

EXCLUSIONS POLICY

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0. Document Control

The table below contains the changes made between the different final editions of this document set for approval. This is to help provide information to those reviewing and approving the document of the changes being made.

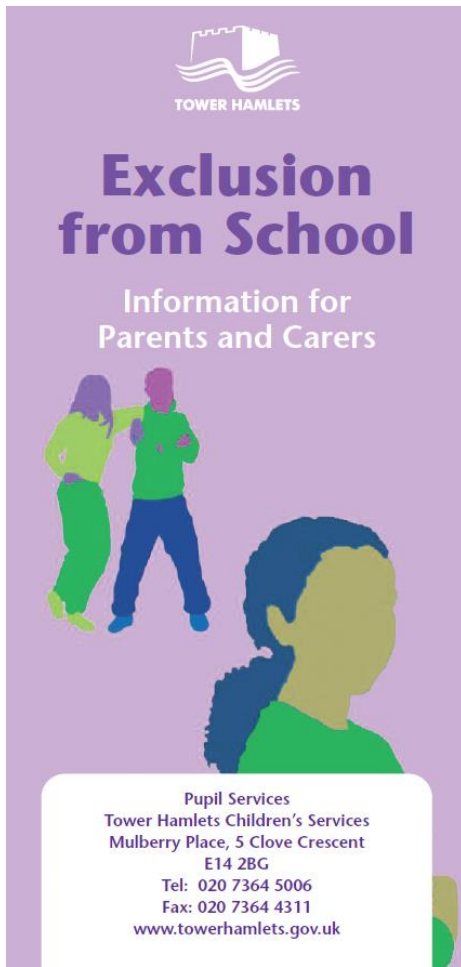
Document Edition	Section	Details of change
1.0	4	Updated regulation guidance.
	5	Additional and adapted responsibilities of Executive Headteacher included.
	6	More examples of breaches of behaviour policy included. Headteacher rights to cancel an exclusion included.
	7	Updated guidance on parents' right to request remote meetings.
	8	Updated guidance on parents' right to request remote meetings.
	12	Updated guidance to reflect changes to practice.
	14	Updated with new DHT staff member.

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Information for parents and carers

This booklet is about exclusion from school in the London Borough of Tower Hamlets.

You can find out about:

- The different types of exclusion
- Why schools exclude children
- How you should be informed if your child is excluded
- What will happen to your child's education during the exclusion
- What you can do if you don't agree with the exclusion
- Where to get information and help.

How this booklet can help you

This booklet has been produced to help you understand the law, guidance and your rights if your child has been excluded from school.

Word list

Exclusion

This is when a head teacher decides to keep a child out of school for serious misbehaviour. The child is not allowed to go to that school while excluded. Children and young people can be excluded from school at any age, including from the 6th Form.

Fixed Term Exclusion

This is when a child is kept out of school for a certain number of days. After this time, the child goes back to school. A child cannot be fixed term excluded for more than a total of 45 school days in a school year.

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1. Definitions

The “Trust” refers to the company known as the University Schools Trust, East London and all Trustees, Governors and Staff who work within it.

A “School” refers to an individual academy within the Trust, as denoted by their Unique Reference Number. As such a ‘school’ may span one or several phases of education to the individual academies within the Trust. Depending on the context the term “School” may refer to a singular academy or to all of the academies within the Trust but as separate entities.

The “Staff” refers to any individual who is employed by the Trust or who operates on the Trust’s behalf, e.g. Trustees and Governors.

A “Parent” includes the natural or adoptive parent of a pupil as well as any non-parent / carer who has parental responsibility including being involved in the day-to-day care of a pupil.

A “Pupil” includes any incoming or current pupil at any School within the Trust. It also includes any individual who was previously a pupil at any School within the Trust and who has left within the appropriate timeframe for consideration as necessary, e.g., complaints. The term pupil is used as standard by the UST in its policy documents but can be replaced with the term “student” or “child” with no change of definition.

The “Headteacher” is defined as the individual who has ultimate responsibility for a school in line with UST strategy, approach, ethos and values. Individual schools may have alternative titles for this position such as Executive Headteacher or Principal.

