



CELT Suspension & Exclusion Policy

Adopted by (body): CELT Trustees
Review date: July 2024

PROTECTION PARTNERSHIP
 ACCOUNTABILITY
 CARE SAFEGUARDING EMPOWER
 STRENGTHEN IMPROVE
 ENABLE EVERYONE VULNERABLE
 RESPONSIBILITY

- Collaborate** Ability to work effectively as a team
- Empower** Ability to take initiative and problem solve in order to improve performance
- Lead** To lead by example and achieve shared goals
- Transformation** Ability to recognise a need for change and adapt accordingly



CELT Vision

Our vision is for our trust to be a learning organisation in the truest sense.

At the heart of our vision for education is a self-improving school-led system which has the best evidence-led practice and in which every child fulfils their potential. This is a learning community in which:

- Our leaders are driven by moral purpose. They are outwards focused and not afraid to take risks to achieve system transformation. The focus of policy is on continually improving the quality of teaching.
- Our teachers strive to be outstanding. They work across organisational boundaries to promote a collective sharing of knowledge, skills, expertise and experience in order to deepen pupil learning.
- The individual talents and strengths of our pupils are recognised and nurtured. A passion and curiosity for learning is sustained in every child from the moment they join us. A CELT pupil leaves our family of academies with a purpose, and the confidence to fulfil that purpose.
- Our parents are engaged in our learning community and actively work in partnership with us to raise the level of attainment and aspiration of every child.

CELT Mission

“Learning together to help every child achieve more.”

We believe there is no limit to what every child can achieve, and that every child deserves the chance to fulfil their potential.

As a learning community we are on an ambitious journey. We want to deliver a model for education in the 21st century which instils curiosity and a love for learning in every child so that they develop into young adults who contribute to humanity, follow their passions, and think for themselves.

By learning and improving together – as part of a global learning community – we create much richer and more sustainable opportunities for rigorous transformation than can be provided by any one of our academies alone.

**COLLABORATE
EMPOWER
LEAD
TRANSFORM**

Should you require further information, please contact
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“Safeguarding is everyone’s responsibility”

At Cornwall Education Learning Trust (CELT) we are committed to safeguarding and promoting the welfare of children and we expect all Trustees, Governors, staff and volunteers to share this commitment. This policy is to ensure that all children with medical conditions, in terms of both physical and mental health, are properly supported in school so that they can play a full and active role in school life, remain healthy and achieve their academic potential.

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Introduction

- 1.1 Cornwall Education Learning Trust (CELT)'s exclusion policy aims to set out the process that will be followed and the additional considerations around suspensions and exclusions that CELT will apply. Good behaviour and self-discipline lead to effective learning and help prepare pupils for life beyond the school gate.
- 1.2 Where CELT's 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 CELT will always have regard to the Statutory Guidance on Suspensions and Exclusions (September 2023) 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).
- 1.4 This policy should be read in conjunction with the behaviour policy and the SEND policy for the school.

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Application of policy

- 2.1 This policy applies to all members of CELT community. Each school within CELT will apply suspensions and exclusions in accordance with this policy and ensure that its contents are relayed to all staff, parents and pupils.

3

Roles and responsibilities

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

Headteacher

- 3.1 All decisions to suspend or permanently exclude a pupil will be taken by the headteacher after considering all the circumstances. Every decision made will be proportionate to the seriousness of the behaviour with reference to the school's behaviour policy.
- 3.2 Follow Part 5 guidance regarding the duty to inform parties about an exclusion in the Statutory Guidance on Suspensions and Exclusions (September 2023)

The Trustees

- 3.3 The board of Trustees is responsible for forming committees to review exclusions and suspensions when it is required to do so, it is requested by parents, or it is, in its view, prudent to review an individual decision. In each case, the decision of the relevant committee formed by the board of trustees will be to decide whether to uphold the exclusion or suspension, or instead to reinstate the pupil to the school.

Parents

- 3.4 Parents 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 have with every letter that is sent from the headteacher.

Pupils

- 3.5 All pupils of CELT 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.

