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#### 1. Aims (as stated in our Behaviour Policy)

The Firs' Way is a person centred approach to developing a learning community that holds relationships at its heart. Following the Firs' Way is embedded in our values and how we interact with each other, building a school that is committed to being caring, safe and inclusive.

We aim to create and promote an environment in which children, parents and staff are treated in a caring fashion, fairly and with respect, so everyone feels able to contribute and work together to achieve our best. We are committed to valuing diversity, equity and to equality of opportunity. (See Equality Policy).

Specifically, our aims are:

- To ensure there is a school policy supported and followed by the whole school community, (children, parents, governors and all staff) based on our shared values.
- To ensure that children are safe and enjoy their learning in school, in order to enable them to achieve well.
- To apply positive policies to create a caring, family atmosphere in which teaching and learning can take place in a secure and happy environment.
- To expect the highest standard of behaviour from all pupils at all times.
- To understand behaviour as communication and respond to each individual with support and compassion.
- To treat problems when they occur with an open mind, in a caring and sympathetic manner in order to achieve an improvement in behaviour.
- To encourage good behaviour by providing acknowledgement and praise, rather than to just provide sanctions following negative choices.

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- To promote responsible behaviour, supporting self- discipline and encourage in everyone, a respect for themselves, for other people and for property.
- To encourage a 'growth mindset', to encourage a positive attitude to all aspects of learning, including behaviour.
- To recognise that adult approaches and language affect outcomes and a consistent, calm and compassionate approach is fundamental to the Firs Way.
- To ensure that all our practices are informed by Attachment and Trauma Awareness and the impact this has on children's well being and relationships.
- To be committed to following relational and restorative principles that build relationships in a respectful way, ensuring that learning and development is at its centre.

## **2. Partnership with parents**

Parents working in partnership with the school to consistently reinforce the school's expectations is an important factor in every child's success. At The Firs, we will work in partnership with parents to ensure that expectations are clear and parents can reinforce them with their children.

This includes ensuring that parents are kept informed about decisions made in response to a child's behaviour, so that we can work together in the best interests of pupils, to ensure expectations for behaviour are made clear.

The school is responsible for communicating to children, parents and staff its expectations of standards of conduct. A range of policies and procedures are in place to support pupil's well being, keep them safe and promote appropriate conduct. These are:

- Behaviour Policy;
- Anti-Bullying Policy;
- Child Protection and Safeguarding Policy
- Home-School Agreement
- Equality Policy

## **3. Supporting Children to Succeed**

We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.

We will follow all the strategies set out in the Behaviour Policy and we will systematically intervene, drawing up a Pastoral Plan with the child, parent and teacher. It is the class teacher, behaviour leader and parents' and the child's responsibility, to ensure the plan is followed.

No suspension will be initiated without first attempting other strategies or, in the case of a serious single incident, a proper investigation.

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In coming to a decision to suspend or permanently exclude, the school Equality Policy must be borne in mind e.g. avoiding any form of discrimination and advancing the equality of opportunity for people who share a relevant protected characteristic. (See point 14 below).

Reasons for suspension:

- Serious breach of the school's rules or policies;
- Serious risk of harm to the education or welfare of the pupil or others in the school.

This can either be a very serious incident or the repetition of serious incidents.

Any suspension will be at the decision of the Head of School, usually in consultation with other members of the senior leadership team (particularly if they were involved in investigating the incident).

#### **4. Types of Exclusion**

##### **a. Suspension**

A suspension is when a child is excluded from school and must remain home for a fixed amount of time.

This should be for the shortest time necessary, to ensure minimal disruption to the child's education, allowing time to review inclusion strategies to ensure safety of all and whilst being mindful of the seriousness of the breach of policy.

A pupil may be suspended for one or more fixed periods, up to a maximum of 45 school days).

##### **b. Permanent exclusion**

A permanent exclusion is when a child is permanently excluded from school and not allowed to return.

This is a very serious decision and the Headteacher will consult with senior leaders and the Chair of the Governing Body as soon as possible in such a case.

#### **5. Reasons for Exclusion**

A decision to exclude a pupil, for a fixed period (suspension) or permanently, is seen as a last resort by the school. The physical and emotional health of our children and staff is our primary concern, and we therefore accept that in some serious situations, exclusion may be necessary, if all other strategies have been exhausted.

The decision to suspend or exclude will usually follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of school rules and policies or a disciplinary offence such as:

- Serious actual or threatened violence against another pupil or a member of staff;
- Persistent verbal abuse or threatening behaviour against another pupil or a member of staff.

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- Possession or use of an offensive weapon or prohibited item on school premises;
- Persistent bullying;
- Persistent prejudice based harassment or hatred based acts

Suspension may be the result of persistently poor behaviour or a serious single incident and can relate to behaviour inside or outside school.

Any decision to suspend or permanently exclude should be judged as being 'reasonable; fair; and proportionate'.

When establishing the facts in relation to a suspension or permanent exclusion, the decision should be based on a 'civil standard of proof' i.e. 'on the balance of probabilities'.

