



Winchmore  
School

learning to realise potential

# Exclusion and Suspension Policy



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## **Policy Statement**

The overwhelming majority of students at Winchmore School will never receive a fixed term suspension or a permanent exclusion. However, fixed term suspensions and permanent exclusions will only be used in the case of a serious incident in order to maintain a safe and secure learning environment, enjoyed by all members of the school and local community.

When any fixed term suspension or permanent exclusion is considered, all circumstances will be taken into consideration, ensuring a balance between the needs of the individual student(s) who may receive a fixed term suspension or need to be permanently excluded, against the needs and safety of the students and adults in the school community.

Winchmore School operates a fair, equitable and consistent system for fixed term suspensions and permanent exclusion from school, applicable to all members of the School community. Fixed term suspensions and permanent exclusions are only used when it is the most appropriate way of supporting the school's Behaviour Policy, Minimum Expectations and the safety and wellbeing of the wider community.

Fixed term suspensions and permanent exclusions are one of many options used to address unacceptable behaviour. Fixed term suspensions are used primarily as a strategy for supporting a student in understanding the impact of their behaviour, providing time out to reflect and consider the effects of their actions on others and the wider community.

Winchmore School is an inclusive school and is committed to ensuring a safe and secure learning environment allowing students to engage in learning activities, alongside their peers, in order to fulfil their full potential. However, Winchmore School will not tolerate behaviour that prevents teaching and learning taking place or behaviour that puts the health, safety or well being of another person at risk.

Our Behaviour Policy aims to reduce the need to use exclusions and suspensions as a sanction but where necessary, it is applied fairly and consistently at all times. Both our Behaviour Policy and Exclusions & Suspensions Policy are monitored and updated regularly with reference to the Local Authority Framework and DfE Guidance, and are available on the school website.

## Legislation and statutory guidance

This policy adheres to the policy and practice which informs the schools use of suspensions and exclusions and should be read in conjunction with the statutory guidance from the Department for Education: Exclusion from maintained schools, academies and student referral units (PRUs) in England.

<https://www.gov.uk/government/publications/school-exclusion>

Winchmore School will aim to meet the needs of every individual student and ensure that the behaviour policy, supported by rewards, is implemented consistently and effectively throughout the school community. Pastoral care, support and guidance will be provided to all students who require it, regardless of their need. Parent/carer engagement and consultation will be secured to ensure a holistic and well rounded support mechanism in order to prevent suspensions and exclusions.

Our behaviour policy will aim to reduce the need to use suspensions and exclusions as a sanction. The exclusions and suspensions process is understood by the Governing Body, the Headteacher, staff, parents and carers, and students.

Students do not become NEET (not in education, employment or training) as a result of a suspension or exclusion.

Suspension and exclusion data is consistently monitored and staff will be provided with relevant training on the schools behaviour policy, and in addition to, training on the issues pertaining to the over-representation of ethnic minority students (or other over-represented groups) in the school's exclusions figures.

This policy is based on statutory guidance from the Department for Education: Exclusion from maintained schools, academies and student referral units (PRUs) in England.

<https://www.gov.uk/government/publications/school-exclusion>

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

- Section 52 of the Education Act 2002, as amended by the Education Act 2011.  
<https://www.legislation.gov.uk/ukpga/2002/32/section/52>  
<https://www.legislation.gov.uk/ukpga/2011/21/contents/enacted>
- The School Discipline (student Exclusions and Reviews) (England) Regulations 2012.  
<https://www.legislation.gov.uk/uksi/2012/1033/made>

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at parental responsibility for excluded students.  
<https://www.legislation.gov.uk/ukpga/2006/40/part/7/chapter/2>
- Section 579 of the Education Act 1996, which defines 'school day.'  
<https://www.legislation.gov.uk/ukpga/1996/56/section/579>
- Education (Provision of Full-Time Education for Excluded students) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded students) (England) Amendment) Regulations 2014.  
<https://www.legislation.gov.uk/uksi/2007/1870/contents/made>

## **Decision to Suspend or Permanently Exclude**

Only the Headteacher, or acting Headteacher, can make the decision to suspend a student from school. In addition, only the Headteacher, or acting Headteacher, can make the decision to permanently exclude a student from school and this decision will be made as a last resort.

