

Heathcote School and Science College



Supporting Documentation

Preventative measures to school suspension / permanent exclusion

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Permanent Exclusion

Approved by the Governing Committee: Autumn 2024

Last reviewed on: Every 2 years

Next review due by: Autumn 2026

Preventative measures to school suspension / permanent exclusion

As preventative measures to suspension, the school will consider the following;

- Respite (temporary measure)
- An off-site direction (temporary measure)
- A managed move (permanent measure)

Respite (attend another school)

Pupils placed on respite will be expected to attend another school for a short period of time (up to 10 days). Our local schools (Higham's Park, Holy Family, Chingford Foundation), and any other local schools are some examples of the schools we may use). The aim of this is to provide the pupils some time out to reflect on behaviour and time for the school to put in further support for the pupil. It is also a good opportunity for our pupils to see that all schools in the local authority have similar expectations and sanction systems. Work will be provided by the school for the pupils to complete whilst at respite.

Respite will be used when:

- A pupil does not achieve the required change in conduct agreed in the informal warning meeting.
- The Deputy Head may deploy 5 days of Respite in agreement with parents as part of the first written warning. In order to support the pupil in refocusing and having some time to reflect before beginning their first written warning stage.
- A pupil has had repeated referrals to the reflection room.
- When a pupil requires time away from the school to ensure the school community is safeguarded
- When a pupil has failed a referral to the reflection room, as an alternative to suspension.
- When a pupil requires day 6 provision as part of a suspension of longer than 5 days.

Pupils may attend respite provision for up to 2 weeks. The School will require parental agreement on this matter. Respite paperwork will be drawn up in agreement with the parents and the host school outlining the following:

- Location of respite
- Length of respite period
- Parental consent
- Support offered during this period and work provided.
- Reintegration plan and date.

The home school (Heathcote School) will complete paperwork that informs the host school of a pupil's parental contact details, medical information, behaviour information and safeguarding information along with other needs, to ensure the host school is able to provide suitable care, safeguarding and support for each pupil's needs.

Once the pupil arrives at the respite provision they will be in the host schools version of the regulation or reflection room and will follow an altered length of day, normally 9.30-2.30.

The home school will provide work for the pupil whilst on respite. Every day, a member of the pastoral team will check that the pupil has attended the respite placement. While attending respite the pupil will be marked as educated off site using a B code.

Parents will be made aware of the contact at the school that they need to report to. It is advisable that parents attend the first day of respite with their child to help establish expectations. Pupils in receipt of free school meals will need a packed lunch or arrangements will be made with the host school to provide food if this is possible, or a packed lunch can be collected from the home school (Heathcote) if a pupil is in receipt of free school meals.

Off-site Direction

When interventions or targeted support have not been successful in improving a pupil's behaviour, the school can use off-site direction. This is time-limited placements at an alternative provision or another

mainstream school.

The pupil will be dual registered while directed off-site. The off-site direction can be full time at an alternative provision or part time of support in an alternative provision and continued mainstream education.

As part of the planning process of off-site direction the school will propose a maximum period of time for the direction to take place. At the end of this time the direction should be reviewed and alternative options considered.

In the case of an off-site direction parents will be notified in writing and provided with information about the placement, as soon as practicable. If a pupil has an EHCP (Education, Health and Care Plan) then the local authority will also be notified in writing of the placement. If a pupil is known and currently working with Children's Social Care, then their allocated social worker will be notified of the off-site direction.

During an off-site direction the school will notify the parents no later than six days before the date of any review meeting, to invite parents to attend the review meeting, or notify parents of the school's views with regards to whether the off-site direction should continue and if so for how long. The school will aim to ensure where practicable that any review meeting is convened on a date, and at a time that is suitable for the parent.

These reviews will be recorded in writing and be frequent enough to provide assurance that the off-site direction is achieving its objectives via monitoring points and targets set. Written notification of the decision as to whether the requirement to continue the placement should continue and if so, for what period of time including the reasons for it will be shared with the parent no later than six days after the date of the review meeting.

The length of time a pupil spends in another mainstream school or Alternative Provision will depend on what best supports the pupil's needs and potential improvement in behaviour.

The decision to direct a pupil off-site will be carried out through Waltham Forest Fair Access Panel. This process takes into account the thoughts and feelings of the home school, the parent and the pupil. Through the Fair Access Panel it is possible a pupil can be directed to alternative provisions in the borough, including The Oak at Heathcote School, St Raphael Centre at Holy Family and Belmont Park School.

