



Charles Darwin School Behaviour Management Policy September 2023

Persons Responsible:

Governors: Full Governing Body

SLT: Mrs L Rees

Formally adopted: 2 February 2015

Reviewed:	6 July 2018
Reviewed:	10 June 2019
Reviewed:	July 2020
Reviewed:	July 2021
Reviewed:	July 2022
Reviewed:	July 2023

Approved and readopted September 2023

This policy should be read in conjunction with the school's Safeguarding and Child Protection Policy, Management of Weapon Related Incidents, Substance Mis-use Policy, Anti-Bullying Policy Relationships and Sex Education Policy, Attendance Policy and with regard to the latest DfE guidance: 'Suspension and Permanent Exclusion from maintained schools, academies and PRU's in England, including pupil movement' May 2023 and 'Searching, Screening and Confiscation – Advice for Schools' July 2022

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Communicating Intent

1. Published procedure statement

- 1.1. The school has ensured that parents/carers are fully informed of the behaviour procedure by communicating it through the school prospectus, home-school agreements, "The Link" (newsletter distributed by email every Friday) and other normally used channels, including the school's website.
- 1.2. The school has communicated the behaviour procedure to all new and existing pupils through the school rules or expectations, school prospectus, pupil planner, "The Link", school assemblies, and within the curriculum wherever relevant.
- 1.3. The school will seek to ensure that the procedures are accessible to parents/carers and pupils by providing these in appropriate languages and formats where available.
- 1.4. The school will ensure that all staff are consulted regularly about the procedure and its implementation.
- 1.5. The school has communicated the behaviour procedure to all staff by providing elements of the procedure in the staff handbook. It is regularly reinforced via staff briefings, INSET, staff bulletin and training programmes and is on the school website.
- 1.6. This Behaviour Policy should be read in conjunction with the school's Safeguarding and Child Protection Policy, Anti-bullying Policy, E-Safety Policy, Attendance Policy and Relationships, Management of Weapon Related Incidents Policy and Sex Education Policy.
- 1.7. The school will ensure that the latest DfE guidance around suspension and permanent exclusion (July 2022) is adhered to.

2. Acceptable and unacceptable behaviour

- 2.1. The school culture is one of high expectations of behaviour.
- 2.2. The school defines acceptable behaviour as that which promotes courtesy, cooperation and consideration from all pupils in terms of their relationships with other pupils within/outside the school, teachers and other school staff and with visitors or other persons within/outside the school premises.
- 2.3. The school has identified examples of unacceptable behaviour as that which includes name calling, verbal abuse, threatening language or behaviour, intimidation, physical abuse, harmful sexual behaviour e.g. sexual harassment, damage to or theft of property belonging to another, bullying (including cyber bullying), harassment and all forms of prejudice-related behaviours (including bullying on the grounds of body image/size/obesity, homophobic bullying, racist bullying, faith-based bullying, ageist bullying, disability bullying, and sexist bullying).
- 2.4. The school will review its Behaviour Policy annually.

3. Recognition, rewards and sanctions

- 3.1. The school will promote good and improved behaviour by pupils through a system of recognition and reward. This will include the use of:
 - praise and positive feedback, e.g. Aspire, Endeavour and Achieve points and their communication with home;
 - commendations and awards, e.g. Jack Petchey Achievement Award (monthly), certificates, Form Tutor Award (termly), Progress Pens (termly);

- platinum effort and progress and 100% attendance (termly)
 - letters to parents/carers;
 - extension of school privileges;
 - use of assemblies and year group notice boards;
 - Excellent attendance and effort reward trips for example ice skating, bowling, Quasar and trampoline park trips.
- 3.2. The school website will also be used to recognise and promote individuals who receive rewards.
- 3.3. The school will ensure it gives appropriate support to individual pupils who may be at risk of disaffection or exclusion, including:
- learner support;
 - mentoring, e.g. Peer Mentors from Year 10 onwards
 - Education, Health and Care Plans (EHCPs);
 - curriculum and curriculum resources;
 - teaching strategies;
 - personal advisors offering careers education information advice and guidance (CEIAG)
 - lunchtime learning support club;
 - use of school counsellor or referral to outside agencies eg Bromley Y, Targeted Youth Support.
- 3.4. The school will implement an agreed range of strategies to deal with inappropriate behaviour by pupils, including:
- talking 'privately' with the pupil;
 - verbal reprimand;
 - parking pupil in another classroom in the faculty;
 - referring matters to the appropriate member of staff;
 - referral to Student Isolation Room (SIR);
 - withdrawal of school privileges;
 - letters to parents/carers;
 - meetings with parents/carers;
 - referral to external agencies, e.g. Children's Social Care, Police;
 - Behaviour points and Whole School Detention (WSD);
 - Senior staff or Head teacher's detention
 - Extended day in SIR (8.15am to 4.00pm) as an alternative to fixed term exclusion,
 - fixed-term suspension or permanent exclusion, referred to as suspension and expulsion in Northern Ireland (See Annex).
- 3.5. The school will monitor the use of rewards and sanctions through SIMS to ensure that its arrangements operate with due regard to equal opportunities and anti-discrimination, and the school's statutory duties in respect of SEN and disability, race relations and gender equality.
- 3.6. See Annex for School Detention Systems and Suspension and Exclusion Systems May 2023 for September 2023 onwards, Part Three – The Headteacher's power to suspend or permanently exclude; Part Four – factors to consider before making decision; Part Five – the duty to inform parties about an exclusion.

4. Early intervention

- 4.1. The school will develop measures to encourage pupils to take responsibility for their own behaviour and to help them to recognise the consequences of inappropriate behaviour including sexual harassment and bullying. This may be through 1:1 mentoring via the Tutor Programme (PHSE) assemblies, or subject teaching where appropriate. The Personal Development programme taught via a lesson in Year 7-9 will teach age specific material around key areas of behaviour including RSHE.
- 4.2. The school will undertake reviews of the educational needs of pupils, as appropriate. Details of reviews undertaken will be included within each pupil's file.
- 4.3. The pastoral team will complete a Vulnerable Children's Audit for their year team every year . This will identify level of intervention required based on risk factors, and will be completed in consultation with the form tutors. The audit should be reviewed mid-year. The school will involve external agencies where it is appropriate to do so, for the purposes of pupil education and guidance. This audit will also help to identify the most vulnerable pupils who require "first day calling" for absence [see Attendance Policy].
- 4.4. The school will provide appropriate training for all staff in order to promote positive and consistent behaviour standards within the school e.g. new for 2023: SLANT (behaviour habits for the classroom); SPACE (corridor routines); STEPS (how we talk to teachers)
- 4.5. Parents will be contacted via pupil planners and CallParent text to notify them of WSD and senior staff detention.
- 4.6. Parents will be contacted via phone call, letter and CallParent text to notify them of a Headteacher's detention.
- 4.7. Parents/carers will be contacted promptly by the school and normally within two working days to notify them of any reported serious incidents of misbehaviour in which their child has been involved.

5. Investigating cases

- 5.1. The school will investigate, as appropriate, reported incidents of pupil misbehaviour.
- 5.2. The school will ensure that relevant staff receive adequate and appropriate training for the conduct of any investigations, including in respect of the recording of evidence and the taking of witness statements.
- 5.3. The school will provide adequate time for the conduct of investigations.
- 5.4. The school will notify the police and other relevant bodies of incidents where it is appropriate to do so.
- 5.5. The school will complete investigations within a reasonable timescale and not normally exceeding two days.
- 5.6. The school will ensure that appropriate feedback from any investigation undertaken is provided to relevant persons together with recommendations for action.
- 5.7. A copy of the results of all investigations undertaken will be held on record until such time as the pupil leaves the school. Where an investigation finds that there is no case to be heard, the report will be held by the school but will not be kept within the pupil's file.
- 5.8. A copy of the school's latest policy on 'Management of Weapon Related Incidents' should be referred to for the specific process for dealing with an incident involving a knife, offensive

- weapon or replica in or around school (see part 6 in this policy for further details on Searching pupils and confiscation from Sept 2022) This includes travel to and from Charles Darwin School.
- 5.9. A copy of the school's Anti-Bullying Policy should be referred to for specific methods for dealing with bullying incidents. This policy is reviewed and updated annually by Year 8 or Year 9 Student Voice, The School Council and the Pastoral team. An Anti-Bullying Charter will be created 2023/24.
- 5.10. A pupil version of this Anti-bullying policy is in the pupil planner given to each pupil in years 7 to 11 in September.
- 5.11. The school will consider any diagnosed special educational need or known mental health issue when considering a suitable sanction.
- 5.12. **Behaviour management – available sanctions**
The following sanctions are options that teachers can consider. Each sanction is considered on a case by case basis.
- Whole School Detention 40 minutes, escalating to one hour
 - Pupil parking in faculties, student is moved to another classroom to work under supervision
 - Senior Staff detention 1 hr .15 mins
 - Headteacher's detention 1hr.30 mins
 - Use of Student Isolation Room (SIR)
 - Lunchtime or breaktime detentions in the SIR
 - Extended day suspensions in the Administration Corridor (8.15am to 4.00pm);
 - Fixed term suspension (was exclusion pre 2022)
 - Managed move to another school
 - Referral to Fair Access Panel [FAP] or Gateway Panel [Bromley]
 - Permanent exclusion.
- 5.13. Assistant headteachers and Deputy headteachers are involved in authorising some of the more severe sanctions above to ensure the Behaviour Management Policy is applied consistently across year groups and key stages.
- 5.14. The School's Detention system and Suspension/Exclusion System grids give a summary of sanctions used and reasons for these sanctions for years 7 to 13 (see annex).
- 5.15. The school's Safeguarding and Child Protection Policy will be adhered to, if when investigating a case, there are any concerns of this nature that arise. This policy is closely linked with the DfE's Keeping Children Safe in Education (latest version).