Winchmore School is committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe, secure and caring environment. A decision to permanently exclude a student will be taken only:

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

Winchmore School will ensure that the statutory guidance on when to remove students from the school's roll. Winchmore School is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

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

### **Reasonable adjustments**

Before taking the decision to issue a fixed term suspension or the permanent exclusion of a student, we will consider the impact of the exclusion and any vulnerabilities the student may have. We will make reasonable adjustments to our application of sanctions to prioritise students' safety and well-being.

### **Looked After Children**

Before finalising a Fixed Term Suspension or Permanent Exclusion for a looked after child, we will liaise with the Virtual School's Headteacher, professionals linked to the student and the student's carers to discuss the situation in line with their circumstances.

### **SEND Children**

Before issuing a Fixed Term Suspension or Permanent Exclusion for a student with SEND, we will first liaise with our Inclusion Faculty and SENDCo. If the suspension leads to a Permanent Exclusion, we will also liaise with the school's local authority SEND advisor.

### **Other Vulnerable Children**

Before taking the decision of a Fixed Term Suspension or Permanent Exclusion for a vulnerable child who has a Social Worker, or is on child protection or child in need plan, communication will be made with their social worker and the school's designated safeguarding lead. Winchmore School will ensure that Social Workers are notified of any Fixed Term Suspension for students for whom they are working with. We will take action to ascertain that students have the supervision of a parent, carer, or other responsible adults during a Fixed Term Suspension. If this cannot be ascertained, then the student will serve their sanction in school or in another school. This arrangement will be made in consultation with the Social Worker and parent/carer of the student, where both parties will need to agree to this placement. The student will be under the supervision of staff from the Schools Pastoral Team and will not be in circulation with the rest of their school community.

## Definitions

For the purposes of exclusions, the school day is defined as any day on which there is a school session. Therefore, INSET or staff training days and public holidays do not count as a school day.

## Exclusion Types

There are two types of exclusions, a Fixed Term Suspensions and Permanent Exclusion

- Fixed Term Suspension - is when a student is excluded from school for a set period.
- Permanent exclusion - where steps are taken to permanently remove the student from the school roll.

## Roles and Responsibilities

### The Headteacher

The Headteacher's decision to permanently exclude or suspend a student will be made after a review of evidence collected following an investigation. The decision will be based on the facts within the evidence gained and the balance of probabilities.

The Headteacher's decision to permanently exclude or suspend a student may be based on, but not limited to, following reasons:

- Actions which put the health, safety or well being of another person at risk
- Physical assault against a pupil/adult
- Serious threats or actual violence towards another person
- Verbal abuse of another person pupil/adult
- Sexual misconduct
- Bullying
- Racist behaviour or bullying
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- inappropriate use of social media
- Indecent behaviour
- Damage or threat of damage to school property
- Drug or alcohol related incidents (including vapes)
- Carrying an offensive weapon
- Use, or threat of use, an offensive weapon or prohibited item
- Theft
- Inappropriate use of social media
- Bringing the name of the school into disrepute
- Arson

**Any student carrying, or found in possession of, an offensive weapon or found in possession of illegal drugs/controlled substances, will receive a Fixed Term Suspension in the first instance, pending a decision to return to school by the Headteacher.**

## **Informing Parents**

When the decision is made to either suspend a student for a fixed period or to Permanently Exclude a student, the Headteacher will ensure that parents and carers receive both verbal and written communication of this decision. The Headteacher will attempt to verbally communicate the decision before the end of the afternoon session on that day. Where it is not possible to engage with a parent/carer, the Headteacher will attempt contact the following day.