Policy specific definitions

Serious incidents or persistent failure to comply with the school’s behaviour expectations could result in a Suspension or Permanent Exclusion from school.

Suspension is when a pupil is not allowed to attend school for a fixed term.

A Permanent Exclusion is when the Executive Headteacher has decided a student is no longer allowed to attend SPWT due to a serious breach of the school rules.

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

2. Scope of the Policy

This policy applies to Pastoral and Teaching staff, Students and parents/carers.

3. Policy Aims and Ethos

Our school aims to ensure that:

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- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and students
- Students in school are safe and happy
- Students do not become NEET (not in education, employment or training).

The law is precise on the procedures regarding the use of Exclusion– and constantly updated. The School follows the DFE Guidance on the interpretation of these rules into practice and receives regular advice and guidance from the Local Authority.

Our 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.”

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Before deciding whether to exclude a student, either permanently or for a suspension, the Executive Headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the student to give their version of events
- Consider if the student has special educational needs (SEN).

4. Links to Legislation and Guidance Documents

4.1. Relevant Internal Policies

This policy should be read in conjunction with the following policies;

- Behaviour for learning policy
- AEN Policy
- SEND offer
- Anti-bullying policy
- Safeguarding policy.

4.2. Relevant External Documents

- [Exclusion from maintained schools, academies and student referral units \(PRUs\) in England](#). It is based on the following legislation, which outline schools’ powers to exclude students:
 - Section 52 of the [Education Act 2002](#), as amended by the [Education Act 2011](#)
 - [The School Discipline \(Student Exclusions and Reviews\) \(England\) Regulations 2023](#)
 - Sections 64-68 of the [School Standards and Framework Act 1998](#)
 - Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded students
 - Section 579 of the [Education Act 1996](#), which defines ‘school day’

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- The [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](#)
- [Tower Hamlets Guidance on the use of Pupil Exclusions 2018](#)
- 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' (Department for Education, 2023).

5. Roles and Responsibilities

The Executive Headteacher (SPW)

Informing Parents

Following the Executive Headteacher's decision to suspend or exclude a pupil, the parents will be immediately informed, or the excluded pupil if they are 18 or older, in person or by telephone, supported by email communication, of the period of the suspension, or permanency of the exclusion, and the reasons behind this.

The Executive Headteacher will inform the parents in writing (or electronically if written permission has been received from the parents for notices to be sent this way) of the following:

- The reasons for the suspension or exclusion
- The length of the suspension or permanency of the exclusion
- Their right to raise any representations about the suspension or exclusion to the governing board, including how the pupil will be involved in this and how the representations will be made
- Their right to make a request to hold the meeting via remote access and how this request can be made
- Their right to attend a meeting where there is a legal requirement for the governing board to consider the suspension or exclusion, and the fact that they are able to bring an accompanying individual
- The arrangements that have been made for the pupil to continue their education prior to the organisation of any alternative provision, or the pupil's return to school
- Relevant sources of free, impartial information.

The Executive Headteacher will also ensure parents are notified by the end of the afternoon session on the day their child is suspended that for the first 5 school days of a suspension, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of a suspension:

- 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

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- 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 sixth day of a suspension, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing Social Workers and the Virtual School Head (VSH)

When a pupil has been suspended or excluded, the headteacher will, without delay, notify the pupil's social worker, if they have one, and the VSH, if they are a looked-after child. This notification will include the period of any suspension and the reasons for suspension or permanent exclusion.

Social workers and/or the VSH will also be informed when a meeting of the governing board is taking place, and will be invited to attend the meeting should they wish to do so.

Social workers and VSHs will be allowed to join a governing board meeting or independent review panel via the use of remote access, as long as the arranging authority is satisfied they will be able to participate effectively, they can hear and be heard throughout the meeting, and their remote participation will not prevent the meeting being fair and transparent.

Cancelling an Exclusion

The Executive Headteacher may cancel any suspension or exclusion that has already begun, or one that has not yet begun; however, this power will only be used if the suspension or exclusion has not already been reviewed by the governing board.