6. Behaviour outside of school premises

- 6.1. We have the power to sanction pupils for misbehaviour outside of school. The range of sanctions applied will be in line with those already set out within Annex 1 of this policy.
- 6.2. We would consider applying sanctions in school for misbehaviour, including online, witnessed by staff members or reported to the school:
- when taking part in any school-organised or school-related activity;
 - when travelling to or from school;
 - when wearing school uniform;
 - when in some other way identifiable as a pupil at the school;
 - that could have repercussions for the orderly running of the school;
 - that poses a threat to another pupil; or

- that could adversely affect the reputation of the school.
- 6.3. Searching pupils and confiscation (updated based on DfE guidance on Searching, screening and confiscation Sept 2022)
- 6.4. Charles Darwin School has a duty of care to all pupils in the school. This means that we balance:
- The need to safeguard all pupils by confiscating harmful, illegal, or disruptive items
 - The safeguarding needs and wellbeing of pupils suspected of possessing these items
- 6.5. **The 'best interests' of the child is our primary consideration** - Keeping Children Safe in Education (KCSIE 2023) sets out the statutory duty of all staff to make sure that they make decisions in the best interests of the child. This applies to decisions to search pupils and confiscate items.
- 6.6. We also recognise that all pupils have a right to expect a reasonable level of personal privacy, under Article 8 of the European Convention on Human Rights. Any 'interference' with this right by your school must be justified and proportionate.
- 6.7. Authorised staff will only search a pupil if we have good reason to, consider that, for the pupil, it could infringe upon their wellbeing and rights in several different ways. For example:
- Physical loss of privacy when clothes, bags, or possessions are searched
 - Loss of a sense of security, if they feel they are being monitored and searched without reason
 - The impact to a pupil's dignity or reputation if they are unduly searched or suspected of possessing prohibited items
- 6.8. **Vigilant to bias** – We will be aware of, and encourage staff to be especially vigilant about, possible biases affecting decisions to carry out or escalate searches. The Safeguarding Review into the Child Q case found that "racism (whether deliberate or not) was likely to have been an influencing factor in the decision to undertake a strip-search".
- 6.9. **Treating confiscations as a safeguarding issue** – We will use the data from our record of searches to see if any groups are disproportionately subject to searches. The Safeguarding Portal 'My Concern' will be used to record searches, allowing us to treat confiscations as a safeguarding issue.
- 6.10. A search can play a vital role in identifying pupils who may benefit from early help or a referral to the local authority children's social care services. Our designated safeguarding lead (DSL) will consider an immediate referral if they find evidence that a child is at risk of harm.
- 6.11. It is expected that our DSL is informed of any searching incidents that reveal a safeguarding risk, or gives reasonable grounds to suspect that a pupil was in possession of a prohibited item (see the section below for a list of such items).
- 6.12. **Conducting Searches** - As of August 2022 the underlying legislation on searching pupils has not changed, meaning that:
- Staff members have the power to search pupils for any item if the pupil agrees, under the common law (paragraph 4 of the DfE guidance).
 - Only the headteacher and members of staff authorised by the headteacher have the power to search a pupil for a prohibited or banned item, regardless of whether the pupil agrees (sections 550ZA and 550ZB of the Education Act 1996, and paragraph 10 in the guidance)
- 6.13. Charles Darwin School follows best practice to only allow authorised teachers to carry out searches. In addition to the Headteacher or in his absence, this is any member of the Senior Leadership team. A second member of staff should always be present as a witness ideally someone from the pastoral team that knows the child concerned.

- 6.14. Pupils can be sanctioned if they refuse to cooperate with a search for a prohibited item (read more in the 'How to carry out a search' section below). However, the DfE advises to seek the informed cooperation of the pupil before any search. Where possible avoid presenting the idea that a pupil can be sanctioned for refusing to consent to a search, as this may imply that the pupil didn't freely consent.
- 6.15. A search can be carried out by authorised staff if:–the headteacher and members of staff authorised to carry out a search. can do this if:
- The pupil agrees to the search, or
 - The authorised staff member has 'reasonable grounds' to suspect that the pupil may have a prohibited or banned item
- This is outlined in paragraphs 2, 4 and 10 of the [DfE's guidance on searching and screening](#).
- 6.16. The headteacher can:
- Authorise members of staff to search for specific items (e.g. alcohol only), or all banned items
 - Require a security staff member (including those who aren't school staff) to conduct a search
- 6.17. Under law:
- The person carrying out the search must be the same sex as the pupil being searched
 - There must be another member of staff present as a witness to the search - they don't have to be the same sex as the pupil
- 6.18. The only exception is if:
- The searcher reasonably believes that there is a risk of serious harm being caused to a person if a search isn't carried out urgently and
 - It's not reasonably practical to summon another member of staff (to carry out the search or act as a witness) within the time available
- 6.19. When an authorised staff member conducts a search without a witness, they should immediately report it to another member of staff, and make sure that a record is kept .
- 6.20. Charles Darwin School believes 'reasonable grounds' for searching a pupil means:
- Hear the pupil or other pupils talking about an item
 - Be told directly of an item
 - See an item
 - Notice a pupil behaving in a way that causes you to suspect that they're concealing an item
- 6.21. We may use CCTV footage may be used to decide whether to search for an item (paragraph 9 of the DfE guidance).
- 6.22. **What you can search for?** – The Headteacher and authorised staff members can search a pupil for:
- Any items with the pupil's informed consent
 - Prohibited or banned items, with or without the pupil's consent
- 6.23. Prohibited items are:
- Knives or weapons
 - Alcohol
 - Illegal drugs
 - Stolen items
 - Tobacco and cigarette papers
 - Fireworks
 - Pornographic images
 - Any article that the member of staff reasonably suspects has been, or is likely to be, used to: commit an offence or cause personal injury (including the pupil) or damage to property.

This list is set out in The Education Act 1996 and paragraph 3 of the DfE's guidance on searching, screening and confiscation.

- 6.24. In addition to the list above, the headteacher and authorised staff members can also search for other specific items banned in your school. These are:
- Lighters
 - Vapes
- 6.25. **Before a search** - the headteacher or authorised staff member should:
- Make an assessment of how urgent the search is, and consider the risk to other pupils and staff
 - Explain to the pupil why they are being searched, how and where the search will happen, and give them the opportunity to ask questions about it
 - Always seek the pupil's cooperation
- 6.26. If a pupil refuses to cooperate In this case, the authorised member of staff should first consider why this is, and act proportionally. It may be that the pupil:
- Is in possession of a prohibited or banned item
 - Doesn't understand your instructions or what a search will involve
 - Has had a previous distressing experience of being searched
- 6.27. If the pupil still refuses to cooperate:
- We may sanction them in line with our behaviour policy
 - If it is believed that a search is needed urgently, seek advice from the headteacher, DSL or pastoral member of staff. During this time, the pupil should be supervised somewhere away from other pupils
 - Assess whether it's necessary to use reasonable force to conduct the search. Consider whether this would prevent the pupil from harming themselves or others, damaging property or causing disorder. Note: you can only use reasonable force to search for prohibited items but not other items banned in your school
- 6.28. **Searching a pupil's clothes** - Search the pupil in an appropriate location that offers privacy from other pupils.
- 6.29. Authorised staff can search a pupil's pockets and require pupils to remove outer clothing, meaning clothes that are not worn directly next to the skin or over underwear. Outer clothing also includes:
- Gloves
 - Scarves
 - Shoes
- 6.30. The Headteacher and authorised staff understand that they cannot ask pupils to take off any further items of clothing.
- 6.31. We will be sensitive to whether a pupil is wearing outer clothing for religious reasons when we conduct a search. For example, you shouldn't require a female pupil to remove a headscarf she's wearing for religious reasons if our witness is male.
- 6.32. **Searching a pupil's possessions** - Authorised staff can search lockers, desks and bags in the presence of the pupil and another member of staff.
- 6.33. We allocate lockers to pupils at the start of the year on the condition that they are aware that staff can search them.
- 6.34. We may use a metal detector to help with our search.
- 6.35. **Police and strip searches** - School staff are **not** allowed to carry out strip searches, including the headteacher and authorised staff. Only police who have been asked to come to the school may

decide whether a search is necessary and carry it out. The police can only carry out a search if they:

- Think this is necessary to remove an item related to a criminal offence, **and**
- Reasonably consider the pupil might have concealed such an item

6.36. We always put the best interest of the child first. This means that before we decide to call the police into school we will:

- Make sure that we have exhausted other approaches
- Carefully weigh up the risks to the pupil's mental and physical wellbeing with the need to conduct a search

6.37. **Before a strip search:**

- Where reasonably possible, we will inform a parent that a strip search will happen (and **always** inform them after it's been carried out)
- Make sure an 'appropriate adult' is present during the search.

6.38. **What is an appropriate adult?** This is a person whose role is to safeguard the rights and welfare of children who are suspected of a criminal offence, by ensuring they are treated fairly and are able to participate effectively. The role of the appropriate adult may include:

- Parent or other family member (18 or over)
- Friends or carers (18 or over)
- Social Workers
- Specialist appropriate adults

See the National Appropriate Adult Network's resources : www.appropriateadult.org.uk

6.39. During a search

- The police officers conducting a strip search must be the same sex as the pupil
- There must be at least 2 people present other than the pupil, including the 'appropriate adult' (see the box on the right for a definition). The search may only take place without an appropriate adult if:
 - It's an urgent case where there is a risk of serious harm to the pupil or others
 - The pupil explicitly states that they don't want an appropriate adult present for the search and the appropriate adult agrees and signs a record of the pupil's decision
- The appropriate adult should be the same sex as the pupil, unless they specifically request someone else

6.40. The school's role to advocate for pupils' wellbeing at all times. A strip search can be highly distressing for the pupil, and for staff and other pupils affected.

6.41. The police cannot overrule the school's-safeguarding duty, for example by requesting that the appropriate adult leave the room when they talk to the pupil.

6.42. Page 13 of the DfE's searching, screening and confiscation guidance makes it clear as to the process the police must follow.