The Headteachers written communication will be posted/emailed on the the same day and will include the following information:

- The reason(s) for the Fixed Term Suspension or Permanent Exclusion
  - The length of the Fixed Term Suspension
  - In the case of a Permanent Exclusion, the fact that it is permanent
  - Information about parents/carers right to make representations about the exclusion to the governing board and how the student may be involved in this.
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- The Headteacher will notify parents/carers that their child is excluded and for the first five school days of an exclusion, or if an alternative provision is arranged before the 5th day, parents and carers are legally required to ensure that their child is not present in a public place during school hours. Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this.

The Headteacher's decision to suspend or to permanently excluded exclude a student, is like may be implemented where serious incidents occur,

## **Alternative Provision**

If the Headteacher agrees an alternative provision is to be arranged, the following information will be included when notifying parents and carers of the fixated term suspension or permanent exclusion:

- The start date for any provision of full-time education that has been arranged.
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant.
- The address at which the provision will take place.
- Any information required by the student to identify the person they should report to on the first day
- Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided 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 6th day of exclusion, in which case the information can be provided with less than 48 hours' notice with parents/carers consent

## **Managed Moves**

A managed move is used to initiate a process which leads to the transfer of a student 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 student's behaviour, then off-site direction should be used. Managed moves should only occur when it is in the student's best interests to avoid permanent exclusion..

Where a student has an Educational Health Care 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. Managed moves should be offered as part of a planned intervention.

A managed move can only take place with the consent and agreement of a parent/carer.

### **Off-site Direction**

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

Where a student has not responded to interventions or targeted support and there has been no improvement in a student's behaviour, off-site direction could be suggested and 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.

Winchmore School will only implement Off-Site Direction with consent from parent/carers and in agreement with the suggested alternative provision or mainstream school.

Parents and carers will be notified of the following before agreement is made that an Off-site Direction is agreed

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

### **Informing the Governing Body and Local Authority**

The headteacher will ensure that the Governing Body and the Local Authority (LA) are immediately informed of the below types of exclusions.

- A permanent exclusion, including when a suspension is followed by a decision to permanently exclude a student.
- Exclusions which would result in the student being excluded for more than five school days (or more than ten lunchtimes) in a term.
- Exclusions which would result in the student missing a public examination
- For a permanent exclusion, if the student lives outside the LA in which the school is located, the headteacher will also immediately inform the student's 'home authority' of the exclusion and the reason(s) for it without delay.
- For all other exclusions, the headteacher will notify the Governing body and LA once a term.

### **The Governing Body**

The governing body has a duty to consider the reinstatement of an excluded student if the exclusion meets the below criteria.

- Within 14 days of receipt of a request, the governing board will provide the secretary of state and the LA with information about any exclusions in the last 12 months.



- For a fixed period of exclusion of more than five school days, the school will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of the exclusion.

### **The Local Authority**

- For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day after the exclusion.
- School registers

A student's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the student, and no application has been made for an independent review panel.
- The parents/carers have stated in writing that they will not be applying for an independent review panel.
- Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a student's name from the register.
- Where alternative provision has been made for an excluded student, and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register. Where excluded students are not attending alternative provision, code E (absent) will be used.

### **Returning from a Fixed Term Suspension**

Following a suspension, a reintegration meeting will be held involving the student, parents, a member of senior staff and other staff, where appropriate. The following measures may be implemented when a student returns from a suspension:

- the allocation of a key worker.
- a PSP (personal support plan).
- Level 1-2 Behaviour Review Panel
- Counselling/mentoring
- mentoring with Enfield Behaviour Supports Services.
- another intervention programme being offered at the time.

### **Process for appealing exclusion**

Parents/Carers can appeal a Fixed Term Suspension and guidance of this can be found on the link below.

<https://www.enfield.gov.uk/services/children-and-education/school-welfare-and-information/exclusion-from-school>

Guidance for parents on school behaviour and exclusions can also be found on the link below.

