel does not have the power to direct a Governing Body to reinstate a suspended or excluded pupil. However, where a panel decides that a Governing Body's decision is flawed when considered, in the light of the principles applicable on an application for judicial review; it can direct a Governing Body to reconsider its decision. If the Governing Body does not subsequently offer to reinstate a pupil, the panel will be expected to order that the Academy makes an additional payment of £4,000. This payment will go to the Local Authority towards the cost of providing alternative provision.

**Linked Policies:**

- Equal Opportunities Policy
- Care and Control Policy
- Behaviour Policy
- Child Protection and Safeguarding Policy
- Anti-Bullying Policy

**Note:** *In a maintained school, 'head teacher' includes an acting head teacher by virtue of section 579(1) of the Education Act 1996. An acting head teacher is someone appointed to carry out the functions of the head teacher in the head teacher's absence or pending the appointment of a head teacher. This will not necessarily be the deputy head teacher: it will depend who is appointed to the role of acting head teacher. In an academy, 'principal' includes acting principal by virtue of regulation 21 of the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.*

**Review**

This policy should be reviewed and ratified by the Governing Body of St Philip's Primary Academy annually.