6.43. If a prohibited item is found the school will:

- We will consider it a safeguarding matter as well as a police matter
- Involve relevant staff such as the DSL and treat the pupil as potentially vulnerable

6.44. If a prohibited item is not found the school will:

- Take a safeguarding approach to supporting the pupil to cope with the experience of being searched
- Consider the wider safeguarding issues that may have informed the decision to request a search in the first place

- 6.45. **How to record searches** - We should make a record in our safeguarding reporting system (MyConcern) of:
- Any searches for prohibited items
 - Any search conducted by police officers
- Record these whether or not any items were found.
- 6.46. Charles Darwin School will also record searches for other items banned by the school. We will also use this record to look for any trends in the searches carried out at the school, and to identify any possible risks that may require a safeguarding response.
- 6.47. When recording any searches on MyConcern the following should be included:
- The date, time and location of the search
 - Which pupil was searched
 - Who conducted the search and any other adults or pupils present
 - What was being searched for
 - The reason for searching
 - What items, if any, were found
 - What follow-up action was taken as a consequence of the search
- 6.48. **Confiscations** - authorised staff members can confiscate any item they find that they have reasonable grounds for suspecting:
- Poses a risk to staff or pupils
 - Is a prohibited or banned item
 - Is evidence in relation to an offence
- All staff are authorised to confiscate mobile phones as per Charles Darwin School's mobile phone policy. All staff are authorised to confiscate jewellery as per our uniform policy.
- 6.49. Authorised staff members (SLT or pastoral team) may examine any data or files on an electronic device that they have confiscated, if they have good reason to do so. The school should reasonably suspect that the device has (or could be used to):
- Cause harm
 - Undermine the safe environment of the school or disrupt teaching
 - Commit an offence
- 6.50. If you discover inappropriate images, video, or other material, you should dispose of them unless you have reasonable grounds to suspect that their possession is related to a specific illegal offense. In this case, do not destroy the material. Instead, hand the material, or device containing the material, over to the police as soon as possible.
- 6.51. If you the school suspects you it may find an indecent image or video of a child on a device, it must avoid viewing it and never copy, share, or save it.
- 6.52. Refer the incident to you're DSL and follow the DfE's guidance on responding to pornographic image-sharing in education settings.
- 6.53. Relevant school policies relate to this.
- 6.54. **Screening pupils** - Screening is the use of a walk-through or hand-held metal detector to scan all pupils before they enter the school site. We can require pupils to undergo screening. However:
- Before it considers installing and using any screening technology it will consult with the local police, as they may be able to provide advice about whether installing these devices is appropriate
 - If new screening measures are introduced, the school will inform pupils and parents in advance to explain what it will involve
 - The school will make sure to make reasonable adjustments to the screening process where a pupil has a disability

Developing Capacity

7. Training and professional development for all staff

- 7.1. The school has a comprehensive behaviour management training programme which has been reviewed to ensure that it is appropriate to the needs of staff and the circumstances of the school.
- 7.2. The school reviews regularly the health, safety and welfare of all staff and provides for professional and personal support (including counselling and training).
- 7.3. The school provides relevant information and training on behaviour management matters to all groups of staff, including:
 - support staff (e.g. learning support assistants, teaching assistants, cover supervisors);
 - Early Careers Teachers (ECT's) during their formal induction period;
 - students undertaking programmes of initial teacher training;
 - class teachers;
 - leadership group.
- 7.4. This training and development will be provided through whole school INSET and specific planned or tailored training.
- 7.5. The school undertakes annual reviews of the continuing professional development (CPD) needs of teachers and headteachers through the performance management appraisal process.
- 7.6. The school provides opportunities, as appropriate, for staff to develop their knowledge and skills in relation to such issues as:
 - implementing the school's behaviour procedure;
 - logging and recording of incidents;
 - school leadership;
 - teaching strategies;
 - classroom management;
 - health education;
 - learning styles;
 - the implications of legislation affecting behaviour management (e.g. detention, suspension, exclusion, child protection, pupil restraint, pupil searches);
 - pupil support;
 - equal opportunities and anti-discrimination;
 - safeguarding
 - WRAP [Prevent] training
 - techniques for promoting positive behaviour e.g. Growth Mindset
 - LGBT+ awareness and inclusivity
 - Relationships and Sex Education which includes supporting all pupils to report concerns about harmful sexual behaviour freely.

8. Clear roles and responsibilities

- 8.1. The school ensures that staff job descriptions include appropriate reference to responsibility for implementing the school's behaviour procedure,
- 8.2. The governing body is advised of the implications of the behaviour procedure for their own practice and relevant committees recognise their responsibilities under the terms of the procedure and any other regulations and government guidance.

- 8.3. The senior leadership team and pastoral team (ACO's) will be made aware of sanctions used across the school on a year group basis every half term.

9. Referral

- 9.1. The school will undertake reviews of pupils' needs prior to identifying suitable educational plans, strategies and alternatives for pupils.
- 9.2. The school undertakes regular monitoring and review of its internal and external arrangements for pupil referral and support.
- 9.3. The school has identified the main points of external referral (including Bromley Y Education Welfare Officers, Educational Psychologists, voluntary sector, health authority/trust, Children's Social Care and police).
- 9.4. The school maintains appropriate records on the use of internal referrals, using My Concern, Safeguarding Software since 2019.
- 9.5. The school tries to ensure that appropriate staff (including the class teacher/form tutor) are informed in full of the outcome of any referral.
- 9.6. All staff are aware as to who to go to in school to discuss a referral being made on a child and the Early Help support available (as per latest Keeping Children Safe in Education [KCSIE] and the School's Safeguarding and Child Protection Policy. These policies are available on the school website and all staff are required to sign to say that they have read and understood them every September (or on arrival if mid-year).

10. Resources

- 10.1. The school will provide the resources needed to ensure the effective implementation of the behaviour management procedure, including reviews of the following:
- 10.2. Staffing issues:
- staffing levels;
 - staff training and development;
 - provision of appropriate time to carry out their professional roles and responsibilities;
 - workload;
 - health and safety,
- 10.3. Data management and record keeping:
- provision of administrative and record keeping systems (including use of ICT);
 - monitoring arrangements (including use of ICT).
- 10.4. Curriculum review and alternative provision:
- alternative education provisions for pupils, including the use of off-site provisions, e.g. respite. Risk assessments will be required from any off-site provision and held with relevant documentation in student services;
 - review of curriculum appropriateness;
 - use of curriculum flexibility, including dis-application (where appropriate);
 - on-site facilities wherever possible and appropriate, e.g., Student Isolation Room (SIR), Student Learning Zone (SLZ), access to learning support, mentoring;
 - consideration of a managed move to an alternative school.

- 10.5. The school will participate appropriately in implementing Early Help referrals and upholding our Safeguarding and Child Protection Policy to ensure effective early identification and integration of services to meet the needs of children and families, including:
- Bromley Children's Project (BCP)
 - Bromley Wellbeing Service (for Bromley Y or CAMHS);
 - Education Welfare Service;
 - Education Psychology Service;
 - Health Services
 - Children's Social Care;
 - careers information, advice and guidance;
 - LGBT support, eg METRO;
 - Young Carers Support e.g. Bromley Well
 - Youth Offending Team;
 - drug counselling agencies, eg Bromley Changes;
 - mentors;
 - police or School's Police team.
- 10.6. Members of the Pastoral Team will have relevant Safeguarding training and have responsibility for overseeing completion of an early help referral with support from the relevant staff.
- 10.7. The school has a Pupil Support Programme, which is on three levels and regularly reviews the need for mentoring, counselling and peer mediation. Families should be involved with the child in the implementation and review of PSPs.
- 10.8. The school has an e-safety policy which is regularly reviewed to comply with new guidance when required.
- 10.9. The school has a Relationships and Sex Education Policy which is annually reviewed by the School Council and has been reviewed by parents/carers in 2021. Staff have appropriate knowledge of Section 5 Keeping Children Safe in Education 2023 Guidance. The school has planned an RSE curriculum which is seen via the Personal Development Programme (Assemblies, PSHE) and the Curriculum. Year 7-9 have a timetabled RSE lesson via the Personal Development curriculum. All year groups have additional RSE via the tutor programme, assemblies and/or Drop lessons.

Meeting Needs

11. Needs assessment/reviews

- 11.1. Through its referral processes, the school will undertake assessments and reviews of the needs of pupils whose behaviour is disruptive.
- 11.2. The school provides appropriate training for all relevant persons responsible for the conduct of assessments and reviews.
- 11.3. The school ensures that adequate time is given during the normal school day for the conduct of pupil assessments and reviews and for the development and implementation of the pupil support programme.
- 11.4. The school ensures that staff receive adequate time to provide support to individual pupils.
- 11.5. The school will ensure that the Safeguarding and Child Protection Policy is fully adhered to.

12. Curriculum flexibility

- 12.1. The school's curriculum is appropriate to the needs of pupils.
- 12.2. The school's curriculum provides an opportunity for pupils to talk about behaviour issues and to formulate personal and group strategies to minimise and avoid conflict.
- 12.3. The school's Student Learning Zone provides a supervised setting for lesson withdrawal via referral from named senior staff.
- 12.4. Regular reviews will be completed to ensure needs are fully met through any alternative curriculum provided by the school.
- 12.5. The school's Safeguarding and Child Protection Policy will be adhered to regarding off-site alternative provision and risk assessments.

13. Pupil involvement

- 13.1. The school encourages pupils to take responsibility for their own learning and behaviour.
- 13.2. The school encourages pupils to take responsibility for developing a positive behaviour culture within the school, e.g. School Council's review of the Relationship and Sex Education provision across the school from 2012 and use of Growth Mindset from 2015.
- 13.3. The school provides opportunities for pupils' positive involvement in the life of the school and community.
- 13.4. The school seeks to engage pupils in the review of the behaviour procedure, e.g. the anti-bullying policy has been reviewed by the School Council and Student Voice from 2007 and all year groups focus on anti-bullying during assembly and tutorials at key times in the year. The whole school Behaviour review 2022 consulted Student Voice when reviewing sanctions and rewards.

14. Parental/Carer involvement

- 14.1. The school ensures that parents/carers are informed promptly of any concerns regarding their child and are given the opportunity to be involved in responding to their needs.
- 14.2. The school provides opportunities to encourage parental involvement and support for the behaviour procedure. Parental questionnaires are encouraged at Parents' Evenings and parental forums are available. A parent voice survey was last completed March 2023 and included reference to behaviour in and out of school.
- 14.3. Input from parent/carers on policy development is freely encouraged e.g. school's Uniform Review Autumn 2022, Relationships and Sex Education Policy 2021.

15. Community involvement

- 15.1. The school liaises with a range of bodies as appropriate to support and promote positive behaviour. We offer a breakfast opportunity from 8am, with the school site and some provisions open until 5.00pm.
- 15.2. The School Council canvasses the views of local residents and their perception of Charles Darwin School pupils and their behaviour. They have supported litter picking in the local community as a result.
- 15.3. The Headteacher attends the Biggin Hill Ward Panel, where community behaviour is an agenda item.

Reviewing Effectiveness

16. Data management

- 16.1. The prompt and accurate reporting of incidents is considered particularly important to the effectiveness of the school's behaviour procedure.
- 16.2. The school maintains accurate records of all behaviour incidents and in respect of bullying, including homophobic bullying and racist incidents and sexual harassment allegations (from 2021)
- 16.3. The school has a low bureaucracy system of data collection and record keeping.
- 16.4. The school has advised all staff of the need for timeliness, accuracy and completeness in the recording of behaviour management incidents and has advised staff of the correct procedures for recording statements, based on GDPR requirements.
- 16.5. The school provides for the logging of incidents and monitoring of trends as appropriate, based on GDPR requirements.
- 16.6. The school deploys appropriate staff to undertake routine administration and record keeping.

17. Monitoring and evaluation

- 17.1. The school monitors behaviour incidents in order to identify issues and trends. The electronic Expression of Concern (EOC) is used, WSDs are recorded on SIMS to allow easy monitoring procedures (see Proforma), Faculty parking is tracked via the Student Isolation Room from 2015 (parking@cdarwin.com). Behaviour points are recorded on SIMS by teachers, and Aspire, Endeavour and Achieve points are totalled as Achievement points on SIMS (via Satchel One).
- 17.2. The school makes effective use of SIMS to support the implementation of its procedures.
- 17.3. Staff receive individual and collective feedback (as appropriate) on behaviour management issues, trends and the outcome of referrals.
- 17.4. The school monitors incidents of disruptive behaviour in terms of:
 - Whole school detention type
 - Faculty parking (pupils, subject, member of staff, time of day)
 - type of incident (including prejudice-related incidents);
 - critical days/times in the week;
 - critical places within/outside the school;
 - pupils involved;
 - profile of pupils involved (ethnicity, gender, disability, age, SEN);
 - timeliness of response;
 - outcomes.
- 17.5. The school records details of safeguarding concerns including harmful sexual behaviour from 2021, racist incidents and bullying incidents, including homophobic bullying, separately. Searches are recorded as a safeguarding concern from September 2022 as per the guidance.
- 17.6. Staff are made aware that harmful sexual behaviour could be happening in the school, even if they are not personally aware of any specific reports.
- 17.7. The school is vigilant towards any form of extremist behaviours. Staff are regularly updated and the schools safeguarding policy reflects this and other areas reinforced in Keeping Children

Safe in Education September (Child missing from Education, Child Sexual Exploitation, Female Genital Mutilation, child on child abuse and Preventing Radicalisation).

- 17.8. The school ensures that its pupil record keeping systems provide analysis of the impact of its behaviour procedure on particular groups of pupils and in respect of special educational needs, Pupil Premium, disability, ethnic origin, gender and children in public care.
- 17.9. The school assures appropriate levels of confidentiality within its monitoring and reporting arrangements.
- 17.10. The school evaluates its procedure and effectiveness of its implementation strategies against key improvement objectives which include:
- improvement of individual behaviour;
 - academic progress.
 - class/department/whole-school measures e.g. SLANT, SPACE and STEPS
 - general behaviour patterns;
 - balance in the use of rewards and sanctions;
 - staff support and training needs;
 - curriculum access and academic progress;
 - equal opportunities;
 - behaviour management trends over time for example the use of Whole School Detentions, Senior Staff and Headteachers Detention, use of SIR and faculty parking;
 - reduction of fixed term suspensions (from September 2022 this term replaces 'fixed term exclusions')
 - effectiveness of the procedure in encouraging positive behaviours.
- 17.11. The school provides details of issues and trends to staff and the governing body as a basis for effective decision making,

18. Sharing good practice

- 18.1. The school shares information on good practice gleaned from reviews of:
- individual practice;
 - whole-school practice;
 - practice in other schools;
 - cross-phase practice;
 - cross-departmental practice.
- 18.2. Relevant information is shared with all members of staff and the governing body to better inform decision making, and to assist in meeting the educational needs of all pupils at the school.

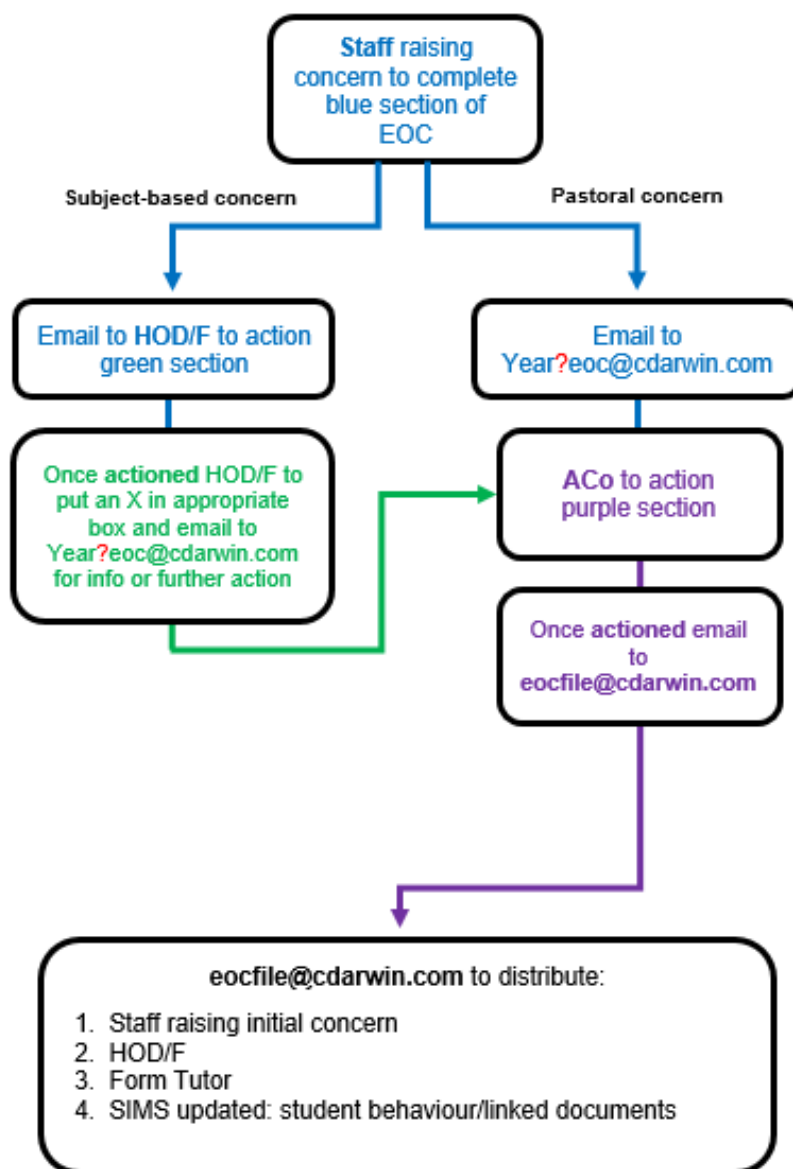
19. Review of Policy

- 19.1. The Behaviour Management Policy will be reviewed on an annual basis and updated more frequently dependent on external guidance.

Proformas

Expression of Concern

Expression of Concern – Procedure September 2019 onwards



Once the EOC has been actioned, the ACo/Pastoral Manager will forward the EOC to eocfile@cdarwin.com for it to be entered onto SIMS by Student Services to create a behaviour log. The EOC will be saved as a Linked document to the student concerned and a copy of the EOC will be emailed to the member of staff raising the initial concern, HOD/F and Form Tutor.

Please remember that an EOC may need to be completed, even if a Whole School Detention is set for behaviour they are essential for patterns of behaviour and may trigger conversations with HOFs/ACOs.

The EOC template can be found on the staff shared area.

All incidents of Bullying, Racism, Homophobic comments and Sexual Harassment must be logged as well as being recorded on an EOC by the member of staff who deals with them. Bullying and Homophobic comments on the Bullying Log on the staff shared area and Racist Comments and Sexual Harassment via Mrs Stephens.

Expression of Concern Template can be found in the staff shared area under the following folder:

T:\Staff Resources\Expression of Concern

Expression of Concern

Racist: ☐ Bullying: ☐

1. Staff raising concern to complete blue section → Email to either HOD/F (subject-based concern) or ACo on Year?eoc@cdarwin.com adding relevant year group for ?:

Pupil Form Date
 Staff Subject Period/time
 This is a first EOC This is a repeated EOC (put X in appropriate box)

Details of the incident – Please remember to give full details and to use professional language:

I have called home: Yes ☐ No ☐ (put X in appropriate box)

Strategies used / action taken by teacher raising concern (put X in appropriate boxes)

Student parked ☐ WSD set and put in planner ☐ Email or letter home ☐
 Referred to HOD/F to escalate ☐ Other

2. HOD/F to action green section:

Action by Head of Department / Head of Faculty (put X in appropriate boxes):

Spoke to student ☐ Detention set and put in planner ☐ Letter or email home ☐
 Phone call home ☐ Student withdrawn from lesson(s) ☐

Additional strategies/action or relevant detail:

(put X in appropriate box)

☐ **NO ACTION REQUIRED**
 Issue dealt with by HOD/F → Email EOC to
Year?eoc@cdarwin.com INFO only

☐ **FURTHER ACTION REQUIRED by ACo**
 Request for further action → HOD/F to email EOC to
Year?eoc@cdarwin.com

HOD/F initials:

Date:

3. ACo to action purple section:

Action by Achievement Co-ordinator / Transition Manager / Pastoral Manager

(key worker to be highlighted/underlined) – Please give brief details (put X in appropriate boxes):

Spoke to student ☐ Spoke to parent ☐ Referred to tutor ☐ Senior Staff/Saturday Detn ☐
 Student Isolation Room ☐ Behaviour report ☐ Referred to SLT ☐

Other (SIR, Extended day, Exclusion, etc):

Staff initials:

Date:

ACo: If no further action required → email EOC to eocfile@cdarwin.com for distribution
 OR Action as appropriate → then forward updated EOC to eocfile@cdarwin.com for distribution

Final Distribution → EOC to be emailed to:

1. Staff raising concern 2. HOD/F 3. Form Tutor and SIMS up/dated: Student behaviour/Linked Documents]

Annex I

School Sanction System

Detention System

Type	Duration	Examples of reasons	Day/time/place	Action Required - Gatekeeper
Behaviour Points (1 Behaviour Point)	n/a	<ul style="list-style-type: none"> No homework by deadline Uniform infringement (tutor) and chewing gum Repeatedly no equipment Low level disruption <u>after warning</u> Repeatedly late to lesson (twice) Corridor behaviour 	<ul style="list-style-type: none"> Logged on Satchel One 	<ul style="list-style-type: none"> Teacher adds Behaviour Points via Satchel One.
Lunch time detentions in designated areas (1 Behaviour Point)	20 – 40 mins	Directed by ACo's only for: <ul style="list-style-type: none"> Uniform (No tie, trainers, no blazer) Poor grade on ACo/SLT report General pastoral concern 	<ul style="list-style-type: none"> Every day (Years 7–11) Lunch time Designated area, ie, SIR 	<ul style="list-style-type: none"> Book in detention via diary in Student Services. Supervising ACo enters detention onto SIMS at start of detention - Behaviour Point. Note in planner.
Whole School Detentions (Years 7-11) <i>To be recorded in Student planners.</i> <u>Must be set by end of Period 4</u> <i>if required for next day due to Call Parent being sent at 1:00pm</i> (24hrs notice required) (2 Behaviour Points)	40mins	<ul style="list-style-type: none"> Rude and defiant behaviour Persistent Low Level Disruption Repeated failure to complete homework. If a pupil misses a homework deadline twice they receive a WSD. Staff must not set a WSD as a threat to get homework in. Repeated lack of equipment or kit. Persistent lateness to lessons. 	<ul style="list-style-type: none"> Every day apart from Tuesday From 3:00pm onwards <p>Register outside room with Pastoral Manager:</p> <ul style="list-style-type: none"> - Year 7 - room LA4 - Year 8 - room MA3 (JHa) - Year 9 - room IT3 (JHa) - Year 10 - room VQ4 (JGa) - Year 11 - room IT1 (SLT) <p>Hard copy of registers to then be passed to supervising staff. These must then be brought to Lead SLT at the end of detention for collation.</p>	<ul style="list-style-type: none"> Subject teacher to record WSD in student planner – reason/date/staff Subject teacher to record setting a detention on SIMS. Tutors to remind pupils of daily WSD (names red on pm register). P.5 teachers to escort pupils to WSD at end of day if requested. Supervising teacher to record attendance on SIMS at start of WSD. Tracking sheet to ACo's on monthly basis for monitoring. <p>Corridor behaviour:</p> <ul style="list-style-type: none"> Member of staff to give a Behaviour Point or EOC considered.
Whole School Detention – 2nd attempt (Years 7-11) (2 Behaviour Points)	1hr 15mins	<ul style="list-style-type: none"> Failure to attend WSD without authorisation Sent out of WSD for communicating/misconduct 	<ul style="list-style-type: none"> With SLT Team leader 	<ul style="list-style-type: none"> If pupil sent out, SLT Team Leader to clearly indicate this on register to enable escalation. SLT Team leader to remain behind after normal WSD with 1hr 15mins and 1hr 30mins pupils.

Detention System

Type	Duration	Examples of reasons	Day/time/place	Action Required - Gatekeeper
Senior Staff Detention (Years 7-11) (3 Behaviour Points)	1hr 15mins	<ul style="list-style-type: none"> Missing 2 x WSD (Years 7-11) Aggressive behaviour Anti-social behaviour to and from school Smoking/vaping in uniform Repeated poor behaviour in lesson (HOD/F) Lesson truancy 	Set Monday/Wednesday/Friday With SLT Team leader	<ul style="list-style-type: none"> HoF/ACo to email SLT attached to year group with details for authorisation. HoF/ACo – calls home, records SSD on SIMS then emails information to NKa for letter home via main office. Detention taken by member of SLT Team leader. All registers from WSD must be left in the SIR after detention.
Whole School Detentions – Year 12 (2 Behaviour Points)	40mins – 1hr30mins	<ul style="list-style-type: none"> Persistent lateness to school Truancy – lesson (30mins) Missing key deadline (30mins) 	Year 12 – IT1	<ul style="list-style-type: none"> Form tutor to monitor and set WSD on SIMS. Form tutor to inform student of WSD date. RKe to monitor attendance to WSD.
Sixth Form Detentions – Year 13 (2 Behaviour Points)	40mins – 1hr15mins	<ul style="list-style-type: none"> Teaching staff detain pupils for concerns over students work 	am or pm / classrooms	<ul style="list-style-type: none"> This can be set without warning, Staff to EOC HOD/F and RKe/RGo.
	40mins to 1hr 30mins	<ul style="list-style-type: none"> Tutors set 40mins–1hr10mins for persistent lateness or truancy HOD/HOF to inform RKe to set detention for missing department detention or persistent work problems. 	Hub	<ul style="list-style-type: none"> HOD/F to inform home via RKe and letter and EOC RKe/RGo.
Headteacher Detention (4 Behaviour Points)	1hr 30mins	<ul style="list-style-type: none"> Missing 2 x Senior Staff detention Day truancy Persistent WSD's (12+) Serious breaches of school discipline including graffiti. Behaviour on bus to and from school 	Tuesday 3:00-4:30pm Meetings Room	<ul style="list-style-type: none"> ASm/LRe/MBo to sanction all Headteacher detentions on pro forma. Letter home via main office and Call-Parent sent. Detention to be taken by HT with DHT as reserve.

Class detentions should be avoided

Suspension & Exclusion System

Type	Examples of reasons	Day / time / place	Action Required - Gatekeeper
Extended Day Suspension (5 Behaviour Points)	<ul style="list-style-type: none"> Physical aggression towards a peer (first time) Swearing in front of a member of staff Punching a student in the stomach Refusal to comply with Mobile Phone policy to an SLT of staff 	8:30am – 4:00pm SLT corridor	<ul style="list-style-type: none"> Internal suspension to be discussed with either LRe or MBo before any action is taken. (In their absence ASm should be consulted.) Internal referral form to be completed (collected from JSs) with all details/wording checked prior to the internal exclusion, along with copies of statements, if applicable. Two copies of the letter will be prepared for ASm to sign. One copy for ASm to hand over to the student at 3:00pm the second to be sent home by first class. JSs to send notification email sent to TDa, NFr, Main Reception, Student Isolation Manager, JHo, form tutor relevant ACo, SLT and Pastoral Manager. Student Isolation Manager to meet student in SLT corridor at 8:15am to take and store mobile phone and ensure they are aware of expectations. Readmission meeting to take place with parent, student and ACo before student returns to lessons. SLT to be invited if required. Green readmission contract to be completed and left with JSs who will copy and return.
Fixed Term Suspension (5 Behaviour Points)	<ul style="list-style-type: none"> Persistent defiance of the school rules Physical aggression towards another student Swearing at a member of staff Deliberately setting off the fire alarm during the school day 	Off site at home To remain out of public places from 8:30am – 3:00pm	<ul style="list-style-type: none"> Option of Fixed Term / Repeated Fixed Term suspension to be discussed with either LRe or MBo before any action is taken. (In their absence ASm should be consulted.) This to ensure consistency of number of days. Exclusion referral form to be completed (collected from TDa) with all details/wording checked, along with copies of statements. Two copies of the letter will be prepared for ASm to sign. One copy for ASm to hand over to the student at 3:00pm along with appropriate work to be completed whilst the student is excluded (organised by TDa), the second to be sent home by first class. TDa to send notification email Main Reception, EWO, Youth Policing Team, LCI, SLT, Chair of Governors, JHo, Student Isolation Manager, NFr, JSs, TFr, Form Tutor, ACo, and Pastoral Manager. In the case of a LAC the Social Worker and Head of Virtual School to be also be notified.
Repeated Fixed Term Suspension (5 Behaviour Points)	<ul style="list-style-type: none"> Repeated defiance and aggression as above Disrespectful and intimidating behaviour towards staff and persistent disruptive behaviour Repeated persistent refusal to the follow school rules and behaviour policy 	Off site at home To remain out of public places from 8:30am – 3:00pm	<ul style="list-style-type: none"> Readmission meeting to take place with parent, student, relevant ACo and SLT before student returns to lessons. Managed move explored for repeated Fixed Term Exclusions. Green readmission contract to be completed and left with JSs who will copy and return.
Pending Permanent or Permanent Exclusion	<ul style="list-style-type: none"> Serious and/or persistent breaches of the School Behaviour Policy and expectations. Threatening a student with a knife and/or bringing an offensive or replica weapon onto school premises. 	Off site at home To remain out of public places from 8:30am – 3:00pm Or Alternative provision from sixth day	<ul style="list-style-type: none"> 5 day pending permanent exclusion initially issued by ASm. Two copies of the letter will be prepared for ASm to sign. One copy for ASm to hand over to the student at 3:00pm along with appropriate work to be completed whilst the student is excluded (organised by TDa), the second to be sent home by first class. TDa to send notification email Main Reception, EWO, Youth Policing Team, LCI, SLT, Chair of Governors, JHo, Student Isolation Manager, NFr, JSs, TFr, Form Tutor, ACo, and Pastoral Manager. In the case of a LAC the Social Worker and Head of Virtual School to be also be notified. Parents to meet with ASm to discuss exclusion within 5 school days. Pupil Disciplinary Meeting held within 15 days to allow Governors to hear parental case against the exclusion. Final decision made by school Governors and option to appeal school's decision given.

Annex 2

Sections 3-6 of

Suspension and Permanent Exclusion from maintained schools, academies and PRU's in England May 2023 including pupil movement July 2022. P11 to P32 (inc).

Part three: The headteacher's power to suspend or permanently exclude¹²

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.

The headteacher's powers to use exclusion¹³

1. Only the headteacher¹⁴ of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.
2. A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e. that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.
3. When establishing the facts in relation to a suspension or permanent exclusion decision the headteacher must apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the headteacher should accept that something happened if it is more likely that it happened than that it did not happen. The headteacher must take account of their legal duty of care when sending a pupil home following an exclusion.
4. Headteachers should also take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so. They should inform the pupil about how their views have been factored into any decision made.¹⁵ Where relevant, the pupil should be given support to express their view, including through advocates such as parents or, if the pupil has one,

¹² For headteachers, academy principals and teachers in charge of pupil referral units.

¹³ Paragraphs 1 to 3 gives guidance about section [51A Education Act 2002](#).

¹⁴ In a maintained school, 'headteacher' includes an acting headteacher by virtue of [section 579\(1\) of the Education Act 1996](#). An acting headteacher is someone appointed to carry out the functions of the headteacher in the headteacher's absence or pending the appointment of a headteacher. This will not necessarily be the deputy headteacher; it will depend on who is appointed to the role of acting headteacher. In an academy, 'principal' includes acting principal by virtue of regulation 21 of the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.

¹⁵ [Convention on the Rights of the Child | OHCHR](#)

a social worker. Whilst an exclusion may still be an appropriate sanction, the headteacher should also take account of any contributing factors identified after an incident of misbehaviour has occurred and consider paragraph 45 of the Behaviour in Schools guidance.

Suspension¹⁶

5. 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.

6. A pupil may be suspended for one or more fixed periods¹⁷ (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.

7. 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. Where suspensions are becoming a regular occurrence for a pupil, headteachers and schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

8. It is important that during a suspension, pupils still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Google Classroom or Oak National Academy.¹⁸ The school's legal duties to pupils with disabilities or SEN remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension.

9. A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.

10. The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension

¹⁶ Paragraphs 6, 9 and 10 give guidance about section [51A Education Act 2002](#).

¹⁷ A 'fixed period' means that a suspension on disciplinary grounds can't be open ended but must have a defined end date that is fixed at the time when the suspension is first imposed.

¹⁸ <https://www.thenational.academy/>

ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

Permanent exclusion

11. A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- 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.

12. For any permanent exclusion, headteachers should take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) should also be considered.

Paragraph 8 provides further guidance on utilising online pathways and the potential significance of SEND law.

Cancelling exclusions

13. The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:

- The headteacher must notify the parents¹⁹, the governing board, the LA and the pupil's social worker and VSH as applicable, without delay²⁰. The notification must also provide the reason for the cancellation;
- The governing board's duty to consider reinstatement²¹ ceases, and there is no requirement to hold a meeting to consider reinstatement;
- Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the

¹⁹ Parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

²⁰ Written notification of the cancellation and reason for the cancellation can be provided by delivering it directly to the recipient, leaving it at their usual or last known home address, or posting it to that address. A notification to a parent can only be given electronically (e.g. by text message or e-mail) if it is sent to a number or address that the parent has agreed can be used for notifications of this kind.

²¹ Paragraphs 97 to 107 provide information on when a governing board must consider and decide on the reinstatement of a suspended or permanently excluded pupil.

exclusion being cancelled which should be arranged without delay;

- The pupil must be allowed back into the school from which they were excluded without delay.
- Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in any school year (see paragraph 6).

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

Setting a clear process for exclusions

15. Headteachers should consider the following, when setting a clear process for exclusions:

- adopting a reliable method for monitoring the maximum 45 days permitted in a school year out of school due to exclusion, including suspensions received from other schools;
- ensuring there is a formal process for informing parents, social worker and VSH (where relevant), governing board and local authority, clearly setting out all reasons for the exclusion;
- providing up to date links to sources of impartial advice for parents;
- reintegrating pupils whose suspensions have ended or been cancelled and pupils whose permanent exclusions have been cancelled and supporting pupils' future behaviour;
- ensuring a formal process for arranging, at short notice, suitable full-time alternative education for pupils receiving suspensions over five school days.

Reasons and recording exclusions

16. The government trusts headteachers to use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil. The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion.

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability

17. This list is not exhaustive and is intended to offer examples rather than be complete or definitive. The Department collects data on suspensions and permanent exclusions from all state-funded schools via the termly school census. Schools must provide information via the school census on pupils subject to any type of suspension or permanent exclusion in the previous two terms.²² Up to three reasons can be recorded²³ for each suspension or permanent exclusion (where applicable).

Off-rolling and unlawful exclusions

18. Telling or forcing a pupil to leave school, or not allowing them to attend school, is a suspension (if temporary) or permanent exclusion (if permanent). Whenever a pupil is made to leave school, or forbidden from attending school, on disciplinary grounds, this must be done in accordance with the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 and with regard to relevant parts of this guidance.

19. Suspending a pupil for a short period of time, such as half a day, is permissible but the formal suspension process must still be followed. Each disciplinary suspension and

²² The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under [section 537A of the Education Act 1996](#).

²³ [Complete the school census - Guidance - GOV.UK \(www.gov.uk\)](#)

permanent exclusion must be confirmed to the parents²⁴ in writing with notice of the reasons for the suspension or permanent exclusion.

20. Any exclusion of a pupil, even for short periods, must be formally recorded. It would also be unlawful to exclude a pupil simply because they have SEN or a disability that the school feels it is unable to meet, or for a reason such as, academic attainment/ability; or the failure of a pupil to meet specific conditions before they are reinstated, such as to attend a reintegration meeting.²⁵ If any of these unlawful exclusions are carried out and lead to the deletion of a pupil's name from the register, this is known as 'off-rolling'. An informal or unofficial exclusion, such as sending a pupil home 'to cool off', is unlawful when it does not follow the formal school exclusion process and regardless of whether it occurs with the agreement of parents.

21. A further example of off-rolling would be exercising undue influence over a parent to remove their child from the school under the threat of a permanent exclusion and encouraging them to choose Elective Home Education or to find another school place.

22. If a parent²⁶ feels pressured into electively home educating their child or that the suspension or permanent exclusion procedures have not been followed, they can follow the school's complaints procedure with the governing board and in the case of a maintained school, the local authority. Ofsted considers any evidence of off-rolling and is likely to judge a school as inadequate if there is evidence that pupils have been removed from the school roll without a formal permanent exclusion or by the school encouraging a parent to remove their child from the school, and leaders have taken insufficient action to address this.

Safeguarding, including guidance concerning pupils who have abused another pupil (commonly known as child-on-child abuse)

23. If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a pupil or if a pupil has been reinstated following a governing board review, it is likely that there will be complex and difficult decisions that need to be made. It is important that these decisions are made alongside a school's duty to safeguard and support children and their duty to provide an education.

24. Schools have a statutory duty to make arrangements for safeguarding and to promote the welfare of their pupils. As part of this duty, schools are required to have

²⁴ Parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

²⁵ Paragraph 19 gives guidance about section [51A Education Act 2002](#).

²⁶ Parents cannot agree to waive the requirements of the Regulations and relevant regulations must always be followed when a pupil is made to leave or is forbidden from attending on disciplinary grounds.

regard to guidance issued by the Secretary of State for Education and must have regard to [Keeping Children Safe in Education](#).²⁷

25. Furthermore, schools have a statutory duty to cooperate with safeguarding partners. Equally, safeguarding partners are expected to name schools as relevant agencies and engage with them in a meaningful way. Ultimately, any decisions are for the school to make on a case by case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

26. Section 5 of [Keeping Children Safe in Education](#) sets out the safeguarding process for cases of reports that relate to rape or assault by penetration and those that lead to a conviction or caution: "When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case by case basis." As always when concerned about the welfare of a child, the best interests of the child should come first. In all cases, schools should follow general safeguarding principles as found in [Keeping Children Safe in Education](#).

Reintegration after a suspension or off-site direction

27. Schools should support pupils to reintegrate successfully into school life and full-time education following a suspension (this may also be after a cancelled exclusion) or period of off-site direction (see paragraphs 36 to 47). They should design a reintegration strategy that offers the pupil a fresh start; helps them understand the effect of their behaviour on themselves and others; teaches them to how meet the high expectations of behaviour in line with the school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

28. The reintegration strategy should be clearly communicated at a reintegration meeting before or at the beginning of the pupil's return to school. During a reintegration meeting, the school should communicate to the pupil that they are valued, and their previous behaviour should not be seen as an obstacle to future success. Where possible this meeting should include the pupil's parents. It is important to note that a pupil should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting. To ensure ongoing progress, the strategy should be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

²⁷ [Section 175 Education Act 2002](#).

29. Where necessary, schools should work with relevant staff and multi-agency organisations, such as teachers, pastoral staff, mentors, social workers, educational psychologists or the safer schools team, to identify if the pupil has any SEND and/or health needs.

30. A part-time timetable should not be used to manage a pupil's behaviour and must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time education, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing a part-time timetable with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and must treat absence as authorised.

31. Schools can consider a range of measures to enable the pupil's successful reintegration which can include, but are not limited to:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school;
- Daily contact with a designated pastoral professional in school;
- Use of a report card with personalised targets leading to personalised rewards;
- Ensuring the pupil follows an equivalent curriculum during their suspension or off-site direction or receives academic support upon return to catch up on any lost progress;
- Planned pastoral interventions;
- Mentoring by a trusted adult or a local mentoring charity;
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage;
- Informing the pupil, parents and staff of potential external support.

Part four: Factors to consider before making a decision to exclude

The very best alternative provision (AP) can be important in managing behaviour and providing alternatives to exclusion. This could include outreach support for pupils in mainstream schools and offering short term places to pupils who need a time-limited intervention away from their mainstream school. Schools should work with high quality alternative provision providers to ensure a continuum of support is available for pupils for whom good behaviour cultures and policies are not working.

Preventative measures to school exclusion

32. In addition to the strategies set out regarding initial intervention (this can be found on page 29 of the [Behaviour in Schools](#) guidance), headteachers should also consider the following: a) an off-site direction (temporary measure that maintained schools and academies for similar purposes can use) or b) managed moves (permanent measure) as preventative measures to exclusion.