Where a suspension or exclusion is cancelled, the headteacher will notify the pupil's parents, the governing board, the LA, and, where relevant, the virtual school head (VSH) and the pupil's social worker. The notification will also provide the reason for the cancellation. The Executive Headteacher will offer the pupil's parents the opportunity to meet with the headteacher to discuss the circumstances that led to the cancellation of the exclusion, and the pupil will be allowed back into school without delay.

When a suspension or exclusion is cancelled, the governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement.

Any days spent out of school as a result of a suspension or exclusion prior to it being cancelled will count towards the maximum 45 school days that a pupil can be suspended or excluded in an academic year. A permanent exclusion will not be cancelled if the pupil has already been suspended or excluded for more than 45 school days in an academic year or if they will have been so by the time the cancellation takes effect.

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The Executive Headteacher will report the number of suspensions and exclusions that have been cancelled, alongside the circumstances around and reasons for cancellation, to the governing board once per term, to allow the governing board to have appropriate oversight.

Preventative Measures

Before taking a final decision to exclude, the headteacher will consider whether it is in the best interests of all parties to initiate off-site directions or managed moves as preventative measures to exclusion.

Off-site Direction

The board of trustees may use their general powers to arrange for any registered pupil to attend at any place outside the school premises for the purpose of receiving educational provision intended to improve their behaviour.

The governing board and the Executive Headteacher will decide, in communication with the pupil and their parents, whether off-site direction is an appropriate solution to manage a pupil's behaviour and avoid suspension or exclusion. Where all parties agree to this course of action, the school will work with the pupil and their parents to discuss and agree a plan for the off-site direction, including a proposed maximum period of time that the pupil will be at the alternative provision and any alternative options that will be considered once the time limit has been reached, e.g. managed moves.

The governing board will notify parents, and the LA if the pupil has an EHC plan, in writing with information about the placement no later than two school days before the relevant day.

The school will keep any off-site placements under review by holding review meetings at intervals deemed appropriate by the governing board; the governing board will ensure, where possible, that review meetings are convened at a time suitable for the pupil's parents and will invite parents in writing to each review meeting no later than six days before that date. Where parents request, in writing, that the governing board hold a review meeting, the governing board will arrange review meetings in response, as soon as is reasonably practicable, unless there has been a review meeting in the previous 10 weeks.

The governing board will decide at each review meeting whether the arrangement will continue and for what period of time; the meeting will also decide arrangements for further reviews. Reviews will be recorded in writing, including any decisions made regarding the placement.

Managed Moves

Where it is thought to be in a pupil's best interest to transfer them to another mainstream school permanently, the Executive Headteacher and governing board will discuss this with the parents of the pupil, and the LA if the pupil has an EHC plan – managed moves will only go ahead with the voluntary agreement of all parties involved, including the parents and the admission authority of the new school.

The school will ensure that detailed records are kept of any decision to initiate a managed move, including evidence that appropriate initial intervention has been carried out. The school will participate in information sharing with the pupil's new school, including sending data on prior and current attainment,

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academic potential and any risk management strategies. The school will also cooperate with the pupil's new school to create an effective integration strategy.

Parents who have concerns that a managed move is being forced on them or who are unhappy with a managed move will be referred to the Complaints Policy and Procedure.

Informing the Governing Board and Local Authority

The Executive Headteacher/Headteacher will ensure, without delay, notification of the governing board and the local authority (LA) of:

- A permanent exclusion
- Any suspensions which would result in the pupil being suspended for more than 5 school days in a term (or more than 10 lunchtimes)
- Suspensions 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 Executive Headteacher will ensure the student's 'home authority' is immediately informed of the exclusion and the reason(s) for it without delay.

For all other suspensions, the Executive Headteacher ensures the governing board and LA are notified once a term.

The Governing Board

Responsibilities regarding suspensions is delegated to the Pupil Discipline Committee (comprising of 3 Governors) of the governing board. The Pupil Discipline Committee has a duty to consider the reinstatement of a suspended student (see section 6).

Provision does not have to be arranged for students in the final year of compulsory education who do not have any further public examinations to sit.

The LA

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

6. Suspensions or Permanent Exclusions

Suspension is an extreme sanction and is only administered by the Executive Headteacher (or, in the absence of the Head, the Associate Headteacher or Deputy Headteacher).