<https://www.gov.uk/government/publications/school-exclusions-guide-for-parents/a-guide-for-parents-on-school-behaviour-and-exclusion>

Coram Children's Legal Centre aims to provide free legal and impartial advice and information to parents on state education matters. They can be contacted on 020 7520 0300 or on

<http://www.childrenslegalcentre.com/>

Their advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January. A copy of the Government's Statutory guidance can be accessed at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

The policy for exclusions is structured around a topology of behaviours ranging from L0-L4. These are detailed below:

### **Level Zero**

The majority of students at Winchmore School will incur little to no disciplinary sanction throughout their education. These students will be following the Winchmore School Minimum Expectations and abide by the guidelines issued for good behaviour and safety of all students within our school. Where minor infringements occur students may be requested to attend after school detentions/restorative intervention workshops led by Departments, Faculties or individual teachers, to address issues such as but not limited to:

- Poor Behaviour in class
- Lack of homework, poor engagement in learning in the classroom
- Lack of equipment for a particular activity
- Lateness or repeated poor uniform

The member of staff organising these sessions will inform parents/carers of any intervention exceeding 10 minutes after school. The detention/planned restorative session will be recorded on the student's SIMS Behaviour Log to enable the student's Tutor or Head of Year to identify any patterns of behaviour that are a cause for concern and implement interventions if required.

### **Level One**

Internal exclusion: 1 – 3 days  
Communication/meeting with HOY

A *small number* of students at Winchmore School will move to Level One. These students are those who are not following the Winchmore School Minimum Expectations for good behaviour and safety within our school, or these students repeatedly fail to respond to sanctions and interventions set by a Department, Faculty or Head of Year.

Students will be placed in Internal Exclusion for a period of time, usually 1 – 2 days. Internal Exclusion is from 8.30am – 4.00pm. Parents/carers will be informed by telephone or e-mail by the Head of Year or a member of the Behaviour Team of the decision to Internally Exclude their child. The Internal Exclusion will be logged on the student's SIMS behaviour log.

Students will be expected to arrive on time and in full school uniform, they will be provided with work to complete whilst in Internal Exclusion. Students will lose their right to social time with others, break and lunchtime is taken within the Internal Exclusion Room.

Students placed in Internal Exclusion will have an opportunity to discuss the reason for their exclusion and strategies to avoid this behaviour happening again with a Behaviour Team

member. Work will be requested by the Behaviour Team from the student's teachers, to complete under supervision in the Internal Exclusion Room. The student's behaviour is also reviewed with the student and a Behaviour Team member will liaise with the Head of Year, if they feel there is a developing pattern of behaviour that is a cause for concern and where an intervention is required.

If a student is placed in Internal Exclusion more than once per term, the Head of Year will contact the parent/carer and arrange a meeting to raise concerns and consider any interventions that will support the student. This could lead to a student being placed onto a Level 1 Behaviour Panel (Pastoral Support Plan)

### **Level Two**

Fixed Term Suspension: 1 – 5 days

Reintegration meeting with Headteacher/Assistant Headteacher/Head of Year (SENCO if applicable)

Fixed Term Suspensions are where a student is suspended from school for a fixed period of time between 1 and 5 days. The decision to suspend a student for a fixed term from school will be taken by the Headteacher or Deputy Headteacher (in the Headteacher's absence) and at least one other member of the Leadership Team. During a Fixed Term Suspension the parent/carer will take responsibility for their child during school time. A Fixed Term Suspension will be issued for any of the following reasons:

- The student has committed an offence that has put the health, safety or well being of another person at risk.
- The student has already spent time in Internal Exclusion and has continued to behave in a manner that does not meet Winchmore School's Minimum Expectations for good behaviour and the safety of all students within our school.
- When a student has failed to meet the schools minimum expectations and has consistently and persistently disrupted the learning environment.

When a student receives a Fixed Term Suspension, the student's Head of Year or a member of the Leadership Team will phone and inform the parent/carer of the decision. A letter will be sent to the parent/carer confirming the reason for the suspension and the date and time they need to attend for a readmission meeting. All readmission meetings will be with the Headteacher, Assistant Headteacher, Head of Year and the SENCO if necessary. Students will not be integrated back into school before the parent/carer meeting.