4

Trust Directed Interventions

4.1 **Internal Direction** - when a pupil is formally directed away from the rest of the school and must work away from their class for a fixed period. An internal direction is a decision made by a member of the senior leadership team, where a pupil's behaviour is escalating, and more serious measures need to be taken. Typically, a pupil receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them to avoid their behaviours.

Off-site Direction

CELT may require a pupil to attend another education setting to improve their behaviour. These off-site directions are:

4.2 **Trust Direction** is used, where appropriate, when a pupil is directed from the school and must work in a partner school for a fixed period of time. This will be at the discretion of the headteacher or member of staff with delegated responsibility, working in co-ordination with the partner school. A Trust direction may be issued for a serious breach of the Behaviour Policy or for repeated behaviours over time. During a Trust direction the pupil will have contact with an emotionally available adult and an intervention to prevent the behaviours from continuing. The duration of the Trust direction will be assessed on the severity of the incident but will be a maximum of 5 days. This should be the shortest time necessary to ensure minimal disruption to the pupil's education, whilst mindful of the seriousness of the breach of policy.

4.3 **Internal Trust Transfer** – a headteacher will consider whether an off-site direction to attend another CELT school setting as part of a planned intervention should 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. We will share relevant information with the new school and check that they have an integration strategy. While parental consent is not needed, discussions would take place with parents/carers. At the end of this off-site direction, the relevant parties (including the parents/carers) will review the placement before a decision is taken about whether the move becomes permanent or transition back to original school takes place.

4.4 **Off-Site Direction** – a headteacher will consider whether an off-site direction to attend another school or alternative provision setting as part of a planned intervention is 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, Internal Trust Transfer and/or outreach have been unsuccessful or are deemed inappropriate. We will share relevant information with the new school/ provision and check that they have an integration strategy. While parental consent is not needed, discussions would take place with parents/carers.

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Types of exclusion

Suspensions and permanent exclusions are different:

- 5.1 **Suspensions (previously called fixed-term exclusions)** are where a pupil is prevented from attending the school for a fixed period. This should be the shortest time necessary to ensure minimal disruption to the pupil's education, whilst mindful of the seriousness of the breach of policy. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum 45 days of suspension in an academic year before being permanently excluded.

- 5.2 **Permanent exclusions** are where, subject to a decision of the governing board 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. This is a very serious decision, and the Headteacher will consult with the Trust Lead or if unavailable the Deputy Trust Lead or School Improvement Lead as soon as possible in such case.

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Guiding principles

- 6.1 Pupils who show signs of emotional and behavioural difficulties which are not resolved by the school's normal disciplinary procedures should move to the school-based stages of assessment and provision. Consideration of the pupil's difficulties by means of these stages enables the school to draw on increasing levels of support within the school and from external agencies. The prompt recognition of a pupil's difficulties combined with effective preventative work may avoid the need for suspension at a later date.
- 6.2 Only the Headteachers have the legal power to suspend or permanently exclude a pupil. If the Headteacher is absent, the power rests with the most senior teacher who should make clear that they are acting in the Headteacher's absence. The Headteacher must be informed as soon as is reasonably possible.
- 6.3 CELT schools will take all reasonable steps to avoid suspending pupil's in line with the schools behaviour policy and individual schools' protocols/procedures and will implement appropriate intervention strategies to support hem as individuals. These may include:
- Identifying any special educational needs
 - Interviewing the child/young person and parent/carer
 - Negotiating agreements with pupils and parent/carer
 - Restorative justice and mediation
 - Using the detention system
 - Removing the child/young person for a limited period from a specific activity
 - Individual work with the pastoral teams
 - Drawing up a co-regulation Plan
 - Referral to the early help hub
 - Use of internal learning spaces
 - Involving other external agencies where appropriate
- 6.4 Suspensions serve to make a clearly understood statement that certain behaviour is not to be tolerated within CELT schools, and that pupil's and parents/carers are faced with their responsibilities and do respond to serious disciplinary issues. Suspensions and/or permanent exclusion may be used for any of the following, all of which constitute examples of unacceptable conduct:
- Verbal abuse/threatening behaviour against staff
 - Verbal abuse/threatening behaviour against pupils
 - Physical assault on staff
 - Physical assault on pupils
 - Bullying
 - Racist abuse
 - Sexual misconduct
 - Abuse against sexual orientation and gender reassignment
 - Abuse relating to disability
 - Damage

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- Drug and alcohol related incidents
- Theft
- Carrying an offensive weapon
- Persistent disruptive behaviour
- Inappropriate use of social media
- Bringing the school into disrepute
- Unacceptable behaviour which has previously been reported and for which the school sanctions and other interventions have not been successful in modifying the pupil's behaviour.
- This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction.