33. Any use of alternative provision should be based on an understanding of the support a child or young person needs in order to improve their behaviour, as well as any SEND or health needs. Off-site direction may only be used as a way to improve future behaviour and not as a sanction or punishment for past misconduct. Off-site direction should only be used where in school interventions and/or outreach have been unsuccessful or are deemed inappropriate and should only be used to arrange a temporary stay in AP.

34. The following individuals must have regard to the [Alternative Provision: Statutory guidance for local authorities, headteachers and governing bodies](#)

- a local authority arranging suitable education under section 19 of the Education Act 1996;
- the governing body of a maintained school making or reviewing an off-site direction under section 29A of the Education Act 2002; and
- the governing body or academy trust of a maintained school, academy school or alternative provision academy arranging suitable education for a suspended pupil under section 100 of the Education and Inspections Act 2006.

35. The nature of the intervention, its objectives, and the timeline to achieve these objectives should be clearly defined and agreed with the alternative provision upfront. The plan should then be frequently monitored and reviewed. Pupils must continue to receive a broad and balanced education, and this will support reintegration into mainstream schooling.

Off-site direction

36. Off-site direction is when a governing board of a maintained school requires a pupil to attend another education setting to improve their behaviour.²⁸ Whilst the legislation does not apply to academies, they can arrange off-site provision for such purposes under their general powers. Where interventions or targeted support have not been successful in improving a pupil's behaviour, off-site direction should be used to arrange time limited placements at an alternative provision or another mainstream school. During the off-site direction to another school, pupils must be dual registered. Code B should be used for any off-site educational activity, if the provision is an approved educational activity that does not involve the pupil being registered at any other school.

37. When possible, in school interventions or targeted support from alternative provision schools should be used to meet a pupil's individual needs and circumstances – whether behavioural or special educational.

38. Depending on the individual needs and circumstances of the pupil, off-site direction into alternative provision can be full-time or a combination of part-time support in alternative provision and continued mainstream education. A proposed maximum period of time should be discussed and agreed upon as part of the planning phase for an off-site direction. As part of planning, alternative options should be considered once the time limit has been reached, including a managed move on a permanent basis (if a pupil is placed in a mainstream school) upon review of the time limited placement.

39. The governing board must comply with the Education (Educational Provision for Improving Behaviour) Regulations 2010²⁹ and must show regard to the [Alternative Provision: Statutory guidance for local authorities, headteachers and governing bodies](#). Whilst the alternative provision guidance section does legally apply to maintained schools, academy trusts are also encouraged to follow this guidance.

40. The statutory guidance covers objectives and timeframes with appropriate monitoring of progress. For maintained schools, the governing board must ensure that parents (or pupils aged 18 or over) (and the local authority if the pupil has an Education, Health and Care (EHC) plan) are notified in writing and provided with information about the placement³⁰ as soon as practicable after the direction has been made and no later than two school days before the relevant day.

41. Parents (or pupils aged 18 or over) and, where the pupil has an EHC plan, the local authority can request, in writing, that the governing board hold a review meeting. When this happens, governing boards must comply with the request as soon as reasonably

²⁸ [Section 29A of the Education Act 2002](#).

²⁹ [The Education \(Educational Provision for Improving Behaviour\) Regulations 2010](#).

³⁰ [Regulation 3 of the Education \(Educational Provision for Improving Behaviour\) Regulations 2010 as amended](#).

practicable, unless there has already been a review meeting in the previous 10 weeks.

42. The length of time a pupil spends in another mainstream school or alternative provision and the reintegration plan must be kept under review by the governing body, who must hold review meetings at such intervals as they, having regard to the needs of the pupil, consider appropriate, for as long as the requirement remains in effect. Not later than six days before the date of any review meeting, a governing body must give a written invitation to parents³¹ (and the local authority if the pupil has an EHC plan) to attend the review meeting, or to submit in writing before the date of the meeting their views as to whether off-site direction should continue to have effect.³² The governing body must ensure, insofar as is practicable, that any review meeting is convened on a date, and at a time, that is suitable for the parent.

43. The governing body must keep the placement under review for as long as the requirement remains in effect and must decide following each review meeting as to whether the requirement should continue to have effect and, if so, for what period of time.³³ The meeting should include arrangements for reviews, including how often the placement will be reviewed, when the next review will be and who should be involved in the reviews.

44. For example, review meetings should take place between the school, parents, the pupil, and other agencies e.g. a pupil's social worker, Child and Adolescent Mental Health Services (CAMHS), Multi-Agency Safeguarding Hubs (MASH) and Youth Justice Teams, and the local authority (if a pupil has an EHC plan) to establish agreed monitoring points to discuss the pupil's ongoing behaviour. These reviews should be recorded in writing and be frequent enough to provide assurance that the off-site direction is achieving its objectives.

45. The governing body must give written notification of their decision as to whether the requirement to continue the placement should continue and if so, for what period of time including the reasons for it to the parent no later than six days after the date of the review meeting.³⁴

46. To support a pupil with reintegration into their referring school, the focus of intervention whilst off-site should remain on ensuring that a pupil continues to receive a

³¹ Parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

³² [Regulation 5 of the Education \(Educational Provision for Improving Behaviour\) Regulations 2010](#) as amended.

³³ The governing body must take into account the views of any persons (the relevant person, the provider, the head teacher of the school, a representative of the governing body; and where the pupil has a statement of special educational needs, a representative of the local authority maintaining the statement referred to in regulation) who have attended the review meeting or have submitted their views in writing.

³⁴ [Regulation 6 of the Education \(Educational Provision for Improving Behaviour\) Regulations 2010](#) as amended.

broad and balanced curriculum whilst any inappropriate behaviours which require intervention are being addressed. If a pupil with a disability or SEN has been moved off-site, the duties under the Equality Act 2010 and the Children and Families Act 2014 continue to apply (for example, to make reasonable adjustments or to put support in place to meet SEN).

47. The length of time a pupil spends in another mainstream school or alternative provision will depend on what best supports the pupil's needs and potential improvement in behaviour.

Managed moves

48. A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. Managed moves should be voluntary and agreed with all parties involved, including the parents and the admission authority of the new school. If a temporary move needs to occur to improve a pupil's behaviour, then off-site direction (as described in 36 to 47) should be used. Managed moves should only occur when it is in the pupil's best interests.

49. Where a pupil has an EHC plan, the relevant statutory duties on the new school and local authority will apply. If the current school is contemplating a managed move, it should contact the authority prior to the managed move. If the local authority, both schools and parents are in agreement that there should be a managed move, the local authority will need to follow the statutory procedures for amending a plan.³⁵

50. Managed moves should be offered as part of a planned intervention. The original school should be able to evidence that appropriate initial intervention has been carried out, including, where relevant, multi-agency support, or any statutory assessments were done or explored prior to a managed move.

51. The managed move should be preceded by information sharing between the original school and the new school, including data on prior and current attainment, academic potential, a risk assessment and advice on effective risk management strategies. It is also important for the new school to ensure that the pupil is provided with an effective integration strategy.

52. If a parent believes that they are being pressured into a managed move or is unhappy with a managed move, they can take up the issue through the school's formal complaints procedure with the governing board and, where appropriate, the local authority. Within the school inspections framework³⁶, under leadership and management,

³⁵ The processes for amending a plan are set out in [sections 37 and 44](#) of the [Children and Families Act 2014](#) and [regulations 22 and 28](#) of the [Special Educational Needs and Disability Regulations 2014](#).

³⁶ [School inspection handbook - GOV.UK \(www.gov.uk\)](#)

Ofsted will consider any evidence found of a parent being pressured into a managed move that has resulted in off-rolling and is likely to judge a school as inadequate on the basis of such evidence.

Variation in exclusion rates

53. There are longstanding national trends which show that particular groups of children are more likely to be excluded from school, both for a suspension or permanent exclusion. All of these factors will differ for each child, and the influence of out-of-school factors will vary according to local context, so it is important that schools, local authorities and local partners work together to understand what lies behind local trends. Local leaders will be best placed to effectively plan and put in place additional and targeted action based on their own context. If they identify any gaps, they are also in the position to act to ensure those who work with children have the training, services and support they need to address these.³⁷

Pupils with disabilities and Special Educational Needs (SEN) including those with Education, Health and Care plans (EHC plans)

54. The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupils. This duty can, in principle, apply both to the suspensions and permanent exclusions process and to the disciplinary sanctions imposed. Under the Children and Families Act 2014, governing boards of relevant settings³⁸ must use their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEN, which will include any support in relation to behaviour management that they need because of their SEN.

55. Schools should engage proactively with parents in supporting the behaviour of pupils with additional needs.

56. Where a school has concerns about the behaviour, or risk of suspension and permanent exclusion, of a pupil with SEN, a disability or an EHC plan it should, in partnership with others (including where relevant, the local authority), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN or disability.

57. Where a pupil has an EHC plan, schools should contact the local authority about any behavioural concerns at an early stage and consider requesting an early annual review

³⁷ [Timpson Review of School Exclusion \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

³⁸ The duty under [section 66 of the Children and Families Act 2014](#) applies to certain settings, including mainstream schools, maintained nursery schools, academies, alternative provision academies and pupil referral units.

prior to making the decision to suspend or permanently exclude. For those with SEN but without an EHC plan, the school should review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may provide a point for schools to request an EHC assessment or a review of the pupil's current package of support.

Pupils who have a social worker, including looked-after children, and previously looked-after children

58. For the majority of children who have a social worker, this is due to known safeguarding risks at home or in the community: over half are in need due to abuse or neglect.³⁹ For children with a social worker, education is an important protective factor, providing a safe space for children to receive support, be visible to professionals and realise their potential. When children are not in school, they miss the protection and opportunities it can provide, and become more vulnerable to harm. Headteachers should balance this important reality with the need to ensure calm and safe environments for all pupils and staff, so should devise strategies that take both of these aspects into account.

59. Where a pupil has a social worker, e.g. because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the headteacher should inform their social worker, the Designated Safeguarding Lead (DSL) and the pupil's parents to involve them all as early as possible in relevant conversations.

60. Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority's VSH as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child's social worker, foster carers, or children's home workers.

61. All looked-after children should have a Personal Education Plan (PEP) which is part of the child's care plan or detention placement plan.⁴⁰ This should be reviewed every term and any concerns about the pupil's behaviour should be recorded, as well as how the pupil is being supported to improve their behaviour and reduce the likelihood of exclusion. Monitoring of PEPs can be an effective way for VSHs to check on this.

³⁹ [Characteristics of children in need, Reporting Year 2021 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://explore-education-statistics.service.gov.uk)

⁴⁰ [Promoting the education of looked-after children and previously looked-after children \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

62. Where previously looked-after children face the risk of being suspended or permanently excluded, the school should engage with the child's parents and the school's DT. The school may also seek the advice of the VSH on strategies to support the pupil.⁴¹

⁴¹ Further information can be found in the [guidance for the designated teacher for looked-after and previously looked-after children](#).

Part five: The headteacher's duty to inform parties about an exclusion

To ensure that a child receives the correct support and protection during a suspension or permanent exclusion, it is important that those responsible for their care are promptly informed when exclusions occur or there is a risk of them occurring. As well as communicating with the child where relevant throughout the exclusion process, this section sets out how and when schools should and must share information with parents, social workers, VSH, local authorities, and governing boards.

Duty to inform parents⁴² about an exclusion⁴³

63. Whenever a headteacher suspends or permanently excludes a pupil they must, without delay, notify parents or the excluded pupil (if they are 18 years or older) of the period of the suspension or permanent exclusion and the reason(s) for it.

64. They must also, without delay, after their decision, provide parents with the following information in writing:

- the reason(s) for the suspension or permanent exclusion;
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations about the suspension or permanent exclusion to the governing board (in line with the requirements set out in paragraphs 97 to 107) and how the pupil may be involved in this;
- parents' (or an excluded pupil if they are 18 years or older) right to make a request to hold the meeting via the use of remote access and how and to whom to make this request (further information on other information this should include can be found in Annex A: Key principles when conducting meetings via the use of remote access);
- how any representations should be made; and
- where there is a legal requirement for the governing board to consider the suspension or permanent exclusion, that parents or an excluded pupil (if they are

⁴² Parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

⁴³ Paragraphs 63 to 72 gives guidance about section [51A Education Act 2002](#)

18 years or older) have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

65. Written notification of the information above (paragraph 64) can be provided by delivering it directly to the parents, leaving it at their usual or last known home address, or posting it to that address. Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way.⁴⁴

66. Where a suspended or permanently excluded pupil is of compulsory school age the headteacher must also notify the pupil's parents of the days on which they must ensure that the pupil is not present in a public place at any time during school hours.

67. These days are the first five school days of a suspension or permanent exclusion (or until the start date of any full-time alternative provision or the end of the suspension where this is earlier). Any parent who fails to comply with this duty without reasonable justification commits an offence and may be given a fixed penalty notice or be prosecuted. The headteacher must notify the parents of the days on which their duty applies without delay and, at the latest, by the end of the afternoon session on the first day of the suspension or permanent exclusion.⁴⁵

68. If alternative provision is being arranged, then the following information must be included with this notice where it can reasonably be found out within the timescale:

- the start date for any provision of full-time education that has been arranged for the child during the suspension or permanent exclusion;
- the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant;
- the address at which the provision will take place; and
- any information required by the pupil to identify the person they should report to on the first day.

69. Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session on the first day of the suspension or permanent exclusion, it may be provided in a subsequent notice, but it must be provided without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

⁴⁴ Section [572 Education Act 1996](#).

⁴⁵ Sections 103 to 105 [Education and Inspections Act 2006](#) and regulations made under these sections.

70. The information in paragraphs 66 to 69 must be provided in writing but can be provided by any effective method (paragraph 75 provides guidance on this issue).

71. The failure of a headteacher to give notice of the information in paragraphs 66 and 69 by the required time does not relieve the headteacher of the duty to serve the notice. A notice is not made invalid solely because it has not been given by the required time.

72. If a child is suspended again following their original suspension, or is subsequently permanently excluded, the headteacher must inform parents and where relevant, the pupil's social worker or local authority if the pupil has an EHCP, without delay and issue a new exclusion notice to parents and the social worker.

Informing parents⁴⁶ about an exclusion

73. For notifications under paragraph 63, although this must not delay notification, notification should be in person or by telephone in the first instance as this would allow parents to ask any initial questions or raise concerns directly with the headteacher. Headteachers should consider the following:

- Has the school spoken to the parents (and when appropriate, the child's social worker) to ensure they fully understand the type/scale of the incident?
- Has the school considered how to communicate accessibly and clearly, including whether parents may have particular communication needs relating to a disability or having English as an additional language (EAL)?
- Has the school provided sufficient details in the suspension or permanent exclusion notice letter on the reasons for the suspension or permanent exclusion?
- Does the notice contain all the required information as set out in part six of the suspension and permanent exclusion guidance?
- Has the school informed parents (and when appropriate, the pupil's social worker or the local authority if a pupil has an EHCP) whether their pupil will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension or permanent exclusion?
- When several suspensions have been issued in a term, has the school informed parents of their right of representation to the governing board?
- Letter templates might be available from the local authority.

⁴⁶ Parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

74. When notifying parents about a suspension or permanent exclusion, the headteacher should set out what arrangements have been made to enable the pupil to continue their education prior to the start of any alternative provision or the pupil's return to school, in line with legal requirements and guidance in part six.

75. For notifications under paragraphs 66 to 69, effective methods for providing the information may include email or text message, giving the notice directly to the parents, or sending the information home with the suspended or permanently excluded pupil. Where information is sent home with the pupil, the headteacher should consider sending a duplicate copy by an alternative method or confirming that the information has been received.

76. When notifying parents about a suspension or permanent exclusion, the headteacher should draw attention to relevant sources of free and impartial information. This information should include:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here <https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found here <https://councilfordisabledchildren.org.uk/about-us-0/networks/information-advice-and-support-services-network>
- Coram's Child Law Advice service can be found through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

Informing social workers and VSHs about an exclusion

77. Information sharing is vital in safeguarding children and promoting their welfare, including their educational outcomes. Schools should be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the

safety and welfare of children. [Keeping children safe in education](#) and [Working Together to Safeguard Children \(2018\)](#) set out the requirements for schools and colleges about information sharing in more detail.

78. Whenever a headteacher suspends or permanently excludes a pupil they must, without delay, after their decision, also notify the social worker, if a pupil has one, and the VSH, if the pupil is a LAC⁴⁷, of the period of the suspension or permanent exclusion and the reason(s) for it. The information in paragraphs 66 to 69 must be provided in writing to the local authority.

79. Both the social worker and/or VSH, must be informed when a governing board meeting is taking place, in order to share information. The social worker and/or the VSH can attend the meeting, should they wish to do so. Further guidance to social workers and VSHs on attending a governing board meeting can be found in paragraphs 128 to 130.

80. Social workers and VSHs, must be allowed to join a governing board meeting or IRP via the use of remote access, regardless of the format chosen, as long as the governing board (for a governing board meeting) or arranging authority (for a review panel meeting) are satisfied they will be able to participate effectively, they can hear and be heard (and see and be seen if participating by video) throughout the meeting, and their remote participation will not prevent the meeting being fair and transparent. Further information can be found in paragraph 251.

Informing the governing board about an exclusion⁴⁸

81. The headteacher must, without delay, notify the governing board of:

- any permanent exclusion (including where a suspension is followed by a decision to permanently exclude the pupil);
- any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term; and
- any suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test

82. When removing a pupil from the school roll, the governing board must ensure this is done under the circumstances prescribed by the Education (Pupil Registration) (England)

⁴⁷ If the pupil is previously looked-after (PLAC) the VSH should provide advice and information, upon request from relevant parties (DT, parents, etc) but does not have a corporate parent role that they have for LAC.

⁴⁸ Paragraphs 81 to 82 gives guidance about [section 51A Education Act 2002](#).

Regulations 2006, as amended. If applicable, the pupil's name should be removed from the school roll at the appropriate time.

Informing the local authority about an exclusion⁴⁹

83. The local authority must be informed without delay of all school exclusions regardless of the length of the exclusion.

84. For a permanent exclusion, if the pupil lives outside the local authority area in which the school is located, the headteacher must also notify the pupil's 'home authority' of the permanent exclusion and the reason(s) for it without delay. The headteacher must also inform the governing board once per term of any other suspensions of which they have not previously been notified.

85. Notifications must include the reason(s) for the suspension or permanent exclusion and the duration of any suspension or, in the case of a permanent exclusion the fact that it is permanent.⁵⁰ The local authority may reasonably wish to request this information in a standardised format. In doing so, they should take care to minimise the administrative burden this can place on schools.

Guidance to the headteacher on informing the governing board about an exclusion

86. The headteacher should ask the chair of the governing board whether there are clear processes in place for considering suspensions and permanent exclusions, such as:

- Ensuring parents and pupils are aware of their right to consideration by the governing board
- Asking whether the governing board have taken steps to find a convenient date that the parent, other relevant parties, the local authority representative (if relevant) and the headteacher can attend, within the legal time limits
- Asking the governing board whether they have considered how to involve the pupil in the consideration process
- Collecting all relevant documents, anonymising them, if required, and providing them to all parties

87. The headteacher should ensure that they have informed the governing board about reinstatement and specify the correct timescale. They should also make clear to the

⁴⁹ Paragraphs 83 to 84 gives guidance about [section 51A Education Act 2002](#).

⁵⁰ [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#).

governing board whether the need to consider reinstatement is dependent on receiving parental representations.

88. A headteacher should ensure a process is in place for a governing board when considering reinstatement following a permanent exclusion:

- Do governors understand the suspension and permanent exclusion process to enable a review within deadlines?
- Would governors benefit from additional training, including on behaviour management, routines, norms and consequences, disability awareness, the Equality Act 2010, the Children and Families Act 2014 and SEN provision?
- Is there a clear and timely system in place to enable parents to make representations?
- Are there up-to-date templates for notifying parents of the decision and explaining the next steps?