All students returning from a suspension will have tailored targets, expectations and interventions set as necessary which will be arranged and monitored by the Head of Year:

- Additional support for the student and parent/carer could be offered through Family Based Solutions or Early Help
- Assessments for additional Learning Support
- Referral for assessment with an Educational Psychologist
- Change of teaching or Tutor Group
- Placement on a temporary basis at another school on a 6 Day Plus Provision
- Outside support, on completion of MASH/Early Help Form
- Mentoring from Behaviour Support Services
- Referral to CAMHS
- Additional [support services](#) from within the Local Authority may also be implemented

Parents/Carers can appeal a Fixed Term Suspension and guidance of this can be found on the link below.

<https://www.enfield.gov.uk/services/children-and-education/school-welfare-and-information/exclusion-from-school>

Students returning from a Fixed Term Suspension will be considered for the Level 2 Behaviour Panel with representatives from Local Authority.

Intervention programs such as REACH run by Secondary Behaviour Support Services, the Turn Around Project and the At Risk Programme, both run by Orchardside School could be recommended to parents/carers where their child's behaviour is not improving and they could be at risk of further Fixed Term Suspensions or Permanent Exclusions.

A further alternative to prevent Permanent Exclusion is to arrange for a Managed Move to another school or alternative education provider on a temporary or permanent basis. The Manage Move process is organised and arranged through consultation with the Fair Access Panel within the Local Authority. All recommendations for a Managed Moves require parent/carer permission and will be considered fairly by a Steering Group who will decide the best placement for a student that is put forward for a Managed Move.

### **Level 3**

Fixed Term Suspension: 5 days in the first instance, pending a decision by the Headteacher

If a student reaches Level Three they are at high risk of losing their place at Winchmore School. Students reaching this level may have:

- *Repeatedly* failed to meet Winchmore School's Minimum Expectations for Learning and abide by the guidelines issued for the good behaviour and safety of all students within our school.
- Committed a one-off serious offence jeopardising the health and safety of the wider community.

The parent/carer will be advised by telephone call from a member of the Leadership Team or Head of Year that the Fixed Term Suspension has been issued for 5 days in the first instance and a letter/email will also be sent home. A meeting will be scheduled with the parent/carer and student to give them the opportunity to speak to the Headteacher and Assistant Headteacher, Head of Year and the SENCO if necessary.

### **Level 4**

Permanent Exclusion

If the decision is taken to Permanently Exclude the student from Winchmore School the parent/carer will be informed, by telephone, by the Headteacher and this will also be confirmed in a letter. The Local Authority will be informed on the day of the Permanent Exclusion and will fulfil their duty to provide education.

Before taking the decision to permanently exclude, the school will consider the nature of events leading to this and review if the appropriate support has been offered to the student in order to avoid exclusion including:

**Internal Sources of Advice and Guidance:**

- The involvement of the child's parents/carers
- A change of teaching set or class
- Curriculum alternatives at Key Stage 4, including attendance at a further education college or another form of alternative provision
- Temporary placement in an in-school Learning Support Unit as part of a planned positive programme for pupils
- A managed move to another school, with consent of all parties involved if a one off serious incident
- Assessment of Special Educational Needs or an assessment by and Educational Psychologist

**External Sources of Advice and Guidance**

- Behaviour Support Service
- Education Psychology Service
- CAMHS (Child and Mental Health Service)
- Early Help
- Youth Offending Service
- Youth Inclusion Support Panel (8 to 13 year old)
- Police/Safer Schools Officer
- Integrated Support Team
- Alternative provision

If the Headteacher decides to permanently exclude a student, the Governors' Exclusion Panel, comprising three members of the Governing Body of Winchmore School, will meet within 15 school days of the Headteacher's decision to permanently exclude a student. The parents/carers and the student will be invited to attend the meeting. The purpose of the meeting is to consider the Headteacher's decision to permanently exclude

Parents/Carers can appeal Permanent Exclusion and guidance of this can be found on the link below.

[https://www.enfield.gov.uk/\\_\\_data/assets/pdf\\_file/0016/32227/permanent-exclusion-leaflet-education.pdf](https://www.enfield.gov.uk/__data/assets/pdf_file/0016/32227/permanent-exclusion-leaflet-education.pdf)