Exclusion, whether internal, suspensions or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct and are infringements of the Behaviour Policy:

- Persistent failure to comply with school behaviour policy
- Rudeness
- Defiance
- Verbal aggression to staff and others
- Verbal aggression to other students
- Physical aggression to/attack on staff
- Physical aggression to/attack on other students

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- Argumentative/confrontational behaviour
- Being under the influence of alcohol or other substances
- Bringing any banned items or substances into school, such as cigarettes and vapes
- Possession of drugs and other banned substances
- Dealing drugs and other banned substances
- Carrying an offensive weapon.
- Abuse that is discriminatory in nature, e.g. racist / sexist / homophobic / disablist
- Bullying, including cyber-bullying
- Inappropriate sexual behaviour
- Sexual harassment
- Bringing the school into disrepute
- Theft
- Damage to property
- Planned physical violence towards another learner(s)
- Arson
- Truancy
- Escalations
- Breach of health and safety regulations
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the learner's behaviour.

This is not an exhaustive list and there may be other situations where the Executive Headteacher makes the judgment that suspension or permanent exclusion is an appropriate sanction. The school has in place a continuum of provision for exclusion and alternatives to exclusion in order to support students.

Any students involved in any activity related to the following which the Executive Headteacher deems to be serious enough to exclude or not will also be reported to the Police:

- Weapons
- Drugs
- Gangs
- Serious Assaults
- Crimes with a Sexual Element

The policy follows the Local Authority's 'Tower Hamlets Guidance on the use of Pupil Exclusion'. This guidance is summarised for parents in the Tower Hamlets leaflet 'Exclusion from School Information for Parents and Carers', which is available on request or can be found in the appendix.

A permanent exclusion will be taken as a last resort. A decision to exclude a student permanently should only be taken:

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

Exclusion Procedure

Suspensions follow the process below, in line with the 'Tower Hamlets Guidance on the use of Pupil Exclusion':

- Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).

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- The *DFE* regulations allow the Executive Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year
- Students who are categorised as Looked After (CLA) and SEN students with an EHCP should be referred to the DSL and member of SLT in charge of Inclusion or *in absentio* the SENDCO for advice regarding the exclusion
- All paperwork must be completed as soon as possible in regards to the exclusion of a student
- The Governors have established arrangements to review promptly all permanent exclusions from the school and all suspensions that would lead to a student being excluded for over 15 days in a school term or missing a public examination (in relation to procedural matters pertaining to the composition and operation of the Governors' Pupil Discipline Committee, the Governing Body has agreed to adopt the procedural guidelines prepared by the Local Authority)
- Following suspension parents are contacted immediately where possible. A letter will be sent by post giving details of the suspension and the date the suspension ends. Parents may make representations to the Governing Body and the LA as directed in the letter, in the case of a Permanent Exclusion parents do have the right to appeal please see 'Exclusion from School Information for Parents and Carers'.
- A return to school meeting will be held following the expiry of the suspension and this will involve the student, parents/carers, either or both a senior member of staff and pastoral member of staff. Other staff where appropriate may attend. The meeting must establish the student's readiness to return to school and behave appropriately
- It is school practice to place the student on report to the Year Team Leader usually for one week to monitor behaviour and work
- If the fixed term exclusion is greater than five days; on the sixth day the student will be educated at the Pupil Referral Unit (PRU) or alternative provision will be provided until the end of the fixed term exclusion period. Except if a Key Stage 5 / Post-16 student is excluded, where no alternative provision is required and special requirements are needed with regard to excluding students aged 18 or older – see page 5 of the 'Tower Hamlets Guidance on the use of Pupil Exclusion'
- On return from a suspension, a Pastoral Support Plan may need to be drawn up. This needs to be agreed with the School, learner and parents. Time in the school's Learning Support base can be used as a means to reintegrate a student who has served an external exclusion
- During the course of a suspension where the student is to be at home, parents are advised that the student is not allowed on or near the school premises, and that daytime supervision is their responsibility, as parents/guardians. If excluded students are seen, in a non-official basis, during the time of an exclusion the Attendance and Welfare Service can issue a Penalty Charge Notice of £60 per parent.

Suspension will always be followed by a return from suspension meeting involving the student, parents/carers, a member of the pastoral team or senior member of staff and possibly a member of the governing body. The meeting must establish the student's readiness to return to school and behave appropriately.

A student accumulating a number of suspensions will be seen by member/s of the governing body. The operation of this panel is an inclusive strategy, designed to work with parents and students to avoid permanent exclusion. The formal warning system supports this.

7. Reinstatement

The Pupil Discipline Committee will consider the reinstatement of an excluded student within 15 school days of receiving the notice of the exclusion if:

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- The exclusion is permanent
- It is a suspension which would bring the student's total number of school days of exclusion to more than 15 in a term
- It would result in a student missing a public examination.

For suspension of between 6 to 15 days in any term, the Pupil Discipline Committee must convene a meeting within 50 school days to review the suspension, if the parent or carer requests it.

Where a suspension would result in a student missing a public examination, the Pupil Discipline Committee will consider the reinstatement of the student before the date of the examination. If this is not practicable, the Pupil Discipline Committee will consider the exclusion and decide whether or not to reinstate the student.

The Pupil Discipline Committee can either:

- Decline to reinstate the student, or
- Direct the reinstatement of the student immediately, or on a particular date.

In reaching a decision, Pupil Discipline Committee will consider whether the suspension was lawful, reasonable and procedurally fair and whether the Executive Headteacher followed their legal duties.

They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the student's educational record.

The Pupil Discipline Committee will notify, in writing, the Executive Headteacher, parents and the LA of its decision, along with reasons for its decision, without delay. Where an exclusion is permanent, Ex Pupil Discipline Committee's decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
 - The date by which an application for an independent review must be made
 - The name and address to whom an application for a review should be submitted
 - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the student's SEN are considered to be relevant to the exclusion
 - That, regardless of whether the excluded student has recognised SEN, parents have a right to require St Paul's Way Trust (SPWT) to appoint an SEN expert to attend the review
 - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
 - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
 - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.
 - That a request to hold the meeting via remote access can be made and how to make this
 - That if parents believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs

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and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

8. Independent Review

If parents apply for an independent review, the University Schools Trust (UST) will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded student.

Applications for an independent review must be made within 15 school days of notice being given to the parents by Pupil Discipline Committee if its decision to not reinstate a student.

Parents can request that independent review panels take place via remote access.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors' category and 2 members will come from the Executive Headteacher/Headteacher category:

- **Chair:** A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- **School Governor:** School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Executive Headteachers during this time
- **Headteacher Category:** Executive Headteacher/Headteacher or individuals who have been an Executive Headteacher/Headteacher within the last 5 years.

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

- Are a director of the UST, or governing board of the excluding school
- Are the Executive Headteacher/Headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the UST, or the governing board, of the excluding school (unless they are employed as an Executive Headteacher /Headteacher at another school)
- Have, or at any time have had, any connection with the UST, school, governing board, parents or student, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover).

A clerk will be appointed to the panel. The independent panel will decide one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed).

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

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9. 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, or
- The parents have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review has been made, 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.

10. Returning from a Suspension

Following a suspension, a re-integration meeting will be held involving the student, parents, a member of the pastoral team or senior staff and other staff, where appropriate.

The following measures may be implemented when a student returns from a suspension:

- Completing an Early Help Assessment (EHA)
- Pastoral Support Plan (PSP)
- Agreeing a behaviour contract
- Putting a student 'on report'
- Internal isolation
- Learning Support respite
- Referral to external agencies
- Mentoring.
- Report card

11. Monitoring Arrangements

The Deputy Headteacher of Pastoral and Inclusion monitors the number of suspensions every term and reports back to the Headteacher. They also liaise with the local authority to ensure suitable full-time education for suspended students.

This policy will be reviewed the Deputy Headteacher of Pastoral and Inclusion every year. At every review, the policy will be shared with the governing board.

12. Internal Exclusions

Students in internal exclusion have an opportunity to reflect upon their behaviour and discuss this with a pastoral member of staff to help prepare them for a successful reintegration into mainstream lessons.

Students in internal exclusion must arrive at school at 9.30am and report to the main reception. During independent study periods, students in internal exclusion are expected to complete work in silence using the laptops provided to access online learning resources. Students will receive two separate twenty-minute breaks whilst in internal exclusion, during which they access outdoor space, use the toilet and

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have their lunch. A packed lunch will be provided during the lunchtime break. Students will finish their school day at 4.30pm and may need to be collected by a parent/carer at this time.

During the period of referral, the learner will have a conversation with a pastoral member of staff to ensure that the learner can make a fresh start in the next lesson. The school may use internal exclusions/isolation for learners in order to complete investigations after incidents have been reported.

If a student misbehaves during internal exclusion, they will be subject to a half-day suspension and required to repeat the internal exclusion. Parent/carers may be expected to pick up their child if they are misbehaving during internal exclusion.

Students may be placed in isolation whilst an incident is being investigated. The Pastoral team for the student's cohort will decide where a learner will be isolated. Whilst in isolation, students will follow a similar daily routine as in internal exclusion. The period in isolation is not the same as or part of an internal exclusion. This is not a form of sanction and is put in place to support the on-going investigation.

See section 6 for examples of unacceptable conduct and infringements of the behaviour policy that may lead to a student being issued an internal exclusion.

13. Recordings by Electronic/ Mobile Devices

Recordings of any meetings may not take place without the agreement of the management of the school. The management of the school/Trust will decide whether there is a need for the recording to take place, for example, as a reasonable adjustment. Meetings cannot be recorded just because the parent or their representative has requested it.

The Trust will arrange any recordings and only appropriate recording devices will be used for these purposes. In these circumstances, verbatim transcripts of the recordings will be provided to all parties.

Any personal mobile devices belonging to those present in the meeting, and on their person, must be declared and ideally left outside the meeting room, or visible and turned off. We follow the Department of Education's (DfE) guidance on internal exclusions.

14. Appendix 1 – Key Members of Staff Referenced

School/Trust	Position	Staff Member
SPWT	Executive Headteacher	Phil Akerman
	Head of School (Foundation)	Siobhan Fehim
	Head of School Secondary	Firdusi Uddin
	Deputy Headteacher Pastoral & inclusion (Secondary)	Gwilym Goulson
	Assistant Headteacher Pastoral & Inclusion (Primary)	Alice Greenwood
	Chair of Governors	Dr Joe Hall
	Safeguarding Governor	Julia Burns

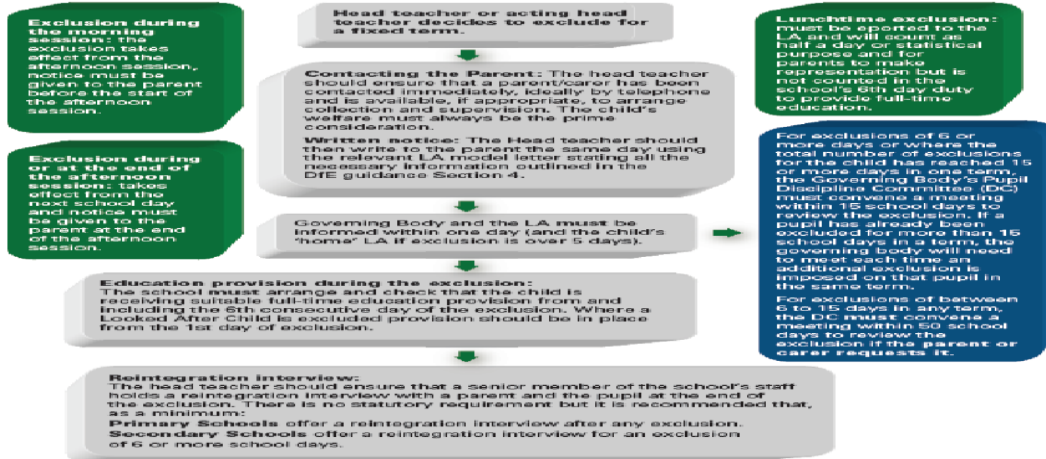
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15. Appendix 2 – Links to Legislation and Guidance Documents

LEA guidance

Procedures

Flowchart on the Procedure for Fixed Term Exclusion



TOWER HAMLETS

Exclusion from School

Information for Parents and Carers

Pupil Services
Tower Hamlets Children's Services
Mulberry Place, 5 Clove Crescent
E14 2BG
Tel: 020 7364 5006
Fax: 020 7364 4311
www.towerhamlets.gov.uk

the London Borough of Tower Hamlets.

You can find out about:

- The different types of exclusion
- Why schools exclude children
- How you should be informed if your child is excluded
- What will happen to your child's education during the exclusion
- What you can do if you don't agree with the exclusion
- Where to get information and help.

How this booklet can help you

This booklet has been produced to help you understand the law, guidance and your rights if your child has been excluded from school.

Word list

Exclusion

This is when a head teacher decides to keep a child out of school for serious misbehaviour. The child is not allowed to go to that school while excluded. Children and young people can be excluded from school at any age, including from the 6th Form.

Fixed Term Exclusion

This is when a child is kept out of school for a certain number of days. After this time, the child goes back to school. A child cannot be fixed term excluded for more than a total of 45 school days in a school year.

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17. DFE Guidance

Introduction

This guidance on internal exclusion is aimed at all schools and offers advice and good practice that schools may find helpful. There is no requirement for schools to follow this guidance, it should be used as a guide as to what internal exclusion should look like.

Internal exclusion is an internal process within the school and is used when the objective is to remove the student from class, not from the school site, for disciplinary reasons. It may be a formal process within the school but it is not a legal exclusion so exclusions legislation and the department's guidance on exclusion from school does not apply. Sending a student off site for behavioural reasons is a legal exclusion and has to be dealt with and recorded as such.

There is not a prescribed model for the use of internal exclusion. This advice is intended to support schools to consider best practice in relation to their own setting and individual circumstances. Internal exclusion can form part of a whole school approach to promoting positive behaviour. Many schools operate behaviour management systems which involve the use of internal exclusion.

Internal exclusion may serve a number of different purposes, although its primary function is as a sanction to accommodate those students who have been removed from a lesson at very short notice for poor behaviour. It is mainly a feature of secondary provision. In a primary school the facility may more commonly be the headteacher's room or other teaching area, while in secondary schools there may be a designated 'remove room'. Internal exclusion or remove rooms are often supervised by senior staff, although not exclusively so. Remove rooms are a separate resource from a Learning Support Unit which provides short-term teaching and support programmes tailored to the needs of students who need help in improving their behaviour, attendance or attitude to learning.

Advice on establishing and maintaining a Learning Support Unit can be found at www.teachernet.gov.uk/learningsupportunits/. It is not advisable to use the term 'internal seclusion' as the word 'seclusion' legally means forcing a child to spend time alone against their will, whereas the aim of internal exclusion should be to provide appropriately supervised education not simply as a punishment but to secure improvements in the student's behaviour. It is also inappropriate to use the term 'inclusion room'. In this guidance we refer simply to a 'remove room'.

Effective Practice

As part of a whole school approach to behaviour and attendance, internal exclusion usually offers immediate, short-term provision in order that learning and teaching for the majority of students can continue uninterrupted. Any period of internal exclusion should be for the shortest time possible. It is good practice to develop a clear and shared understanding between all staff, children and young people, parents and carers about the policy and practice involved in internal exclusion. If internal exclusion is one of the disciplinary measures used by a school, this should be reflected in the school's behaviour policy. Guidance for schools on the establishment of school behaviour policies (including both the relevant legal requirements and good practice advice) is available at <http://www.teachernet.gov.uk/wholeschool/behaviour/schooldisciplinepupilbehaviourpolicies/>

Remove rooms **should be** used:

- For students who have been internally excluded and referred through the correct channels
- When a potentially explosive situation can be resolved by placing students in the remove room
- In line with the school's behaviour policy.

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Remove rooms **should not be** used:

- For statutory education provision for excluded students
- As a place where students catch up on coursework or missed exams and tests
- For students sent without using the school's referral mechanism.

Internal exclusion should **not become**:

- A provision for long-term respite care
- A dumping ground for students who may need specific support
- A 'badge of honour' for children and young people (i.e. they can gain inappropriate approval from their peers)
- A fast track to permanent exclusion.

Referrals

There needs to be a transparent referral system for students who are internally excluded. An internal exclusion could, for example, be authorised by the Head of Year or a senior member of staff on the recommendation of the class teacher. The reasons for the referral to the remove room should be made clear to the student (and parents/carers if appropriate). The referral should also include information on what lessons the student will be missing and any suggested work that can be completed in the remove room. All referrals should be reported to the head teacher. Schools may wish to inform parents of any longer referral to the remove room. This would help to emphasise the seriousness of the sanction. Parents and carers need to know and understand the school's policy on internal exclusion, as part of the school's behaviour policy.

Education in the Remove Room

Students should understand that they will be required to complete set work whilst excluded from class and this work should be provided by teachers. Students should also be encouraged to reflect on the reasons for their internal exclusion. Where students are placed in internal exclusion for more than half a day, particular attention should be given to the activities they will undertake during this time.

These activities might include:

- Completing a task set by the class or subject teacher
- Completing a task set by staff supervising internal exclusion
- Discussing the incident with an adult
- Conducting a self-review resulting in a practical outcome such as a written apology
- Analysis of the student's behaviour with supervising staff, with suggestions as to how the same situation can be avoided in the future.

Structure

The programme of activities for the remove room should be carefully planned and structured. As internal exclusion is a sanction for poor behaviour, then any time a student spends in the remove room should be focused and used constructively to tackle any problems or carry on with class work. It is important that the students understand exactly what they have to do and why they are doing it. The remove room may operate different start and finish times compared to the rest of the school. If this is the case, then timings would need to be co-ordinated with any transport arrangements that are already in place and any out-of-school responsibilities that the student may have, such as escorting a younger student home or being a primary carer for a family member.

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Environment

The remove room may be located within a classroom in a quiet area of the school, be a separate room within the school or in a separate building with its own entrance. A limit should be set regarding the number of students that can be in the remove room at any one time as overcrowding will diminish the positive effect this sanction can have. Staff should have access to an internal telephone or mobile phone. It is important that the remove room is completely separate and distinct from the Learning Support Unit and from any special educational needs bases. Appropriate resources, such as pens, pencils, rulers, calculators and PCs, should be available for the staff member on duty to lend to students while in the room. It is also useful to have a variety of literacy, numeracy and problem solving exercises ready for students to carry out if they have finished their work or while waiting for it to arrive.

This will help to ensure that all the time students spend in the room is usefully occupied. The students should have appropriate access to toilets and drinking water.

Lunch may be provided in the room unless this contravenes health and safety regulations, in which case it is advisable to ensure lunch is provided at a different time from the rest of the school. It is also useful to have examples of the type of behaviour expected (as described within the school behaviour policy) on display, as a reminder to students as they reflect on the incident that has resulted in their internal exclusion. It may also be helpful to provide a display of reflective questions, as a stimulus, as students consider the consequences of their actions and how they might put a situation right.

Costs Including Staffing

Schools will wish to consider the costs involved in setting up provision for internal exclusion. There may be some initial start-up costs, but thereafter costs will mainly relate to staffing. The remove room could be supervised by staff on a rota basis or a permanent member of staff could take on this role, with the support of senior staff. Schools will want to ensure that all staff who supervise internal exclusion have the appropriate skills in managing difficult situations where students may be volatile, upset, angry or distressed in some way. This could potentially be a good development opportunity for staff and some staff may benefit from additional training. They will need to understand the purpose and functions of internal exclusion and be confident in applying agreed policy and procedure.

Monitoring

It is good practice to monitor all referrals to the remove room on a regular basis, including the gender, ethnicity, SEN status and age of students referred to the remove room and also the class from which they were removed and the length of time each student spends in the remove room. This can result in a useful set of data that will help with early intervention projects and school self-evaluation. Schools can use the data to analyse referrals to internal exclusion and identify any trends that may occur.

18. Independent Review Panel Training

The UST must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review. Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of Executive Headteachers/Headteacher, governing boards and the panel under the Equality Act 2010

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- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act.

19. Approval Signature

Signature of Executive Headteacher

Print name: Philip Akerman

Date: July 2023

Signature of Chair of Governors

Print name: Joe Hall

Date: July 2023

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