Managed Moves

A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. The process of a managed move involves input from the pupil and parents and will only occur when it is in the pupil's best interests. A managed move agreement will take place between the two schools, the move is voluntary and requires the agreement of all parties involved. If a managed move is not seen to be in the best interest of the pupil, the case may be referred to the Fair Access Panel.

Managed moves will be offered as part of a planned intervention, this involves a managed move period of 12 weeks. At the start of the process a representative of both schools, the pupil and parent will meet to discuss the circumstances around the managed move, ensure the best possible transition between the two schools including subject options (KS4) and to set out targets for the pupil.

Where a pupil has an EHC plan, the relevant statutory duties on the new school and local authority will apply. If the current school is contemplating a managed move, it should contact the authority prior to the managed move. If the local authority, both schools and parents are in agreement that there should be a managed move, the local authority will need to follow the statutory procedures for amending the pupil's EHC plan.

There will be a review at 6 weeks and then a final review at 12 weeks. Through the 12 weeks, both schools will work together with the parent and pupil to ensure the pupil has every chance of success.

Failure of the managed move will result in the pupil returning to their original school. A successful 12 week period will see the pupil move permanently to the host school through notification and verification of the Fair Access Panel.

As a managed move is arranged in agreement with parents, if a parent believes that they are being pressured into a managed move or is unhappy with a managed move, they can take up the issue through the school's formal complaints procedure with the governing board and, where appropriate, the local authority.

Part Time Timetable

An altered timetable may be necessary for pupils who are struggling with the demands of the school day. The altered timetable may run for a period of 6 weeks and will be agreed between the school and the family. This will then be sent to the local authority and monitored. In some cases, we may need to extend this, but this will be in consultation with all stakeholders.

Suspension

Our school MIS system Arbor, is not updated to reflect DoE language with reference to suspensions. Therefore may use the term 'Exclusion' when reports and data are used from Arbor.

Only the headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful; reasonable; fair; and proportionate.

A suspension is a fixed period of time where the pupil is not allowed to enter the school premises. Suspensions may vary in length depending on the outcome of the investigation and is at the discretion of the school. Most suspensions will be a minimum of 3 days. A pupil can be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year).

Any suspension of a pupil, even for short periods, must be formally recorded. Suspending a pupil for a short period of time, such as half a day, is permissible, however, the formal suspension process must be followed. Each disciplinary suspension must be confirmed to the parents in writing with notice of the reasons for the suspension.

A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of this behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, the school will consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period.

A suspension cannot be extended past the given date stated on the notice to parents. If required a new suspension notice will be given following the suspension process, including notification to parents.

Suspensions will be given for:

1. In response to a serious breach of the school's behaviour policy
2. Failing the targets issued in a first written warning and moving on to the Final written warning stage.
3. Pupils need to be separated from the school community for safeguarding reasons

4. Pupils fails the reflection room or refuses to attend.
5. Refuses to attend the respite provision.
6. Where the school requires time to investigate an incident further
7. Internal and external resources cannot support an alternative sanction

For each incident that occurs we will investigate, and the length of suspension will be based on all the evidence that we collate. Each suspension will be considered on a case by case basis and, in some cases, incidents may lead to a permanent exclusion.

- Before a sanction is decided investigations will take place. This will include either gathering statements from pupils, staff or witnesses, and any CCTV footage that may have been captured.
- **CCTV will not be shown to parents when this is used as evidence for the suspension, only a timeline of the footage may be given.**
- **For any incident that becomes a police matter. If the school holds CCTV of this it will be shared directly with the police.**
- When establishing the facts in relation to a suspension decision the head teacher must apply the civil standard of proof; i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the head teacher should accept that something happened if it is more likely that it happened than that it did not happen.
- The prior conduct of a pupil may be a relevant factor when deciding on a sanction, particularly if the conduct has been repeated and previous sanctions have not been effective.
- For vulnerable pupils or pupils with SEND, reasonable adjustments may be made to tariffs of suspensions.

During a suspension, pupils still receive their education. The school will take steps to ensure that work is set and marked for pupils during the first five school days of a suspension.

For a fixed term suspension which lasts longer than 5 days, the school will ensure that provision is arranged for day 6. The pupils will be expected to attend day 6 provision. This will consist of pupils attending another educational provider or accessing an alternative service until the exclusion is completed. Parents are expected to use the allocated provision, if they choose not to then they are responsible for their child from day 6. (Please see day 6 information)

Reintegration following a suspension

The school will support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction.

- They will offer the pupil a fresh start, that allows them to;
 - Understand the impact of their behaviour on themselves and others.
 - Teaches them how to meet the high expectations of behaviour in line with the school culture.
 - Fosters a renewed sense of belonging within the school community, and;
 - Builds engagement with learning.
- This will be carried out through reintegration meetings before or on the morning of the pupil's return to school.

Fair Access Panel

The Fair Access Panel meets every 3/4 weeks to discuss pupils and their situations. Parents will have the choice of provisions within the borough. The school will also make their recommendations for provision. The choice will be put forward to the FAP and a decision is made.

The possible outcomes are:

- The pupil is allocated another mainstream school/ provision.
- The pupil is allocated to an Outreach provision.
- The pupil is allocated to Pupil Referral Unit.
- The pupil is allocated to a SEMH / specialist provision

- The pupil is allocated to Alternative Provision.

The agreed provision will then contact the family so that they will start within 9 days of the FAP meeting.

If the parent refuses to follow the outcomes of FAP, the Governing Body has the power to direct the pupil to attend. If they still refuse to attend then the Headteacher has the power to permanently exclude, retrospectively, the reason for the referral to FAP.

Through the fair access panel Heathcote school can refer pupil's to the following alternative provisions within the Hawkswood Group:

- Burnside
- Belmont
- The Oak
- St Raphael's
- Hawkswood

Alternative provisions used by Heathcote School include:

- Waltham Forest College
- The Boxing Academy
- The College of Haringey, Enfield and North East London
- Big Creative Education

Each provision is considered taking into consideration the best interests, the needs and the behaviour of the pupil.

Permanent Exclusion

A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated).

A decision to exclude a pupil permanently will be made when:

1. In response to a serious breach, or persistent breaches, of the school's behaviour policy
2. Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school
3. When the alternative of using the Fair Access Panel is refused by the family.

For any permanent exclusion, the school will take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision.

When a pupil is permanently excluded the Local Authority will organise day 6 provision for the child. Details of this will be communicated with the parent/carer by the Local Authority.

Whilst a permanently excluded pupil's name remains on a school's admission register, the pupil should be marked using the appropriate attendance code. Where alternative provision has been made and the pupil attends it, an appropriate attendance code.

Reasons for Suspensions and Exclusions

The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion.

- Physical assault against a pupil

- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Possession of a vape, illegal substance or smoking/substance paraphernalia
- Possession of an offensive weapon

This list is non-exhaustive and is intended to offer examples rather than be complete or definitive.

Cancelling Permanent Exclusions / Suspensions

The headteacher may cancel any exclusion or suspension that has already begun, but this should only be done where it has not yet been reviewed by the governing board. Where an exclusion is cancelled, then:

- Parents, the governing board, and the LA should be notified without delay and, if relevant, the social worker and VSH;
- Parents should be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled;
- Schools should report to the governing board once per term on the number of suspensions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight and;
- The pupil should be allowed back into school.

Notice of Suspension or Permanent Exclusion

When a pupil is suspended or permanently excluded the school will notify parents/carers without delay of the period of suspension or permanent exclusion and the reasons for it. In the case of a pupil with SEN, a pupil who is subject to a Child Protection plan or Child in Need plan, Looked after children and previously looked after children. The relevant agencies and support workers will also be notified.

Suspension or Permanent Exclusion of pupils with disabilities and Special Educational Needs (SEN) including those with Education, Health and Care plans (EHC plans)

The school will make reasonable adjustments for disabled pupils or those with Special Educational Needs. This can apply both to the suspensions and permanent exclusions process and to the disciplinary sanctions imposed.

Under the Children and Families Act 2014, The governing board will use their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEN, which will include any support in relation to behaviour management that they need because of their SEN.

The school will engage proactively with parents in supporting the behaviour of pupils with additional needs. Where the school has concerns about the behaviour of a pupil with SEN/disability or EHC plan, or a pupil with SEN/disability or EHC plan is at risk of suspension or permanent exclusion, the school will work in partnership with others (including where relevant, the local authority), and consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN or disability.

The school will contact the local authority at an early stage regarding any behavioural concerns of a pupil with SEN, A disability or an EHC plan and consider requesting an early annual review prior to making the decision to suspend or permanently exclude. For pupils with SEN but without an EHC plan, the school will review whether the current support arrangements are appropriate and investigate

what changes may be required. This may provide a point for the school to request an EHC assessment or a review of the pupil's current package of support.

Suspension or Permanent Exclusion of pupils who have a social worker, including looked-after children, and previously looked-after children

Heathcote School understands that for its pupils who have a social worker, education is an important protective factor, providing a safe space for children to access support, be visible to professionals and realise their potential. The school will balance this important reality with the need to ensure calm and safe environments for all its pupils and staff. The school will devise strategies that take both of these aspects into account.

The school will always inform the social worker, the Designated Safeguarding Lead (DSL) and the pupil's parents, where a pupil is with a social worker is at risk of suspension or permanent exclusion. This will be with the aim to involve them all as early as possible in relevant conversations and decisions.

The school's Designated Teacher (DT) will contact the local authority's Virtual School Headteacher (VSH) as soon as possible where there are concerns regarding a Looked After Child (LAC) being at risk of suspension or permanent exclusion. The VSH, working with the DT and others, will consider what additional assessment and support needs to be put in place to help the school address the factors affecting the pupil's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school will also engage with a pupil's social worker, foster carers, or children's home workers. This preventative approach can also include any concerns regarding behaviour that could lead to suspension or permanent exclusion being added to the pupil's Personal Education Plan (PEP) which is reviewed each term.

Where a previously looked-after pupil is at risk of being suspended or permanently excluded, the school will engage with the pupil's parents and the school's DT. The school may also seek the advice of the VSH on strategies to support the pupil.

Day 6 Provision

For a suspension of more than five school days, the school will arrange suitable full-time education for any pupil of compulsory school age after the fifth day.

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day the permanent exclusion took place. This will be the pupil's 'home authority' in cases where the school is in a different local authority area.

In addition, where a pupil has an EHCP, the local authority may need to review the plan or reassess the child's needs, in consultation with parents, with a view to identifying a new placement.

The school will always aim to minimise the disruption that suspension or permanent exclusion causes to its pupil's education. Whilst the statutory duty is to arrange full-time education from the sixth day of a suspension or permanent exclusion, where possible the school will start this provision as soon as possible.

In the case of a looked-after child or child with a social worker, the school and the local authority will work together to arrange alternative provision from the first day following the suspension or permanent exclusion.

The school will ensure that there are clear processes in place to comply with its legal duty to arrange suitable full-time educational provision for pupils of compulsory school age from the sixth consecutive school day of a suspension.

Governing Boards Duty to Consider an Exclusion

Governing boards 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.

The governing board has a duty to consider parents' representations about a suspension or permanent exclusion. The requirements on a governing board to consider the reinstatement of a suspended or permanently excluded pupil depend upon a number of factors - these can be seen in the diagram below of '*governing board's duties to review the headteacher's exclusion decision*'.

The governing board may delegate its functions with respect to the consideration of a suspension or permanent exclusion to a designated sub-committee consisting of at least three governors.

The governing board 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.

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 governing board must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

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 make representations, the governing board 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, the governing board is not required to meet and cannot direct the reinstatement of the pupil.

Independent Review Panels (IRP)

IRPs contribute to a robust process of scrutiny to ensure that suspensions / exclusions are lawful, reasonable, and procedurally fair.

If applied for by parents within the legal time frame, the local authority arranges for an IRP hearing to review the decision of a governing board not to reinstate a permanently excluded pupil.

The legal time frame for an application is:

- Within 15 school days of notice being given to the parents by the governing board of its decision not to reinstate a permanently excluded pupil;
- Where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the permanent exclusion.

Parents may request an IRP even if they did not make representations to, or attend, the meeting at which the governing board considered reinstating the pupil.

The local authority/academy trust must take reasonable steps to identify a date for the review that all parties can attend. The venue must be reasonably accessible to all parties and where required IRP may be held virtually.

The panel must apply the civil standard of proof i.e., 'on the balance of probabilities' which means that it is more likely than not that a fact is true. This should be applied rather than the criminal standard of 'beyond reasonable doubt'.

Following its review, the panel can decide to:

- Uphold the governing board's decision not to reinstate;

- Recommend that the governing board reconsiders reinstatement; or
- Quash the governing board's decision and direct that the governing board reconsiders reinstatement.

The panel's decision does not have to be unanimous and can be decided by a majority vote. In the case of a tied vote, the chair has the casting vote.

The IRP's decision is binding on the: pupil; parents; governing board; headteacher; and local authority.

Following the review, the panel must issue written notification to all parties without delay.

This notification must include:

- The panel's decision and the reasons for it;
- Where relevant, details of any financial readjustment/payment to be made if a governing board does not subsequently decide to offer to reinstate a pupil within ten school days; and
- Any information that the panel has directed the governing board to place on the pupil's educational record.