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Decision to suspend or exclude

- 7.1 The decision to suspend and/or permanently exclude a pupil should be taken only:
- In response to serious breaches or persistent breaches of the school's behaviour policy, or
 - If allowing pupils to remain in school would seriously harm the education or welfare of them or others in the school
- 7.2 Suspensions/ permanent exclusions will not be imposed in the heat of the moment unless there is an immediate threat to the safety of others or to the pupil themselves.
- 7.3 Before a decision is made to suspend and/or permanently exclude a pupil, the Headteacher will ensure that a thorough investigation has been carried out, consider all the evidence available to support the allegations, provide an opportunity for the pupil to give their version of events, 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 or, if the pupil has one, a social worker. The headteacher will also take account of any contributing factors identified after an incident of misbehaviour has occurred.
- 7.3.1 Where witness evidence is relied upon, whether that be from a pupil or a staff member, the statement(s) will be provided at any governor review meeting. All statements will be signed and dated unless the headteacher has good reason to protect the anonymity of the relevant witness. Reasons may include threats of reprisals.
- 7.4 Check whether the incident may have been provoked e.g. by bullying or racial or sexual harassment, if necessary consult others and keep a written record of the actions taken.
- 7.5 The standard of proof to be applied is the balance of probabilities. The more serious the allegation, the more convincing the evidence substantiating the allegation needs to be.
- 7.6 For behaviour outside school, the Headteacher may suspend and/or permanently exclude a pupil whose behaviour has brought the school into disrepute or if that pupil's actions would jeopardise the maintenance of good behaviour and discipline amongst the pupils.
- 7.7 During the period of suspension, the school will endeavour to set work for the pupil to complete and arrange for it to be marked.

- 7.8 Where a pupil is given a suspension of duration of six days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day.
- 7.9 During the suspension, the pupil is the responsibility of the parent/carer and may not enter the school buildings or grounds or be in the vicinity of the school. It is the parent's responsibility to ensure that the pupil is not present in a public place during school hours during the period of the suspension/exclusion unless there is a reasonable explanation. Parents can receive a penalty notice from the LA if they do not comply with this.
- 7.10 Suspensions and./or permanent exclusions will be recorded on the pupils records.

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Pupils with Special Educational Needs and Disabled Pupils

- 8.1 Other than in the most exceptional circumstances, the school will endeavour to avoid suspending or permanently excluding pupils with an Education Health Care Plan (EHCP).
- 8.2 The school will make every effort to avoid suspending or excluding pupils who are being supported on School Support (K) under the Special Educational Needs (SEN) Code of Practice, including those on pathway plans who are being assessed for an Education, Health Care Plan (EHCP).
- 8.3 The school will seek advice and support from the LA and other professional agencies as appropriate.
- 8.4 The school has a legal duty under the Equality Act 2010 not to discriminate against disabled pupils by suspending or excluding them from school because of behaviour related to their disability.
- 8.5 The school will take reasonable steps to ensure that disabled pupils are not placed at a substantial disadvantage compared with their non-disabled peers. What constitutes a reasonable step will depend on the circumstances of each case.

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Pupils who have a social worker, including looked after children (LAC), and previously looked-after children (PLAC)

- 9.1 The school will proactively support and co-operate with social workers, foster carers and the local authority as a corporate parent in doing everything possible to avoid suspending or excluding a pupil who has a social worker, LAC or PLAC.
- 9.2 Suspension and/or permanent exclusion of pupils who have a social worker, including LAC and PLAC would only be considered as an absolute last resort.
- 9.3 No pupil who has a social worker, LAC or PLAC will be suspended or permanently excluded without discussion with the Local Authority
- 9.4 Where a pupil with a social worker, LAC or PLAC is suspended and/or permanently excluded, the school will attempt to arrange alternative provision from the first day of the suspension and/or permanent exclusion via the virtual school

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Reintegration strategy meetings following suspension

10.1 Where a pupil is suspended or is directed to be educated off-site, upon return to the school both the pupil and parents 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
- 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 of practical perspective that might reduce the chance of repeat behaviours.

Previous behaviour is not seen as an obstacle to future success.

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

- daily contact with a designated professional in-school;
- use of a communication 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;
- regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage; and
- informing the pupil, parents and staff of potential external support

10.3 Whilst reintegration meetings are highly encouraged by the school, pupils will not be prevented from being admitted to the School or being put in mainstream classes because a meeting has not taken place.

Cancelling a suspension or exclusion

- 11.1 A suspension or exclusion can be cancelled by the headteacher as long as the suspension or exclusion has not been considered by the governors. In relation to an exclusion, it cannot be cancelled if the total time the pupil was excluded or suspended that academic year would be over 45 days at the point of the decision to cancel the exclusion.
- 11.2 Where a suspension or exclusion is cancelled, the relevant parties will be informed by the headteacher in accordance with the Statutory Guidance on Suspensions and Exclusions.

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Suspensions before a permanent exclusion

- 12.1 In exceptional circumstances, pupils may receive a suspension prior to a permanent exclusion. For each decision, the headteacher will send the relevant letter setting out the rights of parents.
- 12.2 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.

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Directing off-site and managed moves

- 13.1 Before taking any decision to permanently exclude a pupil, the headteacher 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.
- 13.2 For a managed move to take place there needs to be an agreement between the School, the parents and the new school that a managed move should occur. Before a managed move is agreed to, the pupil will attend the new school for a fixed period as a direction off-site 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 direction period, the relevant parties (including the parents) will review the placement before a decision is taken about whether the move becomes permanent.

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Safeguarding

- 14.1 Before a decision is taken to suspend or exclude a pupil, senior leaders will consider the safety and wellbeing of the pupil. Reasonable adjustments will be made to the sanctions as appropriate and discussions will be held with the Designated Safeguarding Lead (DSL)
- 14.2 The DSL will follow the safeguarding processes as outlined in Keeping Children Safe in Education – section 5 for cases that relate to rape or assault by penetration.

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Independent review panels (IRPs)

- 15.1 CELT uses Cornwall Local Authority democratic services to arrange IRPs on behalf, and requests where a permanent exclusion decision has been upheld should be made to Clare Carter ccarter@celtrust.org within 15 school days.
- 15.2 Further details on the role and powers of IRPs can be found in Part Ten of the Statutory Guidance on Exclusions and Suspensions.

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Reconsideration by the governing board

- 16.1 Where an IRP either recommends reconsideration or quashes the initial decision of the committee appointed by the board of trustees, the decision will be considered within 10 school days. This may involve a rehearing with oral evidence given by the School and parents or may be a reconsideration with only the governing board members and the clerk present.

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Remote Meetings

- 17.1 Any governor and/or an IRP meeting may be conducted remotely where the parents request for it to be conducted remotely and the meeting can be fairly held remotely, with all participants having access and are able to make representations. A meeting may also take place remotely where there is an extraordinary event or unforeseen circumstance that means it's not reasonably practicable to hold the meeting in person. Such events can include, but are not limited to, floods, fire, and an outbreak of an infectious disease.
- 17.2 In addition, where a child's social worker or the virtual school head are due to attend a meeting, they may join an in-person meeting remotely as long as it can be fairly accessed, the technology is available, and everyone would be able to make representations.

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Complaints

- 18.1 If parents 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 headteacher in accordance with CELT's complaints policy. If the concern relates to an exclusion, the statutory procedure set out in the Statutory Guidance on Exclusions and Suspensions will be followed.

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Equality impact

- 19.1 CELT 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.

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Monitoring arrangements

- 20.1 The Trustees and governors review data on suspensions and exclusions to ensure that the use of suspensions and exclusions is appropriate.
- 20.2 The following are monitored by the trustees and governors 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 benefiting from it
- 20.3 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

Appendix History of Changes

Version	Date	Page	Change	Origin of Change
1.0	30.11.2022		Original Draft	