

Exclusion Policy

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Summary of changes since last review:	<p>All references to 'fixed term exclusion' has changed to 'suspension'</p> <ul style="list-style-type: none">• Greater clarity around the role of the governing board• The role of the pupil discipline committee has been added• A sentence has been added to state that the PDC's decision will not be invalid simply on the grounds that it was not made within the statutory time limits.
Related policies and documents:	<ul style="list-style-type: none">• Education Act 1996• Education Act (2002) as amended by the Education Act (2011)• Education and Inspections Act (2006)• School Discipline Regulations (2012)• Education [Provision of full time education for excluded pupils] regulations (2007, amended 2014)• Keeping children safe in education (2024)• Suspension and permanent exclusion (2023)

Unless there are legislative or regulatory changes in the interim, the policy will be reviewed as by the review cycle. Should no substantive change be required at this point, the policy will move to the next review cycle.



1.0 Policy statement

Dixons Academies Trust is committed to providing a quality education and experience for all students and supporting this provision, to the greatest extent possible, through difficulties they may face. Any decision to use a suspension or permanent exclusion is a major decision and all our academies work tremendously hard to avoid exclusion of any kind, but there are, at times, when it may be necessary in response to more serious behaviour matters. All decisions made will be lawful, reasonable and fair, with clear communication prioritised and preventative measures and support for the student, including for the safeguarding and wellbeing needs, always running parallel to exclusion procedures.

This policy covers all students across Dixons Academies Trust, with the exception of the Dixons Sixth Form.

Throughout this document we have used the term 'families' to refer to our students' families, carers or others that hold parental responsibility, or 'PR' including the corporate parent for those to whom this applies.

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

- Anti-bullying
- Care and control of students
- Child protection safeguarding
- Positive behaviour
- SEND

This policy has been developed in accordance with the principles and legislation established by:

- Education Act (1996)
- Education and Inspections Act (2006)
- Education Act (2011)
- School Discipline Regulations (2012)
- Education [Provision of Full time Education for Excluded Pupils] Regulations (2007, amended 2014)
- Keeping Children Safe in Education (2024)
- Suspension and Permanent Exclusion (2023)

2.0 Scope and purpose

The Department for Education provides clear and detailed guidance in the form of the Suspensions and Permanent Exclusions (2023) document and, additionally, this policy is an extension of our Positive Behaviour Policy and other behaviour related policies. Furthermore, this policy must be implemented in light of our responsibilities under Keeping Children Safe in Education (2024) and the SEND Code of Practice (2015) and relates trust policies, namely our child protection and safeguarding policy and SEND policy. For these reasons, the aim of the exclusion policy itself is to make clear the specific procedures and responsibilities relating to the use of suspensions and permanent exclusions and, to avoid repetition, wherever possible the appropriate more detailed documentation will be signposted.

The purpose of this policy is to specify how all existing relating documentation is realised at our trust academies and provide clarity for all stakeholders in relation to a high states and often emotive subject. For details of panel procedures, roles and requests for representation (including remote) refer to the Suspension and Permanent Exclusion guidance September 2023.

3.0 Roles and responsibilities

3.1 The governing board

The governing board (in a multi academy trust, this will be the board of trustees) must ensure suitable full-time education is arranged no later than the sixth day for any student being excluded.

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 and these are shown in appendix A 'a summary of the governing board's duties to review the principal's exclusion decision'.

The governing board has delegated responsibility to hear the family's representation to a pupil discipline committee which is made up of trustees and ambassadors.

3.2 The pupil discipline committee

In the case of a suspension of fewer than five days in a term (two Dixons terms), the pupil discipline committee (PDC) may hear a family's representation but does not have the power to reinstate.

In the case of a suspension of more than five days or bringing the cumulative total to 15 or more in that academic year, the PDC must consider, within 50 school days of receiving the notification from a family. The PDC will set out its decision in writing to the family.

In the case of a permanent exclusion, the PDC must consider and decide on the reinstatement of a permanently excluded pupil within 15 school

days of receiving the notification. The PDC must make reasonable endeavors to arrange the meeting within the statutory time limits and must have it at a time that suits all relevant parties. Its decision will not be invalid simply on the grounds that it was not made within these time limits.

In the case of a permanent exclusion, they must ensure the student's name is removed from the academy roll once 15 days have passed since the families have been notified, unless there has been application to an independent review panel, in which case they should wait before removing the student from roll.

3.3 The principal

Only the principal 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.

When establishing the facts, the principal must apply the civil standard of proof: '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'.

The principal has the right to direct a child to off-site education. A permanent managed move as a preventative measure or as an alternative to permanent exclusion should involve the agreement of the family. Families will be informed initially by telephone and, if possible, in a face-to-face meeting. This will be followed up with a letter.

The principal must notify the family without delay and no later than three days with following information in writing:

- the reason(s) for the suspension or permanent exclusion
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent
- parents' right to make representations about the suspension or permanent exclusion to the governing board (in line with the requirements set out in paragraphs 97 to 107) and how the pupil may be involved in this;
- parents' (or an excluded pupil if they are 18 years or older) right to make a request to hold the meeting via the use of remote access and how and to whom to make this request (further information on other information this should include can be found in Annex A: Key principles when conducting meetings via the use of remote access)
- how any representations should be made; and
- where there is a legal requirement for the governing board to consider the suspension or permanent exclusion, that parents or an excluded pupil (if they are 18 years or older) have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

When notifying the family about the suspension or permanent exclusion the principal should draw attention to relevant sources of free and impartial information. This information should include Coram Children's Legal Centre or Ace Advice and Information Services, as well as a link to the most recent legal guidance on school exclusions. Full details of what should be included can be found in the Suspension and Permanent Exclusion guidance September 2023.

The principal must notify the governance department immediately in the case of a permanent exclusion. They must also inform the Local Authority of any permanent exclusion.

There should be a clear process for ensuring that families, social workers / virtual school heads (where appropriate), the governance department and local authority (where appropriate) are notified within the appropriate timeframes and with the reason(s) and parameters of the exclusion clearly stated.

All staff are responsible for knowing and understanding the systems in place to support the behaviour, upholding them within their academy and seeking support if necessary.

All students have a responsibility to behave in a way that does not disrupt the learning, wellbeing or safety of themselves, their peers or any adult in the academy or wider academy community. A student's behaviour outside the academy can be considered grounds for a suspension or permanent exclusion.

3.4 Families

The family may request a review from a pupil discipline committee to review a suspension that is more than five days in length.

The families have a duty to ensure their child is not in a public place at any time during the school day whilst they are excluded. Failure to comply with this could lead to a fixed penalty notice or prosecution.

In the case of a permanent exclusion, a meeting will be arranged and the family may arrange representation and / or bring a friend. The local authority is able to attend the hearing as an observer and the panel will need to consent if the family want the local authority to make representations on their behalf.

Families have the right to apply for a review by an independent review panel within 15 days of being notified of the outcome of the pupil discipline committee hearing.



4.0 Prevention

4.1 Each academy is committed to making full use of preventative measures, as outlined in detail in the Positive Behaviour Policy, as their main way of avoiding exclusion of any kind for all students. Students will not be excluded unless it is absolutely necessary to do so and if it is felt that no other viable alternative is available, such as in response to serious or continuous breaches of the Positive Behaviour Policy or if the student remaining would harm the education or welfare of other students or staff.

4.2 In addition to the measures outlined in the Positive Behaviour Policy, and other than in the case of a one-off but very serious behaviour incident, the permanent exclusion of a student will be the final sanction at the end of a lengthy series of procedures that have been put in place to support the student to improve their behaviour. These procedures may include but are not limited to:

- an identified key worker within their academy
- review of their curriculum provision, class / group, seating arrangements, non-lesson time etc.
- therapeutic support available within the academy e.g. counselling, youth worker, SSPO
- Pastoral Support Plan
- referral to external agencies e.g. CAMHS, Educational Psychology, Youth Services
- referral to the services provided by the Local Authority's Early Help offer
- referral for a needs assessment for an Education Health and Care Plan (EHCP)
- for students who are looked after by the local authority, liaison with the virtual school
- for students who are on Child in Need or Child Protection Plans, liaison with their social worker
- for students who have an existing EHCP or identified SEND, liaison with the Local Authority SEND team

4.3 All students are entitled to the full extent of our preventative measures and support but we also recognise that there are some students who, due to other factors present in their life, may be additionally vulnerable in relation to all types of exclusion. These additional vulnerabilities can both increase risk of exclusion as well as exacerbate the negative impacts of being excluded. These additional vulnerabilities may include but are not limited to:

- special Educational Needs and / or Disabilities (with or without an EHCP)
- medical needs
- mental Health needs
- young carers
- children who are looked after by the Local Authority, including those who were formerly looked after
- children who are on a Child in Need or Child Protection Plan

Our trust is committed to recognising these additional vulnerabilities and prioritising affected students when working preventatively and supportively with them and their families. This may, for example, be by providing support at an earlier stage, a broader package of support, or by involving specialists from other agencies.

4.4 Our success as a trust is built on the three way relationship between home, academy and child. All families sign our three way partnership when their child enters one of our academies and, with that as the starting point, we expect families to work alongside us in supporting good behaviour and the measures we put in place to support their child to learn, grow, succeed and thrive.

4.5 Off-site direction to another school or alternative provision, either full time or as part of a combination of this and continued mainstream provision, can be a supportive preventative measure for some students at risk of exclusion. Full statutory and non-statutory guidance can be found in the publication, Suspension and Permanent Exclusion (2023), and must be adhered whenever off-site direction is being considered.

4.6 A managed move to another school can also be a supportive preventative measure for some students at risk of exclusion. Managed moves should only be offered as a permanent transfer, only when the student has been attending the receiving school under an off-site direction and review has deemed that they have settled in successfully, and only when voluntary and agreed with all parties involved, including families and the receiving school itself.

5.0 Issuing suspensions and exclusions

5.1 The issuing of a fixed term or permanent exclusion is at the discretion of the principal and reasons may include, but are not limited to:

- physical assault against another student
- physical assault against an adult
- verbal abuse or threatening behaviour against another student
- verbal abuse or threatening behaviour against an adult
- use or threat of use of an offensive weapon or prohibited item
- peer on peer abuse



- racist abuse
 - abuse against sexual orientation or gender reassignment
 - abuse relating to disability
- 5.2 All schools must provide information via the school census on any student subject to suspension or permanent exclusion in the previous two terms (four Dixons terms) and up to three reasons can be recorded per exclusion.
- 5.3 Any time a student is told or forced to leave the academy, or not allowed to attend, is either a suspension (if temporary) or permanent exclusion if it is for disciplinary reasons and it must be done in accordance with this policy and the statutory regulations that inform it. Suspending a student for a short period of time, such as a half day, is allowed but the formal process for a suspension, including recording of the suspension, must be followed.
- 5.4 A student being told or forced to leave the academy, or not allowed to attend, without the formal process being followed is unlawful. Reasons a school might do this include but are not limited to:
- the student having Special Educational Needs that the school feels they cannot meet
 - failure of student and / or families to attend a meeting at the end of the fixed term exclusion
 - putting pressure on a family to remove their child, possibly under the threat of permanent exclusion, and encouraging Elective Home Education or to find another school place
- 5.5 If any of these unlawful exclusions are carried out and lead to the deletion of a student's name from the register, this is known as 'off-rolling'.
- 5.6 If a family feels that the procedures relating to an exclusion have not been followed, or they feel pressured into home educating or finding another school for their child, they can follow the processes in our trust's complaints policy.
- 5.7 All schools have a statutory duty to safeguard and promote the welfare of their students, including a duty to cooperate with the local statutory safeguarding partnership agencies, and any decision to exclude a student must be made with due regard to the most recently published version of Keeping Children Safe in Education.
- 5.8 All decisions to exclude should be made with the support and advice of the designated safeguarding lead in order to ensure any known additional risk of harm to the student that might arise or be exacerbated by an exclusion are taken into account.

6.0 Suspension

A suspension is when a student is temporarily removed from the school for a fixed period of time. Suspensions do not have to form a continuous period of time and can range in duration from a half day through to a maximum of 45 days in a single academic year. Only the principal can issue a suspension. Once issued, a suspension cannot be brought to an end early, extended or converted to a permanent exclusion, although in some circumstances (for example, if new information has emerged) a second suspension or permanent exclusion may be issued immediately after the first one ended.

6.1 Procedures

Any time a student is sent home for disciplinary reasons, including if they are provided with work or asked to utilise online options such as Google Classroom or Oak Academy, it should always be recorded as a suspension.

The academy's legal duties to make reasonable adjustments for students with special educational needs and / or disabilities remains in force.

There should be a formal process for arranging, at short notice, suitable full time alternative education for students receiving a suspension of over 5 school days. However, please note, where a student receives consecutive suspensions, the days are considered cumulatively and education must be arranged for the sixth day onwards regardless of whether this is the result of one decision to suspend or multiple.

A suspension can be for parts of the academy day, for example if a student's behaviour is disruptive at lunchtime they may be suspended from the premises for the duration of the lunchtime period, and the legal requirements for notification of other parties remains the same. Part day suspensions are counted as a half day when determining whether a pupil discipline committee should be triggered.

Each academy should have a clear system for monitoring the 45 days suspensions rule, including suspensions receiving with that academic year from previous schools the student has attended.

A suspension can provide a clear signal to a student that their behaviour has been unacceptable, but if this type of suspension becomes a regular occurrence, the principal should consider whether suspension alone is an affective sanction and whether other strategies need to be put in place.

Following a suspension, the academy will take reasonable steps to meet with families and students to ensure there is clarity around the reason for the action and to discuss the student's reintegration, including ongoing intervention and support. The meeting will be chaired by the principal or, in their absence, another senior member of staff.

Students returning from a suspension, or after a period of being off-site, e.g. following an off-site direction or reinstatement, there should be a plan in place for managing their future behaviour, possibly utilising some of the strategies described in item 4.



7.0 Permanent exclusion

A permanent exclusion is when a student is no longer allowed to attend the academy (unless they are later reinstated) and should only be utilised in response to a serious breach, or persistent breaches, of the positive behaviour policy, or when allowing the student to remain would seriously harm the education or welfare of the other students or staff.

There may be exceptional circumstances where, in the principal's judgement, it is appropriate to permanently exclude a child for a first or 'one off' offence. This could include but is not limited to:

- serious actual or threatened violence against another student or member of staff
- sexual, racial or homophobic assault
- supplying or using an illegal drug
- carrying an offensive weapon

7.1 Procedures

The principal can cancel any exclusion that has already begun (or one that has not yet begun) but this can only happen when the pupil discipline committee has not yet met to consider whether the pupil should be reinstated.

Work should be set and marked for students during the first five days of an exclusion unless they are already attending an alternative provision.

The academy's legal duties to make reasonable adjustments for students with special educational needs and / disabilities remains in force during the first five days of the exclusion.

The local authority must arrange suitable full-time education no later than the sixth day of a permanent exclusion.

7.2 Pupil discipline panel

A meeting of a pupil discipline committee must be convened within 15 days of the permanent exclusion to consider and decide whether to uphold the principal's decision or to reinstate the pupil. The PDC must make reasonable endeavors to arrange the meeting within the statutory time limits and must have it at a time that suits all relevant parties. Its decision will not be invalid simply on the grounds that it was not made within these time limits.

The family will be informed of the outcome of the PDC within 5 days of the meeting.

7.3 Independent review panel

An independent review panel does not have the power to direct the pupil discipline committee to reinstate a student but, if they consider the PDC's decision to be flawed, it can direct them to reconsider.

A student's name must be removed from the school admission register once 15 days have passed since the families were notified of the PDC's decision to not reinstate and no application has been made for an independent review panel, or if the families have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review panel has been made within 15 days, the academy must wait until the outcome has been determined before removing the student's name from their roll.

7.4 Removing from the admissions register

When a student's name is deleted from the admissions register due to a permanent exclusion, the academy must make a return to the local authority; full details of what must be included can be found in the publication, Suspension and Permanent Exclusion (2023).

The deletion of the student's name cannot be backdated to the date the exclusion began.

The Local Authority is responsible for overseeing any financial readjustment / payment necessary to ensure that the right resources and support goes with the student following a permanent exclusion.

