



## **BEHAVIOUR FOR LEARNING AND EXCLUSION POLICY**

<b><u>Date of last review:</u></b>	September 2024	<b><u>Review period</u></b>	September 2025
<b><u>Owner:</u></b>	OCEAN	<b><u>Ratified:</u></b>	SCRB



# Behaviour for Learning Policy

This behaviour for learning policy is supported by the detailed AAT Behaviour Management Strategies Handbook. Together the two establish the highly effective, tried-and-tested behaviour management system in place at Ocean Academy.

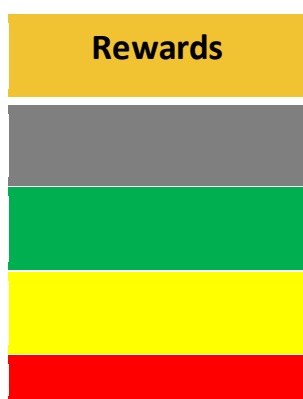
## Aim

The aim of the policy is to help every child in the academy, in a consistent and fair way, to be the best they can be: to help them strive for, and fulfil, their academic, personal and social potential. We aim to keep all children and staff safe. The aim of this policy is to coach, model and support children to understand and change their behaviours. The process should not undermine the child or be detrimental to them.

## Behaviour for Learning

Each classroom has a **BEHAVIOUR BOARD** (as in several of our feeder infant schools) which is central to the strategy. All pupils' names are put on the board, in the green zone, at the beginning of the day. Green represents the expected level of responsibility for positive learning behaviours, therefore most children will be in this zone all day.

### BEHAVIOUR BOARD



non negotiables

### Good learning behaviours include:

- Listening well
- Following instructions in a timely manner
- Showing good engagement with the learning activities
- Completing tasks
- Taking responsibility for learning and behaviour (self-management)
- Responsible
- Making good choices
- Being safe
- Respect

These are our 4  
behaviour values

### Non-negotiable behaviours include:

- Refusing to follow instructions

- Throwing objects
- Swearing
- Intentionally hurting others
- Derogatory comments about any of the 9 protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Children may be asked to move their name UP or DOWN the coloured zones on the behaviour board during the day.

When adults observe very good learning behaviours, or significantly improved behaviours, a pupil may be asked to MOVE UP TO SILVER. If a pupil demonstrates consistently positive learning behaviours all day and excellent responsibility for their learning, a pupil may be asked to MOVE UP TO GOLD.

An ongoing record will be kept of the pupils ON GOLD at the end of each day so that this can be shared with parents/carers.

Individual teachers may choose to reward children with stickers etc. as appropriate (remembering that all children do not enjoy public praise or may not like stickers).

## Aspirations Conditions and Ocean Learning Skills and Values

Each half term, there will also be a whole academy focus on one of the Aspirations' 8 Conditions for Learning and Ocean Academy's Learning Skills to identify how they permeate our curriculum, behaviour, learning and social interaction.

Term	Guiding Principle	Learning Skills	Aspirations' 8 Conditions for Learning
	<b>SELF-WORTH</b>		
Autumn 1		Teamwork	Belonging / Fun and Excitement
Autumn 2		Respect	Heroes
	<b>ENGAGEMENT</b>		
Spring 1		Independence	Sense of Adventure/Sense of Accomplishment
Spring 2		Resilience	Curiosity and Creativity
	<b>PURPOSE</b>		
Summer 1		Communication	Leadership and Responsibility
Summer 2		Self-motivation	Confidence To Take Action

## Aspirations Champions

One pupil from each class will be nominated by their teacher each week for showing behaviours that emulate the focus condition or learning skill. This will be recognised in our CELEBRATION ASSEMBLY.

## Celebration Assembly

This takes place on a Friday afternoon. The whole school will meet to share examples of excellent learning and behaviours. We celebrate:

- Behaviours that emulate our learning skills or the Aspirations value of the term. These children are then invited to the Principal's Tea Party the following week
- Learning Leader of the week – for a child who has demonstrated a positive attitude in their learning or who has excelled within an area of the curriculum
- House point winners
- 3 Good Things – 2 children from the year group will share what 3 things have been the very best for their year this week
- Out of school achievements – sports awards, dance exam outcomes etc.
- Musical achievements whereby the children are given the opportunity to perform
- The class of the week – for recognition of excellent team work
- Pupils can also share their extra curricular interest and rewards

## When learning behaviours are not appropriate:

### Choices and Consequences.

Pupils have a **CHOICE** about how they behave. Consequently, all children must take responsibility for their own behaviour. If a pupil displays inappropriate behaviours, they are making the **WRONG CHOICE**. We identify the behaviour rather than the child, so an adult may say: "You are making a wrong choice by demonstrating that behaviour" and will offer a better choice and ask the child to think about what the **RIGHT CHOICE** would be. The child will be reminded that we can make mistakes, but changes need to be immediate and actions and behaviours have **CONSEQUENCES**. Children will be reminded to focus on positive outcomes and how to restore and repair.

The following process may occur where a child is displaying inappropriate behaviour/making the wrong choices:

Step 1: The adult gives a visual warning to the pupil displaying inappropriate behaviour (The "LOOK"; a name written on the board; a nod in the direction of the behaviour board, a whisper in the ear). **The learning flow should not be interrupted.** Modelling and reminders of expectations. **Behaviours are taught** by staff so that expectations are clear.

Step 2: The adult gives a verbal warning to the child, preferably in private, that if they continue to make the wrong choices (i.e. continues to display the inappropriate behaviour) there will be a consequence. This consequence is made known to the child.

Step 3: The pupil (or an adult depending on the needs of the child) MOVES their name DOWN to orange on the behaviour board and reminded that they should now work to 'turn this around' so that their name can be moved back up to green, silver, gold.

If the pupil now changes their behaviour and begins to make the right choice, the adult quickly signals that the child can move their name back UP the behaviour board to green and appropriately praises the child. The aim of the strategy is to "CATCH THEM BEING GOOD" as soon as possible so that movement on the behaviour board is positive and reward is quick. Any child who is on orange at the end of the lesson will be expected to complete a detention (of 5 minutes) at the next playtime.

Step 4: Should inappropriate behaviours continue then a second downward move to red is requested by the adult. Depending on the child and situation at the time, it may be appropriate for the child to move their own name down or for the teacher to move the name down discreetly, remembering that the aim of the process is to de-escalate any situation, build trust and coach the child through making good choices. At this point, it would be appropriate to have a private conversation with the child and explain clearly the inappropriacy of their choices, the consequences if a change is not made, and the changes you expect to see when you return.

Any pupil 'on red' at the end of the lesson will be expected to complete an in school detention (of 10 minutes). This is THINKING TIME and at the end the adult will discuss expectations and choices for the next session. Once any child has reached this stage, the class teacher will speak to the parents/carers either by phone, or in person at the end of the day to make them aware of the incident. **The behaviour is logged on Arbor.**

**The pupil then moves their name to green for the start of the next session – a fresh start/clean sheet throughout the day.**

Step 5: If a pupil continues to display negative learning behaviours or rudeness, the adult will request that the child spend time in the Year leader's classroom. Should this happen, the whole of the next playtime will be spent with the Year Leader as a

consequence and reflections and improvements / expectations discussed. The class teacher will speak to the parents/carers either by phone, or in person at the end of the day. ***The behaviour is logged on Arbor.***

**Step 6:** If there is no improvement after step 5 and the behaviour is becoming regular, a behaviour contract is drawn up between the pupil, the family and the academy staff. Children can have a class based behaviour record which is signed at the end of every lesson or a break time record. There must be 100% positive behaviours and signatures by adults for this sanction to be removed. The child will be aware of the number of days this will be in place. If improvements are not seen, the next step of the policy will be put in place. This must be seen as a strategy to work with and coach the child to improve their choices. ***The behaviour lead and/or SLT should be aware of and involved in this process.***

**Step 7:** If there are no improvements to behaviour, internal or external suspensions may be enforced. If any non-negotiable behaviours are undertaken, the behaviour lead and/or academy Senior Leadership Team will insist that the child leave the classroom to ensure learning for others is not impacted on. (See Extreme Behaviours below for additional steps).

Our ELSA and Pastoral team also supports helping pupils manage their behaviours at all levels. Outside agency support is also requested as necessary (Outreach Support, Educational Psychology, Social Care, Family Outreach, Starfish Mentoring etc).

Throughout all of these steps, The Behaviour and Engagement lead and SLT will be involved in making relationships with the child to ensure swift changes in attitude / engagement / choices. Positive role models will be in place.

## **Extreme Behaviours**

Some children find following the school behaviour policy difficult and in this case, a Behaviour Management Plan is written in line with parents to ensure the correct support is in place. Children with SEND or additional needs will have their specific needs recognised and will by the nature of these needs have plans and responses to behaviours that adapt and change to situations as they arise. This will be monitored regularly.

In extreme situations, 'Team Teach' or 'Positive Handling' strategies may be used to restrain a child if it is felt that they are a danger to themselves or others. Team Teach/Positive Handling strategies will only be carried out by trained staff and in line with a child's Behaviour Management Plan or in extreme cases where safeguarding would be put at risk. This will only be used as a last resort and de-escalation strategies will be used in the first instance. Any use of physical restraint should be reported to Martin West as behaviour lead and should be logged on the [following sheet](#). This sheet should be uploaded to Arbor.

Pupils can voluntarily or with support use the 'Calm Space' to support de-escalation and calming. Any behaviour giving cause for concern will be recorded. This information may be shared with outside agencies, as appropriate and in line with parental consultation.

Guidance states that all staff should be aware of systems within their school which support safeguarding. The behaviour policy has now been included in a mandatory list of documents and procedures that are explained at induction. For further details please see:

**Keeping Children Safe in Education (KCSIE).**

**Reducing The Need for Restraint and restrictive Intervention Guidance updated June 2019**

**Safeguarding Policy – updated annually**

**Relationships and Sex Education Policy - updated annually**

**Positive Handling Policy - updated annually**

## **Temporary or fixed term suspension**

If a pupil displays dangerous or non-negotiable behaviour, it may be deemed necessary by the Principal to exclude the child from the academy with immediate effect, bypassing the seven steps above. There are statutory policies and guidance on suspensions

and the academy will adhere to them. See guidance on Suspension and Permanent Exclusion below. ***Suspension is used as a last resort.***

## **Sexual Harassment (SH):**

We want everyone to feel included, respected and safe in our school. We will not tolerate any sexual harassment. This can include name-calling and sexist comments. Sexual harassment, such as sexist comments, remarks, jokes or inappropriate online messaging, is defined as any intent to discriminate based on sex. This includes behaviour or attitudes that create stereotypes of social roles based on sex.

***All staff and pupils will call out and report this behaviour.***

If pupils make sexist comments or demonstrate any examples of the above, we will:

- Ask the perpetrator to apologise to anyone the comment was directed at;
- Support and educate the perpetrator to improve their future behaviour;
- Make relevant staff aware and monitor future behaviour for any recurrence;
- Escalate the sanction to a formal meeting with parents, if the pupil refuses to apologise in the first instance.

Our RSE curriculum also covers what healthy and respectful behaviour towards one another looks like.

## **Sexual Violence (SV):**

We want everyone to feel included, respected and safe in our school. We will not tolerate any sexual abuse or violence, which includes encouraging or forcing peers to engage in any form of sexual activity (this can include online messaging and upskirting).

All staff and pupils will call out and report this behaviour.

If staff are made aware of any sexual violence or demonstrate any examples of the above, we will:

- Record any reports made by the victim, perpetrator and any witnesses;
- Collect and collate any relevant evidence (particularly if online);
- Resolve the incident between perpetrator and victim;
- Support the victim to ensure that they feel safe and secure in school;
- Support and educate the perpetrator to ensure future incidents do not occur;
- Make relevant staff aware and monitor future behaviour for any recurrence;
- Inform parents/carers of all pupils involved of the incident and actions in place;
- If necessary or appropriate, escalate the sanction to inform the police and safer schools team.

Our RSE curriculum ensures that our pupils explore and understand what healthy and respectful relationships are.

## **STOP and SEARCH**

In line with: **The Education Act 1996 and Article 8 of the European Convention on Human rights**

School staff can search a pupil for any item if the pupil agrees in accordance with safeguarding protocols.

The Principal and staff are authorised to have a statutory power to search pupil's possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have prohibited items. Prohibited items are:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco or cigarettes
- Fireworks

- Any item that has the member of staff reasonably suspects has been or will be used to commit an offence, cause injury to self or others, damage property
- Mobile phones that have not been handed into the school office at the start of the day

If a pupil does not agree to turn out pockets, open bags etc. then the behaviour policy will be followed.

Authorised staff are SLT and year leaders. The person asking to carry out the search should be the same sex as the pupil and have a witness. This rule will only change if the person requesting the search believes immediate harm will result in delaying the search.

The person conducting the search will not require the removal of any clothing other than outer clothing i.e. coat, hat, scarf, shoes, boots, jumper (if this is not the clothing that covers direct skin).

Where there is good reason, a pupil's mobile phone can be examined and data seen / deleted if staff reasonably suspect the phone / data will be used to commit an offence or cause personal injury or damage property.

The academy is not required to inform parents before a search takes place or seek their consent. There is no legal requirement to keep a record of a search. Parents will be informed where alcohol, drugs or potentially harmful substances are found.

## **Confiscation**

School staff can seize, confiscate, retain or dispose of any prohibited item found as a result of a search where reasonable to do so. They can also seize any item they consider harmful or detrimental to school discipline.

Where items have been seized, decisions will be made by staff as to whether there is 'good reason' to inform the police depending on the nature and value of the items.

## **Classroom Charters**

In each classroom, at the beginning of each academic year, the children agree and sign a class Behaviour Charter and, throughout the year, the teacher will refer to this to emphasise expectations and agreed behaviours and choices.

## **Rewards**

We support the children to recognise the importance of intrinsic and extrinsic motivation.

Praising effort and resilience is effective because it has a positive impact on a child's SELF-WORTH. Praise can be quiet and unobtrusive or can be loud and public. We aim to ensure we know what type of praise each child responds to best so we can adjust the praise to the individual concerned. Praise both supports and motivates.

Children can be asked if they want to share their workbooks/learning with adults and pupils in other classes, with the Principal or with other special visitors (e.g. governors). Work is also displayed around the academy to ensure we value the product. Achievements are also shared in the academy newsletter, on Facebook and the academy website.

Celebration assembly identifies rewards and successes each week (see above) and positive role models can also undertake the role of class Member of Parliament, Eco-Lead, Digital Lead, Peer Mediator, Library Monitor, Sports Lead, Maths Lead, Anti-Bullying Ambassador. Children can also work towards the Aspirations Aspire Award.

## **Cups and Certificates**

At the end of each term silver cups and certificates are awarded to children in each year group who show various attitudes, characteristics or attributes in line with the academy values and behaviour expectations.

## Group Rewards

A class target of creating the phrase “WE ARE FANTASTIC” by collecting the letters for positive teamwork and whole class successes is also set and the collective reward agreed democratically by the whole class. It may be an extra five minutes on the outdoor play equipment, an extra PE session, library, cookery lesson or time with the computers or construction equipment, for example. Each class will have their own ideas. Each child is a member of one of the four Houses with Ocean Academy and house points are collected and the winning team identified in Celebration Assembly each week.

## Principal’s Postcards

The Principal may send a postcard to the child’s address if rewarding a special effort, success or kindness. These postcards are rare and special – and a surprise in the post!

## Aspirations Jewel

At the end of each academic year, children and staff can be awarded an Aspirations jewel in the areas of Self-worth, Purpose and Engagement.

## Anti-Bullying

Part of our Behaviour for Learning expectations include all actions to discourage bullying in any form including online or cyber bullying. This is clearly outlined in our anti-bullying policy and online safety policy. This can be found on the academy website.

## SEND

There are times when some children with SEND or additional needs will need to have alternative or bespoke behaviour management support. This is outlined in the child’s EHCP, behaviour plan or in the academy SEND and Inclusion policy which can be found on the academy website.

## Suspension and Permanent Exclusion

Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. Therefore, 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.

For the vast majority of pupils, suspensions (the term used for fixed term exclusions) and permanent exclusions (PEX) may not be necessary, as other strategies can manage behaviour. However, if 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.

### Ocean Academy aims to ensure that:

- The suspension and PEX process is applied fairly and consistently
- The suspensions process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Self-discipline, and proper regard for authority is promoted and expected
- Good behaviour and respect for others on the part of pupils and, in particular, preventing all forms of bullying among pupils
- The standard of behaviour of pupils is respectful and exceptional
- Pupils complete any tasks reasonably assigned to them in connection with their education
- Pupils do not become NEET (not in education, employment or training)



## **Legislation and statutory guidance**

This policy is based on statutory guidance from the Department for Education: Suspension [from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

Section 52 of the [Education Act 2002](#), as amended by the [Education Act 2011](#)  
[The School Discipline \(Pupil Suspensions and Reviews\) \(England\) Regulations 2012](#)

Sections 64-68 of the [School Standards and Framework Act 1998](#)

In addition, the policy is based on:

Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils

Section 579 of the [Education Act 1996](#), which defines 'school day'

The [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](#)

DFE advice for Headteachers and school staff [Behaviour in Schools](#)

This policy complies with our funding agreement and articles of association.

## **The decision to permanently exclude or suspend pupils**

Only the Principal, or Acting Principal, can suspend or permanently exclude a pupil from Ocean Academy. A permanent exclusion will be taken as a last resort.

Any decision of a Principal, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

When establishing the facts in relation to a suspension or permanent exclusion decision, the Principal 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 headteacher should accept that something happened if it is more likely that it happened than that it did not happen.

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 decision to suspend or PEX a pupil will be taken only:**

In response to serious or persistent breaches of the school's behaviour policy, **and** if allowing the pupil to remain in school would seriously harm the education or safety or welfare of others

### **Before deciding whether to PEX, or for a fixed period suspension, the Principal will:**

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension / PEX were provoked.
- Allow the pupil to give their version of events and allow appropriate adults to support them in doing this if needed.
- Consider if the pupil has special educational needs (SEND) and if the support in place has been exhausted.

## **Definitions**

**Fixed term suspension** is where a pupil is temporarily removed from the school, and is an essential behaviour management tool.

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

**The school day** is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

## **Roles and responsibilities**

- **The Principal will immediately provide the following information, in writing, to the parents of an excluded or suspended pupil:**
- The reason(s) for the suspension / PEX
- The length of a fixed-term suspension or, for a PEX, the fact that it is permanent
- Information about parents' right to make representations about the suspension or PEX to the Regional Board and how the pupil may be involved in this
- Where there is a legal requirement for the Regional Board to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend
- Offer up to date links to source impartial advice for parents where appropriate

The Principal will also notify parents by the end of the afternoon session on the day their child is excluded/suspended that for the first 5 school days, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

**If alternative provision is being arranged, the following information will be included when notifying parents of an suspension:**

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension/PEX, in which case the information can be provided with less than 48 hours' notice with parents' consent.

The Principal will take steps to ensure that work is set and marked for pupils during the first five school days of a suspension/PEX. This can include utilising any online pathways such as Google Classroom or Oak National Academy.

In exceptional cases, a part-time timetable may be agreed, but it must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must treat absence as authorised.

**Reintegration**

Staff will support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction. Our reintegration strategy offers the pupil a fresh start; helps them 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.

**Informing the Regional Board, Local Authority and Social Worker/Head of the Virtual School (VSH)**

The Principal will immediately notify the Chair of the Regional board, Local Authority and Social Worker/Head of the Virtual School (if this is in place for the pupil):

- A permanent exclusion, including when a fixed-period suspension is made permanent. (In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension)
- Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Principal will also immediately inform the pupil's 'home authority' of the suspension and the reason(s) for it without delay.

For all other suspensions, the Principal will notify the Regional Board and LA once a term.

**The Regional Board**

Responsibilities regarding PEX are delegated to the Regional Board. The Regional Board has a duty to consider the reinstatement of an excluded pupil.

Within 14 days of receipt of a request, the Regional Board will provide the secretary of state with information about any suspensions in the last 12 months.

For a fixed-period suspension of more than 5 school days, the Regional Board will arrange suitable full-time education for the pupil (see above). This provision will begin no later than the sixth day of the suspension.

## **The LA**

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

### **Considering the reinstatement of a pupil**

The Regional Board will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of this if:

- The suspension is permanent (PEX)
- It is a fixed-term suspension which would bring the pupil's total number of school days of suspension to more than 15 in a term
- It would result in a pupil missing a public examination

If requested to do so by parents, the Regional Board will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the suspension if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.

Where a suspension would result in a pupil missing a public examination, the Regional Board will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the Regional Board will consider the suspension and decide whether or not to reinstate the pupil.

### **The Regional Board can either:**

Decline to reinstate the pupil, or  
Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the Regional Board will consider whether the suspension was lawful, reasonable and procedurally fair and whether the Principal followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The Regional Board will notify, in writing, the Principal, parents, the LA and the child's social worker or VSH of its decision, along with reasons for its decision, without delay.

### **Where an exclusion is permanent, the Regional Board decision will also include the following:**

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
- The date by which an application for an independent review must be made
- The name and address to whom an application for a review should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the suspension
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the Aspirations Trust to appoint an SEN expert to attend the review
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That if parents believe that the suspension has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

### **An independent review**

If parents apply for an independent review, the Aspirations Trust will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Regional Board of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the academy governors category and 2 members will come from the Principal category.

A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer

Academy governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Principal during this time

Principals or individuals who have been a Principal within the last 5 years

**A person may not serve as a member of a review panel if they:**

Are the Principal of the excluding school, or have held this position in the last 5 years

Are an employee of the Aspirations Trust, or the governing board, of the excluding school (unless they are employed as a Principal at another school)

Have, or at any time have had, any connection with the Aspirations Trust, academy, governing board, parents or pupil, or the incident leading to the suspension, which might reasonably be taken to raise doubts about their impartiality

Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the Aspirations Trust Board decision
- Recommend that the Aspirations Trust Board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

**School registers**

**A pupil's name will be removed from the school admissions register if:**

15 school days have passed since the parents were notified of the Aspirations Trust Board panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or

The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the Academy will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

**Monitoring arrangements**

Jane Burry, Martin West and the Principal monitors the number of suspensions every term and reports back to the Regional Board. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

This policy will be reviewed by the Regional Board every year.

**Links with other policies/Advice**

This policy is linked to our

- Safeguarding Policy (inc KCSIE)
- SEND policy and information report
- Acceptable Use Policy
- Home / School Agreement
- Behaviour in Schools - DFE advice to Headteachers and School Staff

## **Appendix 1: Independent review panel training**

The Aspirations Trust must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of Principals, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

## **Monitoring**

The behaviour lead and senior leadership team continually monitor the behaviour of children at Ocean Academy, looking for patterns, keeping regular contact with parents and encouraging children to make the right choices. Staff discuss behaviour as a 'standing item' in the weekly staff briefing and in regular staff meetings.

Aspirations leaders review the processes of the school termly through a monitoring visit by the CEO of the South Coast or by a formal Review Day. Behaviour monitoring is a 'standing item' on the South Coast Regional Board agenda.

Behaviour Management Plans are reviewed regularly with staff, parents and outside agencies.

## **Evaluation**

As an academy we regularly review our policies, making any necessary changes as the needs of the children and our academy community change.

This policy was agreed by staff in: September 2024

Shared and with and ratified by CEO of SCRB in: August 2024

This policy will be reviewed annually.

David Herbert: regional CEO