The views of the child should be sought where possible and taken into consideration. The possibility of providing an 'advocate' to help them express their views should be considered e.g. an appropriate member of staff, social worker or parent / carer.

### **6. Persistent or cumulative problems**

Internal '**Exits**' (See Behaviour Policy) may be used in response to a persistent negative behaviour, which breaches school rules and policies.

In the most serious cases, where the problem persists, suspensions may be used and if there is no improvement, despite considerable support through a Pastoral Care plan. with parents, child and school, behaviour intervention with target setting, home/school communication book etc. a permanent exclusion may be necessary.

The length of a suspension will depend upon a number of factors, such as the severity of the incident, and the likely impact on the child's learning and ability to succeed on returning to school. Such decisions will be made in the best interests of the child, whilst also mindful of the need to maintain order, review inclusion strategies and reinforce the rules and expectations of the school in a clear and consistent way.

### **7. Single incident**

Internal '**Exits**' (See Behaviour Policy) may be used in response to a very serious breach of school rules and policies or a disciplinary offence.

In the most serious cases, a suspension may be considered.

In such cases the Headteacher or a designated senior leader will investigate the incident and consider all evidence, taking account of the school's policies. The pupil will be encouraged to give his/her version of events and the Head will check whether the incident may have been provoked, for example by bullying or prejudicial harassment.

In concluding the investigation, the Headteacher, consulting with members of the SLT, will decide whether a suspension (or in a **very** extreme circumstance, a permanent exclusion is warranted.)

The Governing Body will be informed of all suspensions or exclusions on a termly basis; and additional consultation will also take place about key incidents, with the Chair of Governors.

### **8. The decision to suspend or exclude**

DfE guidance states that: 'A suspension may be used to provide a clear signal of what is unacceptable behaviour'.

In deciding whether to suspend the headteacher should consider the following:

#### Contributing Factors

Take account of any contributing factors identified after an incident has occurred – for example, where it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying.

#### Early Intervention

The Statutory Guidance is clear that early intervention should be used to address underlying causes of disruptive behaviour. This should include:

- an assessment of whether appropriate support is in place to support any special educational needs or disability that a pupil may have;
- the use of a multi-agency assessment for pupils who demonstrate persistent disruptive behaviour.

#### Effectiveness

Where a pupil has received multiple suspensions or is approaching the legal limit of 45 school days of fixed period exclusions in an academic year, head teachers should consider whether suspension is providing an effective sanction.

#### Key steps

If the Headteacher decides to suspend a pupil they will:

- ensure that there is sufficient recorded evidence to support the decision;
- explain the decision to the child if the pupil is in the state of mind to listen to the decision (eliciting their views where possible - see above).
- contact the parents/carers, to explain the decision and ask that the child be collected;
- send a letter (using the LA model template) to the parents confirming:
  - the reasons for the suspension or exclusion
  - whether it is a suspension or permanent exclusion
  - the length of the suspension
  - The parents right to make representations about the suspension / permanent exclusion to the Governing board - See [DfE guidance](#) 95-105
  - Date and time for a reintegration meeting
- Inform the Local authority using the CBC portal
- Inform any other outside agency working with the child i.e. social worker
- Ensure that appropriate work is set during the first 5 days of a suspension and that arrangements are in place for it to be marked;
- plan how to address the pupil's needs and integration back into their class on his/her

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return with appropriate inclusion strategies

- plan a meeting with parents (and child if appropriate) on his/her return to be conducted by a suitable senior member of staff.
- If a suspension continues beyond a five day period, a review will be undertaken, to determine how the provision of full time - alternative education can be provided.
- Governors must be informed immediately of any suspension beyond 5 days or any permanent exclusion.

Suspension for other parts of the day.

- A suspension can also be for parts of the school day, For example, if a child's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the lunchtime period.
- The process for administering the suspension and the need to inform parents, the LA and any outside agencies working with the child applies.

### **9. Safeguarding**

The school will always have regard to the statutory guidance set out in [KCSIE](#) and the school [Child Protection and Safeguarding Policy](#).

A suspension will not be enforced if doing so may put the safety of the pupil at risk.

Where a child is subject to a Child In Need Plan or Child Protection Plan, the Headteacher / DSL will contact the named social worker at an early stage where concerns arise and will keep them informed regarding any suspension.

Where a child is Looked After (LAC) the Headteacher / DSL will contact the Virtual School Head (VSH) to keep them informed and to liaise with them regarding the best way forward to improve the outcomes for the child in question.

In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal '*Exit*' until the end of the day, implementing the original suspension decision from the time the child is collected from school, or, in more severe circumstances the school may contact Social Services and/or the Police to safely take the pupil off site.

### **10. Reintegration**

After a suspension, the child and parent / carer will be requested to attend a reintegration meeting with a senior member of staff.

At this meeting the behaviour leading to exclusion will be discussed along with future inclusion strategies to be followed and targets will be set for improvement.

Strategies may include:

- Maintaining regular contact during the suspension period and welcoming the child back to school at its conclusion
- Daily / regular contact with a designated member of staff

Suspension & Exclusion Protocols - Behaviour Policy Appendix H      Version 3 - Spring 24

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- Use of a report card system to support the use of personalised targets / rewards
- Catch up support, where possible, for any missed learning
- Planned pastoral interventions
- Mentoring from a trusted adult
- Regular reviews with the child and parents / carers to track progress with personal targets, address any concerns at an early stage and reward success.
- Seeking, where possible / appropriate any external support available and keeping the child and parents / carers informed

If any outside agencies are involved, they will also be invited to the reintegration meeting. The meeting will be recorded and a copy retained by the parent/carer and school/outside agencies present.

Any part time arrangements should only be in place for the shortest period of time possible and time limits set for reviews, with the intention of returning the child to full time education as soon as possible.

Any arrangements where a pupil spends time in an alternative provision will be carefully organised in line with [DfE guidance](#) - see points 35-46.

### **11. Work Set**

Work will be set by the school within a reasonable time-scale for the first 5 days and this should be returned to the school when the suspension is over for marking.

Online learning pathways e.g. Google Classroom or Oak Academy can be used to support the learning programme put in place.

If a child is suspended towards the end of a school day, then it may not be possible to arrange for work to be set until the following morning.

For any suspension beyond 5 days the governing board is responsible for ensuring that suitable full time education is being provided. See [DfE guidance](#) point 87.

### **12. Pupils with SEND**

The school will take account of any special educational needs when considering whether or not to exclude a pupil.

The Headteacher will (liaising with the SEND-co) ensure that reasonable steps, in line with the DDA, have been taken by the school, to respond to a pupil's needs or disability, using 'best endeavours' to ensure the appropriate provision is made for their provision.

Where a child has an EHC plan, the school will contact the local authority about behaviour concerns at an early stage and liaise with them to work towards the best possible outcomes for the child.

### **13. Removal from the school for other reasons**

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The Headteacher may send a pupil home, after consultation with that pupil's parents/carers and/or a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease.

This is not a suspension and should be for the shortest possible time.

A pupil cannot be 'sent home' (outside the suspension / exclusion process) for other reasons, including poor behaviour.

**14. Equality**

The Governing Body recognises that it is unlawful to discriminate against anyone on the basis of gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation.

Full consideration has been given to this during the formulation of this policy as it is the governors' aim that no-one at The Firs Lower School should suffer any form of discrimination, either directly or indirectly on any of these grounds.

**15. Procedure for appeal**

If parents wish to appeal the decision to suspend or permanently exclude, the matter will be referred to the Governing Body.

The [DfE guidance](#) provides a flowchart on page 38 to guide Governors in their response. (Also see points 95-109 and pages 39-45)

If a child is permanently excluded, the parent/carers will be invited to a hearing with a panel of three school governors. This will happen within 15 school days. At this meeting the school and parents/carers can put their views and Governors can decide to support or overturn the decision to suspend / permanently exclude.

If the governors don't overturn the suspension / permanent exclusion, parents/carers can ask an Independent Review Panel (IRP) to consider the appeal. This panel would need to be set up at the school's expense. See [DfE guidance](#) Part Nine and Part 10, pages 49 - 64.

The DfE guidance sets out in Part 11 pages 65 - 66 the Governing board's response to the IRP.

**16. At a glance guidance regarding the use of exclusion**

ILLEGAL / NO GROUNDS	REASONABLE GROUNDS	STRONG GROUNDS
Minor incidents, for example: <ul style="list-style-type: none"> <li>o Failure to do homework</li> <li>o Failure to pay for items such as school meals</li> </ul>	Breach of the school's behaviour policy (see possible examples below):	Serious breach of the school's behaviour policy (see possible examples below):

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Poor academic performance	Serious harm to the education or welfare of the pupil or others	Inappropriate or dangerous behaviour or seriously endangering the safety of others
Lateness or truancy	Persistently leaving school premises without authorisation	Supplying or using an illegal drug on school premises
Breaches of school uniform or rules on appearance, for example: o wearing jewellery or displaying body-piercing	Bringing the school into disrepute at a public event	Attempted arson on school grounds, destruction or serious damage of school property
Failing to meet the requirements of the Disability Discrimination Act by suspending / excluding disabled pupils without due regard to their disability or treating them less favourably than others because of their disability	Persistent refusal to cooperate with school staff, verbal aggression towards staff, pupils or other members of the school community	Repeated threats and highly offensive and abusive language towards school staff, pupils or other members of the school community
Failing to meet the requirements of the Race Relations Act by suspending / excluding pupils or discriminating unfavourably on the grounds of race	Bullying, racial , prejudicial or other harassment of staff, pupils or other members of the school community	Repeated bullying, racial, prejudicial or other harassment of staff ,pupils or other members of the school community
		Carrying, threatening to use and or using an offensive weapon.