

# All Saints Catholic Collegiate

## Exclusions Policy



## **POLICY**

This policy has been adopted on behalf of all five academies in the All Saints Catholic Collegiate (ASCC)

**St. Augustine's Catholic Academy**

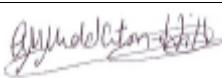
**St. Gregory's Catholic Academy**

**St. Maria Goretti Catholic Academy**

**Our Lady's Catholic Academy**

**St. Thomas More Catholic Academy**

## Approval and review

Committee to approve policy	ASCC CLMS
Date of Board / Academy Committee Approval	01/04/2025
Chair of Board / Academy committee – Name	Mrs Anne Middleton Hill
Signature	
Chair of Board	Mrs Anne Middleton Hill
Head teacher	
Signature	
Policy review period	24 months
Date of policy review	March 2027

### MISSION STATEMENT

***United in faith, love and learning,  
we place Christ at the centre of all that we do,  
to inspire all members of our community to reach their God-given  
potential.***



All Saints Catholic Collegiate

A company limited by guarantee registered in England and Wales with company number 8709352 Registered office c/o St Gregory's Catholic Academy, Spring Garden Road, Longton Stoke-on-Trent Staffordshire ST3 2QN

## Version Control

Version	Date Approved	Page	Reason for Alterations
1	17/05/2023		Initial policy
2	18/03/2025		Policy review J Stubbs

To underpin the values and ethos of our schools and our intent to ensure that pupils at our schools are appropriately safeguarded the following policies are also included under our safeguarding umbrella:

- Anti-Bullying
- Attendance Policy
- Behaviour Policy
- Supporting Students with Medical Needs Policy

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## 1. Rationale

This policy deals with the policy and practice which informs the school's use of exclusion. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

- 1) The first is to ensure the safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed;
- 2) The second is to realise the aim of reducing the need to use exclusion as a sanction.

## 2. Introduction

The Department for Education states that:

*"Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. The government recognises that school exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities."* (Suspension and Permanent Exclusion from Maintained Schools, Academies, and Pupil Referral Units in England, Including Pupil Movement: August 2024)

All Saints Catholic Collegiate understand that exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Headteacher, the Deputy Headteacher). Exclusion, whether suspension or permanent, may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the MAC / school's Behaviour Policy:

- Verbal abuse to staff and others
- Verbal abuse to students
- Physical abuse to/attack on staff including
  - Physical contact with a member of staff
  - Actual or threatened violence against staff
  - Assaults on staff
- Physical abuse to/attack on students including
  - Actual or threatened violence against students
  - Serious physical assaults of students
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Bullying
- Theft
- Sexual abuse or assault
- Supplying an illegal drug
- Being in possession of an offensive weapon
- Using an offensive weapon
- Being in possession of a firework
- Setting a firework off
- Arson
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the student's behaviour.
- Persistent disruptive behaviour

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that exclusion is an appropriate sanction.

In reaching a decision on suspensions and permanent exclusions, the Headteacher will always look at each case on its own merits.

### **3. What legislation does this guide relate to?**

The principal legislation to which this guidance relates is:

- Education Act 2002, as amended by the Education Act 2011;
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- Education and Inspections Act 2006;
- Education Act 1996; and
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014.
- Equality Act 2010
- The European Convention on Human Rights (ECHR)

This policy also has due regard to statutory and non-statutory guidance, including, but not limited to, the following:

- DfE (2015) 'Special Educational Needs and Disability Code of Practice: 0 to 25 years'
- DfE (2016) 'Behaviour and Discipline In Schools'
- DfE (2017) 'Exclusion From Maintained Schools, Academies and Student Referral Units In England'
- DfE (2018) 'Mental health and behaviour in schools'
- DfE (2022) 'Behaviour in Schools'
- DfE (2024) 'Suspension and Permanent Exclusion from Maintained Schools, Academies, and Pupil Referral Units in England, Including Pupil Movement'
- DfE (2024) 'Keeping Children Safe in Education'

### **4. Exclusion procedure**

- Most exclusions are of a fixed term nature (suspension) and are of short duration
- The DfE regulations allow the Headteacher to suspend a student for one or more fixed periods not exceeding 45 school days in any one school year.
- The Local Academy Governing Body (also referred to as the Governing Board) have established arrangements to review promptly all permanent exclusions from the school and all suspensions that would lead to a student being suspended for over 15 days in a school term or missing a public examination.
- The Local Academy Governing Body have established arrangements to review suspensions which would lead to a student being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.
- Following suspension parents are contacted immediately where possible. A letter will be sent by email or post giving details of the suspension and the date the suspension ends. Parents have a right to make representations to the Local Academy Governing Body, as advised in the letter.
- A Reintegration Meeting will be held following the expiry of the suspension and this will normally involve the Head of Year, a member of the Senior Leadership Team and/or the Headteacher.

- It is school practice to place the student on report to the Head of Year or Senior Leadership Team usually for one week to monitor behaviour and work. A Reintegration Plan will also be implemented. These will be agreed with the school, student and parents.
- A suspension can occasionally take the form of a Fixed Term Inclusion. However, in most circumstances, either because of the severity of the incident or because of practical or logistical constraints, such suspension will result in the student being required to remain at home.
- During the course of a suspension where the student is to be at home, parents/guardians are advised that the student is not allowed on the school premises and that daytime supervision is their responsibility, as parents/guardians. In line with legislation students are not allowed to be present in a public place during school hours without reasonable justification. Work will be set by the school for the period of suspension.
- Students can be suspended on a fixed-period basis, i.e. for up to 45 school days within a year, or permanently excluded. Similarly, students can be permanently excluded following a suspension, where further evidence is presented. In all cases, the Headteacher will decide whether a student will be subject to a suspension or an exclusion, depending on what the circumstances warrant.

## 5. Monitoring Arrangements

Mrs Stubbs (Assistant Headteacher) monitors the number of suspensions every term and reports back to the Headteacher and Local Academy Governing Body. They also liaise with the LA and/or relevant organisations to ensure suitable full-time education for suspended students.

## 6. General factors the school considers before making a decision to suspend

Suspension will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the student concerned. Before deciding whether to exclude a student, either permanently or for a fixed period, the Headteacher will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations, taking into account the Behaviour for Learning, Equal Opportunity and Race Equality Policies.
- Allow the student to give their version of events.
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

If the Headteacher is satisfied that on the balance of probabilities the student did what they are alleged to have done, suspension or permanent exclusion will be the outcome.

## **7. Exercise of discretion**

In reaching a decision, the Headteacher will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Headteacher will consider

- a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the school's Behaviour for Learning Policy and
- b) the effect that the student remaining in the school would have on the education and welfare of other students and staff.

Nonetheless, in the case of a student found in possession of an offensive weapon, or in instances of physical assaults to members of staff, it is the school's policy in this particularly serious matter to issue a permanent exclusion.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Local Academy Governing Body Student Discipline Committee, when it meets to consider the Headteacher's decision to suspend or exclude. This Committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the student's School record, witness statements and the strategies used by the school to support the student prior to exclusion.

## **8. Alternatives to Suspension or Exclusion**

The school actively pursues a policy of using alternatives to both fixed term suspension and permanent exclusions in the following ways.

- The school uses the sanction of Fixed Term Inclusion as an interim sanction measure for serious breaches of the School Code of Conduct. A student may be at risk of Fixed Term Inclusion for serious offences or continual problems despite other strategies having been used, at the discretion of the Senior Leadership Team.
- As an alternative to a suspension, the school works in partnership with other local schools to arrange education at a different school establishment for a fixed period of time. This is called Alternative Provision (AP). This is done at the discretion of the Headteacher of both schools and may involve an alternative start and end time for the day. Parents/carers are responsible for transportation to and from the receiving school throughout the time of the AP. Parents/carers can speak to school if necessary. This sanction is also used from the 6th Day of a suspension. For Looked After Children AP will be sought from day 1 of a suspension, where possible.
- A student with a poor disciplinary record who may be close to a permanent exclusion will meet with their parents and a member of the Senior Leadership Team. Consideration will also be given to an Early Help in order to attempt to support the identified needs and prevent the need for further consequences. A Pastoral Support Plan (PSP) will be put into place and the student will be monitored.
- Should the PSP and /or other measures fail and a student is deemed to be very close to permanent exclusion then they, subject to meetings with parents, may be referred to alternative provision for a fixed period of time.
- A Managed Move may be considered by the school. This is where there is a transfer of a student to another school, if there is agreement between everyone involved, including the parents and the admission authority for the new school.
- The school cannot force a parent to remove their child permanently from the school or to keep their child out of school for any period of time without formally excluding.

## **9. Returning from Suspension**

Following a suspension, a reintegration meeting will be held involving the student, parents, a member of senior staff and other staff, where appropriate.

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

- Agreeing a behaviour contract (Reintegration Plan)
- Putting a student 'on report'
- Pastoral Pupil Passport will be completed

## **10. Behaviour Outside School**

Students' behaviour outside school - on school "business" for example, school trips and journeys, away school sports fixtures or a work experience placement, or travelling to and/or from school - is subject to the school's Behaviour for Learning Policy and, in line with DfE guidance, will be considered grounds for suspension or permanent exclusion. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in the school. For behaviour outside school but not on school business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole, or adversely affecting the reputation of the school.

If students' behaviour in the immediate vicinity of the school or on a journey to and from school is poor, and meets the school criteria for suspension/exclusion, then the Headteacher may decide to suspend/exclude.

## **11. Drug Related Exclusions**

This policy is written in accordance with the advice and guidance outlined within the DfE and ACPO's Drug Advice for Schools which states:

*"Any response to drug-related incidents needs to balance the needs of the individual pupils concerned with the wider school community. In deciding what action to take schools should follow their own disciplinary procedures."*

In making a decision on whether or not to suspend or exclude for a drug-related offence the Headteacher will have regard to the school's published policy on drugs. The decision will depend on the precise circumstances of the case and the evidence available. In some cases, suspension will be more appropriate than permanent exclusion. The Headteacher will make a judgment set against the criteria in the school's Drugs Policy.

## **12. Permanent Exclusion**

The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying, and bullying of another student as a result of any protected characteristic) or repeated possession and/or use of an illegal drug on school premises.
2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies, and where it could be appropriate to permanently exclude a student for a first or 'one off' offence. These might include:
  - Physical abuse to/attack on staff including
    - Physical contact with a member of staff
    - Actual or threatened violence against staff
    - Assaults on staff
  - Physical abuse to/attack on students including
    - Actual or threatened violence against another student
    - Serious physical assaults on other students
  - Indecent behaviour, sexual abuse or assault.
  - Supplying an illegal drug.
  - Bringing an illegal drug into school
  - Carrying an offensive weapon \*.
  - Arson.
  - Assault on a member of staff

The school, in line with its protocols, will consider police involvement for any of the above offences.

\* Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him or by some other person."

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of the school.

The decision to permanently exclude a student will be taken in the following circumstances: -

- (a) In response to a serious breach, or persistent breaches, of the school's Behaviour for Learning Policy;
- (b) If allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that permanent exclusion is an appropriate sanction.

In reaching a decision on suspensions and permanent exclusions, the Headteacher will always look at each case on its own merits.

- St Thomas More operates a zero tolerance policy in relation to drugs/ illegal substances. Students will be permanently excluded for possession, use or distribution of these substances either whilst at school, travelling to/from school, or attending any event as a student of St Thomas More. Drug incidents can involve situations involving illegal and other unauthorised drugs. This includes substances that are believed to be controlled drugs or legal highs.
- St Thomas More also operates a zero tolerance policy in relation to the possession of offensive weapons and will permanent exclude for possession of offensive weapons
- St Thomas More operates also zero tolerance approach to assaults on members of staff and will permanently exclude for assaults on staff.
- St Thomas More will not tolerate physical assaults on other students and students may be permanently excluded.
- Continued behavioural issues of a very serious nature despite a support programme and previous

When considering any consequence, and particularly for those incidents which may result in suspension and/or exclusion, please note that this policy should read in conjunction with the following policies:

- ASCC Safeguarding Policy
- SEND Policy
- Equality Policy
- Behaviour for Learning Policy

**The Headteacher will apply the civil standard of proof when responding to the facts relating to a suspension or exclusion, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true.**

### **13. Considering Suspensions and Exclusions**

The Governing Body will consider any representations made by parents/carers regarding suspensions and exclusions.

Parents/carers and, where requested, a friend or representative, the Headteacher, and a member of the LA will be invited to attend any consideration of suspensions and exclusions and will be able to make representations. Any meeting to consider reinstatement of a student will be arranged at a date and time convenient for all parties, and in compliance with any statutory time limits.

The Governing Body will consider the reinstatement of a suspended or excluded student, where:

- The exclusion is permanent.
- The suspension is fixed-period, and would bring the student's total number of suspended school days to more than 15 in any given term.
- The suspension or exclusion would result in the student missing a public examination.

In the case of a suspension where the student's total number of suspended days is more than 5 but less than 15 school days within a term, if requested by the parents/carers, the Governing Body will consider suspensions within 50 school days of receiving notification.

Where the student's total number of suspended school days does not amount to more than 5, in the absence of any such representations, the Governing Body is not required to meet and cannot direct the reinstatement of the student.

After considering suspensions and exclusions, the Governing Body will either:

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

If reinstatement would make no practical difference, e.g. if the student has already returned to school following a suspension or the parent/carers make clear they do not want their child reinstated, the Governing Body will still consider whether the student should be officially reinstated, and whether the Headteacher's decision to suspend or exclude the student was fair, lawful and proportionate, based on the evidence presented.

## Appendix 1

### A Summary of the governing board's duties to review the headteacher's exclusion decision:

