



# EXCLUSION POLICY

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# WYVERN EXCLUSION POLICY

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## 1. PURPOSE AND RATIONALE

This policy is intended to establish clear procedures for implementing and monitoring suspensions and to outline other strategies for dealing with serious mis-behaviour at Wyvern College. It is also intended to provide a fair, legal and consistent approach to behavioural expectations and suspensions for trustees, the Headteacher, staff, students and parents. It includes examples of strategies that may be used to support students who are exhibiting poor behaviour in an effort to prevent suspensions, the considerations that are taken into account prior to giving a suspension and the steps that the college takes when issuing a suspension.

## 2. PRINCIPLES AND CONTENT

### i. Inclusion and high expectations

Wyvern has high expectations of behaviour for all students, while recognising that some students face barriers to meeting those expectations. We identify needs early (including emerging or changing needs) and put support in place to reduce barriers to learning and belonging. This includes particular attention to students with SEND, disadvantaged students, and students known to children's social care, alongside any other vulnerabilities. Decisions about suspension and permanent exclusion are made case by case, with regard to safeguarding, the Equality Act 2010 duty to make reasonable adjustments, and the evidence of support already put in place.

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### ii. Strategies to prevent a suspension

Staff and students at Wyvern College believe in the right to disruption-free learning, every lesson, every day. This can be seen in the core principles of the PRIDe expectations. The college works with parents and students to promote the PRIDe expectations and to prevent poor behaviour. Out of lessons, the RESPECT expectations make clear to students how they should behave in order to stay safe and keep others safe. Staff have developed a range of strategies that are used to deal with poor behaviour and to support students with the aim of preventing suspensions. These strategies may include:

- a) Telephone call or letter to parents;
- b) Meeting with parents;
- c) Placing the student on PRIDe report to monitor behaviour;
- d) Use of departmental and SLT detention system;
- e) Change of teaching set or class;
- f) Support from the SEND department;
- g) Use of the 'On-Call' team;
- h) Peer mentoring from the Peer Supporters or Prefects;
- i) Use of the Restorative Behaviour Day;
- j) Personalised timetable at Key Stage 4 for example attendance at another form of alternative provision such as offsite provision or a work placement;
- k) Referral to the Eastleigh Early Help Hub;
- l) Referral to outside agencies for additional support;
- m) Referral to the college's Wellbeing Advisor to address the root causes of behaviour;
- n) Removal of privileges for example freedom of movement at break as a precautionary, preventative measure;
- o) Placing student in the Internal Exclusion Room for an extended day;
- p) Consequences Pathway with support via individual behaviour support plans and regular meetings with teachers of the student;
- q) Holding a multi-agency planning meeting for example a TAF ('team around the family');
- r) Managed moves are voluntary, agreed by all parties, and used only where in the student's best interests; the school does not pressure parents into this route;
- s) Off-site direction / Alternative Provision (including Alternative School Placements) – Where the school uses off-site direction or alternative provision, this is a planned, time-limited intervention to improve future behaviour and support reintegration. It is not used as a sanction or punishment for past misconduct. The purpose, objectives and proposed timeframe are agreed in advance with the provider and reviewed regularly. Suitable education continues throughout, and the school retains responsibility for safeguarding and welfare. Parents/carers are informed in writing, the placement is recorded and reviewed, and a reintegration plan is agreed. Where a student is directed to attend another school as part of off-site direction, attendance is recorded appropriately (for example, Code D where applicable).

Suspension is a serious sanction which is used proportionally, in response to serious breaches of the PRIDe and RESPECT rules, in line with the National Standard List of Reasons for Suspensions (outlined below)

It is also used when a student has disregarded all other punishments.

Description
Physical assault against a student
Physical assault against an adult

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Description
Verbal abuse / threatening behaviour against a student
Verbal abuse / threatening behaviour against an adult
Use or threat of use of an offensive weapon or prohibited item
Bullying
Racist abuse
Abuse against sexual orientation and gender identity
Abuse relating to disability
Sexual misconduct
Drug and alcohol related
Damage
Theft
Persistent disruptive behaviour
Inappropriate use of social media or online technology
Wilful and repeated transgression of protective measures in place to protect public health

### **iii. Factors to be considered prior to issuing a suspension:**

When considering whether to suspend a student, the college will take into account the following:

- a) The weight of evidence relating to the offending behaviour;
- b) The student's previous behaviour record at college;
- c) Whether the behaviour is part of a wider pattern of behaviour
- d) Whether the behaviour was planned and premeditated.
- e) The degree to which any victims of the behaviour were affected by it
- f) Whether the behaviour was motivated by prejudice or discrimination against a protected characteristic.
- g) Any particular circumstances unique to the student which might sensibly be taken into account in connection with the behaviour of the student;
- h) The extent to which parents, peers or other pressures, may have contributed to the behaviour;
- i) The degree of severity of the behaviour, the frequency of its occurrence, and the likelihood of its reoccurrence;
- j) Whether or not the behaviour will have an impact on the Health & safety of staff and students;
- k) Whether or not the behaviour occurred on the college premises or when the student was
  - a. otherwise in the charge of college staff;

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- I) The degree to which the behaviour was a violation of one or more rules contained in the college's Behaviour and Discipline policy or related documents;
- m) Whether the incident was perpetrated by the student on his or her own or as part of a
  - a. group;
- n) Whether consideration has been given to seeking the support of other agencies;
- o) Whether the behaviour might be an emerging sign of behavioural and emotional difficulties giving rise to special educational needs. Particular consideration should be given to students who have an Education & Health Care Plan;
- p) Equal opportunities, whether there are any equal opportunities issues such as race, disability or religion which need to be taken into account;
- q) Whether the student is in care, is a carer him/herself, pregnant or otherwise at risk;
- r) Where conduct may constitute a criminal offence, the Headteacher will consider suspension among a range of responses, taking account of safeguarding advice, the needs and safety of all students and staff, proportionality, and any relevant additional needs or vulnerabilities. Police involvement may be appropriate in some cases, but does not in itself determine the school's disciplinary response.

Failure to complete homework, poor academic performance, incidental lateness or incidental non-disruptive truancy and failure to adhere to the college's uniform policy will not be used as reasons for a suspension. These may, however, contribute to a suspension for persistent disruptive behaviour.

### **iv. The use of a suspension**

At Wyvern College, a suspension will be considered after full consideration of the above factors. A student will be suspended if their behaviour breaches the college's Behaviour and Discipline policy (Policy Number 4), or allowing them to remain in college would be seriously detrimental to the student or others in the college, or where a student's actions poses a serious risk to the health and safety of the student or others in the college.

The authority to suspend students lies solely with the Headteacher. To ensure that a decision to suspend is rational and reasonable, the decision to suspend is not managed just by the head teacher but involves others to ensure appropriate checks and balances in the decision making process. The pastoral leader and their senior leader line manager request a suspension when they believe this sanction is warranted. They then present the evidence of this to the head teacher who makes the decision on the basis of the evidence.

Like all sanctions, suspension serves five main purposes:

- 1) Suspension is used to uphold important rules. If students who break very serious rules do not get serious sanctions, then other students would break the rules. The seriousness of the sanctions reflects the seriousness of the rules that get broken. So, suspension is used when students break rules affecting the safety, wellbeing and dignity of other students and staff.
- 2) Suspension is used respond to the harm done to the victims of bad behaviour. They will be affected by the behaviour in some way – either feeling unsafe or disrespected in some way. Because these people have suffered as a result of poor behaviour they are entitled to see that actions have been taken so they know justice has been done.
- 3) Suspension is used as a deterrent – to put off other students from breaking the rules. Because other students want to avoid having serious sanctions like suspension, they will obey the rules.
- 4) Suspension provides respite – a break for everyone who has suffered as a result of the poor behaviour.
- 5) Suspension gives a clear signal to a student that, by not being in college for a few days, there is a danger that they will end up not being in college at all. In other words, suspension reminds students that they could end up being permanently excluded unless they change their behaviour.

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Whenever a suspension is used, we treat reintegration as an essential part of the response: we work with the student and family to restore safe learning, rebuild belonging, and put in place the support needed to prevent a repeat.

The college recognises that students are most likely to change their behaviour when sanctions are complemented with reflection and restoration. Therefore, students who are suspended will be set work which requires them to learn more about the type of behaviour they have exhibited, to understand the impact it has, to consider why what they did was wrong and to put this right by writing detailed letters of apology to those affected by it. This reflects a 6<sup>th</sup> purpose for suspension which is to identify the root causes of behaviour so these can be addressed through reintegration planning with support and adjustments so that recurrences can be prevented.

### **v. Suspensions**

These are limited to a total of 45 days in any one academic year for an individual student, not in any one particular establishment, so if a student moves schools part way through the year, the receiving school should ensure that accurate information is received in relation to previous suspensions.

Suspensions are split into three categories: suspensions of 5 days and under, suspensions of between 6 and 15 days, suspensions of 16 days and over.

Schools are responsible for the setting and marking of work during the first 5 school days of a suspension. During this period, parents are responsible for ensuring that the student is not present in a public place during normal school hours without reasonable justification. Failure to complete work, however, does not constitute a reason for refusing to allow the student to return to school. The college is required to arrange a readmission interview following suspensions but the suspension cannot be extended if such an interview cannot be arranged in time or the parents do not attend.

For students who are suspended for more than 5 days, the college must make arrangements to provide full-time education provision from the 6<sup>th</sup> day, either off site or in a shared provision. The college works in partnership with other schools in the Eastleigh & Winchester consortium to provide this provision on a reciprocal basis. The arrangements for 6<sup>th</sup> day provision are required to be reported to the Local Authority on each occasion that we are required to implement it.

### **vi. Permanent exclusion**

Permanent exclusion will be considered in response to extremely serious breaches of the college's discipline policy and where allowing the student to remain in college would be seriously detrimental to the education or welfare of the student or other students in the college. Examples may include:

- Serious actual or threatened violence against another student or member of staff;
- Sexual abuse or assault against another student or member of staff;
- Carrying an offensive weapon;
- Persistent and defiant mis-behaviour including bullying or continual harassment;
- Possession, use or supply of illegal and other unauthorised drugs or substances within the college boundaries or on college transport, or during a college visit.

In most cases, a range of other support strategies will have been in place for a period of time before permanent exclusion is considered.

The Local Authority is responsible for arranging suitable full-time education provision from Day 6 of an exclusion and provides guidance to the college on fulfilling the legal and administration requirements in relation to a permanent exclusion.

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### **vii. Procedures for suspensions and exclusions**

#### **Staff that might be involved in a suspension.**

- a) The member of staff dealing with the investigation into the behaviour breach and recommendation for suspension is referred to as the Lead Investigator.
- b) The following staff might act as the Lead Investigator, dependent on the seriousness and nature of the breach:
  - a. Pastoral Leader
  - b. