

Liberty Academy Trust

Exclusions Policy

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Written By	Executive Team
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1 Introduction

1.1 Liberty Academy Trust exclusion policy aims to set out the process that will be followed and the additional considerations around suspensions and exclusions that **name of School** will apply. Good behaviour and self-discipline lead to effective learning and help prepare children and young people for life beyond the school gate.

1.2 Where the **name of School** approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.

1.3 Behaviour that challenges, can be an indication of unmet needs and this is particularly true for the pupils in our schools. Where a school has concerns about a pupil's behaviour, it should try to identify whether there are any causal factors and intervene early with all possible stakeholders in order to reduce the need for a subsequent exclusion. In this situation schools should work with the Local Authority and social care and health professionals to support the pupil and prevent behaviours which may lead to exclusion.

1.4 The School will always have regard to the [Statutory Guidance on Suspensions and Exclusions \(July 2022\)](#) when making decisions on suspensions and exclusions and will follow the law, as set out in the relevant School Discipline (Pupil Exclusions and Reviews) (England) Regulation 2012 (as amended).

1.5 This policy should be read in conjunction with the behaviour policy and the SEND policy.

2 Application of policy

2.1 This policy applies to all members of the School and Trust community. Each School in the Trust will apply suspensions and exclusions in accordance with this policy and ensure that its contents are relayed to all staff, parents/carers and pupils.

3 Types of exclusion

3.1 Suspensions and permanent exclusions are different:

3.2 Suspensions (previously called fixed-term exclusions) are where a pupil is prevented from attending the school for a fixed period. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum of 45 days of suspension in an academic year before being permanently excluded.

3.3 Permanent exclusions are where, subject to a decision of the local committee to reinstate the pupil to the school, the pupil is prevented from attending the school again. A decision to permanently exclude will only be taken in response to a serious

breach or persistent breaches of the school's behaviour policy, and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others, such as staff or pupils, in the school.

4 Exclusion procedure

4.1 A decision to suspend or exclude a pupil will only be taken in response to serious breaches of the school's behaviour policy or if allowing the pupil to remain in light of their behaviour in school would harm the education or welfare of the pupil or others in the school. A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion.

4.2 A decision to suspend or exclude must be carefully considered based on the information available and by adopting the civil standard or proof i.e. on the balance of probabilities.

4.3 Suspension or exclusion will not be appropriate for minor incidents such as failure to complete homework, poor academic achievement, lateness or truancy, pregnancy, breaching uniform or jewellery policy or punishing parent/carer(s) for the behaviour of pupils.

4.4 Suspensions or exclusions will not be appropriate where the pupils' behaviour, which calls into question the need for exclusion, is evidently a consequence of the child's autism (as described in school and other documentation e.g. risk assessment, annual review, internal behaviour information), unless there is a serious risk of impacting students' safety, wellbeing or right to education.

4.5 Before deciding the type of exclusion (suspension or permanent), the Principal will consider all facts available at the time. This will take into account checking whether the incident appears to be provoked by discriminatory practice and, if necessary, consultation with others but not involving anyone who may later take part in the review of the decision. The pupil should be enabled to participate to give their version of events where possible.

4.6 Before taking the decision to Suspend or Permanently exclude, the Suspension and Exclusion Decision Making Record must be completed by the Principal. (Appendix 1)

4.7 Permanent exclusion is an extreme measure made if the pupil's behaviour meets the following twin test:

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

4.8 A suspension shall not exceed a total of 45 school days in any academic year. A suspension may last for part, a whole or multiple days. If the suspension is determined to last for more than 5 days then the local authority will be notified. Suspensions will not last for more than 10 consecutive working days.

4.9 The pupil shall be returned to the care of the parent/carer or placing Authority as appropriate

4.10 The school will provide work for the pupil to undertake and/or guidance with regard to activities and occupation of time during the period of exclusion up to the end of the fifth consecutive day;

4.11 Where there are concerns that there is a risk of further suspensions or a Permanent exclusion, the Pre-Exclusion Assessment process (PEAP) will be utilised (appendix 2). The school and external agencies (including the Local Authority, where appropriate) will participate in the process in order to reduce the risk of further suspensions. All PEAP forms will be submitted to LIBERTY Director of Children's services and Safeguarding for review.

4.12 In the case of a pupil who is looked after by the Local Authority the Principal will convene an urgent review meeting to agree the next steps.

4.13 If a pupil is to be suspended for more than 15 school days in one term, the Principal must plan how to enable the pupil to continue their education; how to use the time to address the pupil's barriers to education, and in conjunction with the LA, what arrangements will best help the pupil to re-integrate into the school at the end of the exclusion.

4.14 The Principal will inform the LA immediately of all permanent exclusions, and all suspensions that result separately or in total of the pupil missing more than 15 schools days in any one term, or which deny the pupil chance to take an examination. Suspensions of one to five school days should be reported each term unless the LA requests more frequent reports.

4.15 The Principal who excludes must notify the parent(s)/carer immediately themselves by telephone as soon as possible, followed by a letter within one school day.

The letter should explain:

- why the decision was taken
- steps to enable the pupil to continue their education
- the parent/carers' right and method of appeal
- the right to see their pupil's school record
- if the exclusion is permanent, the date the exclusion takes place and details of any relevant previous warnings, exclusions or measure before the present incident and how this incident meets the twin test outlined above
- For suspensions, the date and time of return and reintegration meeting
- the name and telephone number of the LA Officer for parent(s)/carer(s) to contact
- correspondence should be in a format that the parent(s)/carer(s) can understand.

4.16 The decision to suspend is not subject to review panel appeal. However, should parents or carers have serious concerns about the decision to suspend

then they should discuss this with the Principal within the first day of the exclusion.

4.17 When a pupil is excluded they should be referred to the appropriate sources of help and support. Effort will be made to welcome the pupil and strategies will be put in place to assist the pupil in returning to school. Advice and information are usually available to a parent/carer(s) through the funding LA's SEN partnership scheme.

4.18 If a parent/carer sends a pupil to school or refuses to collect him or her during a suspension period, the school should have due regard for the pupil's safety and contact the LA/Education Welfare Office for advice.

5 Roles and responsibilities

5.1 All members of the School and Trust community are expected to follow this policy. Roles, responsibilities and expectations of each section of the School community are set out in detail below.

5.2 The principal

All decisions to suspend or permanently exclude a pupil will be taken by the principal after considering all the circumstances. Every decision made will be proportionate to the seriousness of the behaviour with reference to the behaviour policy.

5.3 The governors

The local committee is responsible for forming committees to review exclusions and suspensions when it is required to do so, it is requested by parent/carer(s,) or it is, in its view, prudent to review an individual decision. In each case, the decision of the relevant committee formed by the local committee will be to decide whether to uphold the exclusion or suspension, or instead to reinstate the pupil to the school.

5.4 Parents/Carers

Parents/Carers will be informed without delay of any suspension or exclusion and there is an ability to make representations in regard to any suspension or exclusion decision. Details will be provided on the rights parents/carers have with every letter that is sent from the Principal.

5.5 Pupils

All pupils of the school are expected to follow the expectations regarding their behaviour to ensure that all pupils can learn and participate in school life effectively. Where those expectations are breached, the behaviour policy will apply.

6 CCTV, witness evidence and pupil views

[Delete section if no CCTV in place]

6.1 The School uses Close Circuit Television (CCTV) within its premises. This is to provide a safe and secure environment for pupils, staff and visitors. If behavioural incidents are recorded on CCTV, the footage may be viewed as part of the investigation and the content considered before imposing a sanction. If CCTV is relied upon for a decision on a suspension or exclusion, then it will be shown in some format (redacted as necessary) at any governor review meeting. Please see the School's CCTV policy and privacy notices for more information.

6.2 Where witness evidence is relied upon, whether that be from a pupil or a staff member, the statement(s) will be provided at any governors review meeting. All statements will be signed and dated unless the principal has good reason to protect the anonymity of the relevant witness. Reasons may include threats of reprisals.

6.3 Before taking a decision to suspend or exclude and where appropriate, the principal will take the pupil's views into account, considering these in light of their age and understanding, and inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil will be given support to express their view, including through advocates such as parents/carers or, if the pupil has one, a social worker. The principal will also take account of any contributing factors identified after an incident of misbehaviour has occurred.

7 Reintegration strategy meetings following suspension or off-site direction

7.1 Where a pupil is suspended or is directed to be educated off-site, upon return to the school both the pupil and parents/carers will be invited to a reintegration strategy meeting. The purpose of the meeting is to:

- offer the pupil a fresh start;
- help them understand the impact of their behaviour on themselves and others;
- teach them to how meet the high expectations of behaviour in line with the school culture;
- foster a renewed sense of belonging within the school community; and
- build engagement with learning,

7.2 so that further suspensions are not needed. School staff will work with the pupil to understand what led to the behaviour and to establish if any changes can be made or further support implemented from a pastoral or practical perspective that might reduce the chance of repeat behaviours. This meeting should take account of the pupil's level of understanding of why they were suspended/excluded and the degree of control the pupil has to manage their anxiety. Previous behaviour is not seen as an obstacle to future success.

7.3 The school used various measures to support a pupil's successful reintegration including:

- [daily contact with a designated pastoral professional in-school;
- use of a report card with personalised targets leading to personalised rewards;
- ensuring the pupil receives academic support upon return to catch up on any lost progress;
- planned pastoral interventions;
- mentoring by a trusted adult or a local mentoring charity;
- regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage; and
- informing the pupil, parents /carers and staff of potential external support.]

7.4 Whilst reintegration meetings are highly encouraged by the School/Trust, pupils will not be prevented from being admitted to the School because a meeting has not taken place.

8 Suspensions before a permanent exclusion

8.1 In exceptional circumstances, pupils may receive a suspension prior to a permanent exclusion. For each decision, the principal will send the relevant letter setting out the rights of parents/carers. A suspension cannot be converted into a permanent exclusion and so any subsequent permanent exclusion would be a fresh decision due to commence immediately after the suspension had ended. Exceptional circumstances may include where further evidence has come to light, or where the incident was serious and time is required to fully investigate the circumstances and consider alternatives.

9 Directing off-site and managed moves

9.1 Before taking any decision to permanently exclude a pupil, the principal will consider whether a direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.

9.2 In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the school's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental/carers consent is not needed, discussions would take place with parents/carers to feed in their views about the options.

9.3 For a managed move to take place there needs to be agreement between the School, the parents/carers and the new school that a managed move should occur. Before a managed move is agreed to, the pupil attend the new school for a trial period to ensure that the new school would be suitable for them. We will share relevant information with the new school and check that they have an integration

strategy. At the end of this period, the relevant parties (including the parents/carers) will review the placement before a decision is taken about whether the move becomes permanent.

10 The local committee's duty to consider an exclusion (suspension or permanent exclusion)

10.1 Local Committees have a key responsibility in considering whether excluded pupils should be reinstated. This forms part of their wider role to hold executive leaders to account for the lawful use of exclusion, in line with the duties set out in law, including equalities duties.

10.2 The local committee has a duty to consider parents'/carers' representations about a suspension or permanent exclusion. The requirements on a local committee to consider the reinstatement of a suspended or permanently excluded pupil depend upon a number of factors

10.3 The local committee must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher if:

- it is a permanent exclusion;
- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term; or
- it would result in the pupil missing a public examination or national curriculum test.

10.4 The requirements are different for suspensions where a pupil would be suspended for more than five but less than 16 school days in a term. In this case, if the parents/carers make representations, the local committee must consider and decide within 50 school days of receiving the notice of suspension whether the suspended pupil should be reinstated. In the absence of any representations from the parents/carers, the local committee is not required to meet and cannot direct the reinstatement of the pupil.

10.5 Where a suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, there is a further requirement for a local committee. It must, so far as is reasonably practicable, consider and decide on the suspension or permanent exclusion before the date of the examination or test. If it is not practical for sufficient governors to consider the reinstatement before the examination or test, the chair of governors, In the case of an academy the pupil's reinstatement may be considered by a committee of the trust board, including a local committee.

10.6 The following parties must be invited to a meeting of the local committee and allowed to make representations or share information:

- parents/carers (and, where requested, a representative or friend);

- the pupil if they are 18 years or over;
- the headteacher;
- the child's social worker if the pupil has one; and
- the VSH if the child is LAC.

10.7 The local committee must make reasonable endeavours to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits. Where the chair is unable to make this consideration, then the vice-chair may do so instead. Parents/carers may request that the local authority and/or the home local authority attend a meeting of an academy's local committee as an observer; that representative may only make representations with the local committee's consent.

10.8 In the case of a suspension which does not bring the pupil's total number of days of suspension to more than five in a term, the local committee must consider any representations made by parents/carers, but it cannot direct reinstatement and is not required to arrange a meeting with parents/carers. Taking into account, the pupil's age and understanding, the pupil or their parents/carers should also be made aware of their right to attend and participate in the local committee meeting and the pupil should be enabled to make a representation on their own behalf if they wish to do so

11 Independent review panels (IRPs)

11.1 The School arranges its own IRPs via the Local Committee, requests for an IRP where a permanent exclusion has been upheld should be made to **[NAME/DETAILS Clerk of Governors]** within 15 school days.

Further details on the role and powers of IRPs can be found in Part Ten of the Statutory Guidance on [Exclusions](#)

12 Reconsideration by the local committee

12.1 Where an IRP either recommends reconsideration or quashes the initial decision of the local committee, the decision will be considered within 10 school days. This may involve a rehearing with oral evidence given by the School and parents/carers or may be a reconsideration with only the local committee members and the clerk present.

13 Complaints

13.1 If parents/carers have any concerns or complaints over the application or implementation of this policy or feels that they are being pressured into a managed move, they should raise their concerns with a staff member or the principal in accordance with the Trust's complaints policy. If the concern relates to an exclusion,

the statutory procedure set out in the exclusions statutory guidance will be followed.

14 Equality impact

14.1 The School does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics. This includes race, religion, disability, sexual orientation, and sex.

15 Monitoring arrangements

15.1 The local governors and trustees review data on suspensions and exclusions to ensure that the use of suspensions and exclusions is appropriate. The following are monitored by the local governors and trustees to ensure the processes and support for pupils are appropriate:

- the interventions put in place for pupils at risk of suspension and permanent exclusion;
- the processes in place for determining and reviewing directions to alternative provision and that such placements are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefitting from it;
- the full-time educational provision for pupils of compulsory school age from the sixth consecutive school day of a suspension, in particular checking the provision is suitable and quality-assured to ensure that:
- any previous placements have been evaluated, including support for any applicable SEND;
- there is a process in place to monitor the pupil's attendance and behaviour at the provision;
- the correct attendance code is being used;
- the pupil's child protection file and any other information relevant to the pupil's safeguarding and welfare has been securely transferred to their new setting as early as possible;
- whether there is any variation within the year on suspensions and permanent exclusions and the characteristics of pupils;
- the cost implications of directing children to be educated off-site in alternative provision and whether there are any patterns to the reasons or timing of moves;
- whether the school register and absence codes have been recorded correctly
- how the behaviour policy is applied and specifically its consistency;
- the circumstances in which pupils receive repeat suspensions;
- whether Personal Education Plans for looked after children have been reviewed on a termly basis.

Appendix 1 Suspension/Permanent Exclusion Decision Making Record

This record outlines the decision making and influencing factors leading to a pupil receiving a sanction that falls into Liberty Academy Trust's Exclusions Policy. This document must be signed off by the Principal with input from appropriate members of their team and in consultation with the Director of safeguarding and Children's services or the Director of Education. All of our pupils have SEND and an EHCP. All decisions to exclude (or not) will be taken with pupils' SEND needs, known behaviours and social care needs in mind.

Pupil Name:	Pupil URN:	How does this information affect your decision making?
Date:	CPOMs reference:	
Step 1: The incident / series of incidents	Describe:	
Step 2: Investigation (must include a detailed chronology of events before the incident)	Conducted by: Checked by: Outcome:	
Step 3: Consultation	Who has been consulted in this process and what did they say?	
Step 4: Reasonable adjustments (EA 2010)	Describe and explain impact of reasonable adjustments to date:	
Other contextual information		
Step 5: Deciding whether to suspend or permanently exclude	<p>Based on the detail in the grey boxes above, do the facts of the matter support a decision to exclude the pupil?</p> <ul style="list-style-type: none"> - Are there underlying factors that led to the incident/series of incidents? - Is this incident one in a series of similar incidents? What makes this situation different? - Does the incident threaten other school members' safety and/or ability to work and learn in school? - Is there an alternative to exclusion that has not already been attempted in support of the pupils' needs? - Does the issue meet the following definition: "on the balance of probabilities' it is more likely than not that the student in question carried out a serious breach or persistent breaches of the School's Behaviour Policy"? 	

Step 6: Exclusion type (only complete if decision is to implement any type of exclusion)	<p><i>The decision to exclude a student permanently should only be taken:</i></p> <ul style="list-style-type: none"> <i>• in response to a serious breach, or persistent breaches, of the school's behaviour policy; and</i> <i>• where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.</i> <p>Based on the information in steps 1-4, does this incident meet the criteria in italics above? Yes/No If Yes, a panel must be formed.</p> <p>Reasoning:</p>
Step 7: Outcome	<p>If the decision is not to exclude, follow steps to successfully reintegrate the pupil into their structure and routine. Adjustments must be made to the pupils' provision (including PBS plan, provision assessment etc). The pupil and their family/carers must be consulted beforehand.</p> <p>If the decision is to exclude, then the Principal must follow the steps described in the Exclusion Policy and refer to the Government's guidance if in doubt. The Principal or their delegate must liaise with the local authority when excluding from school for any duration to ensure that the pupils' wider needs are accommodated. In all cases, the pupil's next steps (reintegration, transition) must be fully supported by the school team and in collaboration with suitable stakeholders.</p> <p>Decision: Not to exclude / internal / suspension / permanent</p> <p>Signed (Principal): Signed (LGB Chair):</p>

Appendix 2 The Pre-Exclusion Assessment Process (PEAP)

Date PEAP Opened by School:

Name of School:

Name of Child		Year Group	
Date of Entry to the Academy		Date 1 st Issue Recorded	

Ethnic Group			EAL	Y	N
LAC/CIC	Y	N	Pupil Premium	Y	N

Details of Suspensions:

Date	Duration	Reason

Details of External Support Involved: (to include details of LA-based Inclusion Panels where applicable)

Name	Agency	Date Last Involved	Reason / Outcome	Still Involved?	Date of Next Visit

School-Based support, Interventions and Strategies:

Date	Duration	Reason	Impact

Details of documentation to support child's individual needs:

Documentation	Date of 1 st document	Date of 2 nd document	Date of 3 rd document
Support Plan			
Risk Assessment			
Individual Behaviour Management plan (IBMP)			
Individual Timetabling arrangements (if appropriate)			
Meetings with parents/carers, specifically to discuss child's behaviour and next steps			

Further information:

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Voice of the Child:

Suggested questions are given below but Safeguarding Lead/Key worker should not be restricted by them, nor is this list complete; it is important that in accordance with the guidance from the DfE, we obtain as much information as the pupil is willing to share. Questions should be tempered as needed.

- 1) What do you like about school?
- 2) What do you dislike about school?

- 3) Are you happy when you are here?
- 4) Can you describe a time when you have not been happy here and what happened?
- 5) How do the teachers/staff try to help you?
- 6) Is there anything the teachers/staff could do better to help you?
- 7) What support do you feel you need?
- 8) Can you remember the last time you were suspended from school? When was it? Can you remember how many days you were at home?
- 9) When you were at home, what work did you have to do? When did this work get marked?
- 10) Can you remember a time when you have been suspended for more than a week?
- 11) When was this? Did you have lessons in a different place or did a teacher come out to teach you?
- 12) Is there anything else you'd like to tell us?

Voice of the Child Date and responses:

Voice of the Parents/Carers: *(please record details of any relevant parental/carers liaison including communication with regards to exclusions and reintegration)*

Voice of the Parent /Carer Date and responses:

PEAP Review Date and Recommendations (SLT or LIBERTY Executive review):

Additional pages for use in Permanent Exclusion:

Principal Evidence of Self-Evaluation:

Questions	YES / NO	Supporting Commentary as Evidence of Actions Taken
Have I investigated specific incidents with all parties in a sensitive and fair way?		
Have I considered factors that could have contributed to the pupil's behaviour (e.g. SEND or bereavement) and have I taken these factors sufficiently into account?		
Is exclusion the most appropriate and reasonable sanction, and consistent with the academy's behaviour policy?		
Are all the exclusion reasons clearly recorded, including the impact on others? Are they robust?		
Is relevant evidence properly recorded / retained / documented? (E.g. summaries of interviews, past behaviour and support given)		
Have I spoken to the parents/carers to ensure they fully understand the type / scale of the incident?		

This document MUST be completed and handed in to the Director of Children's Services and Safeguarding at least 7 working days prior to the Governor Panel or IRP.

Summary Recommendations (to be completed by Reviewing officer)

Evaluation of Actions Undertaken by the Academy	YES	NO
The Academy has extensive evidence of a range of support put in place to meet the needs of the pupil for a period longer than a term		
There is evidence of involvement from multiple agencies for a period longer than a term		
There is evidence that the needs of the pupil and the involvement of the parents / carers have been central to all decisions made		
The Academy has met all statutory guidance, without exception		
The pupil's actions have breached the behaviour policy of the Academy and continue to pose a serious threat to the education of pupils or the safety and well-being of staff / pupils / themselves		

I am satisfied that the evidence provided, justifies the case being put forward to the LGB, in order to approve a permanent exclusion for the child named:

_____ In Year _____

I am not satisfied that the evidence provided, justifies the case being put forward to the LGB, in order to approve a permanent exclusion for the child named: _____ In Year _____

Signed:

Position:

On completion of the pre-exclusion assessment, all documentation must be sent to the Director of Children's services and safeguarding for sign-off or information and follow-up.

Dates documents sent: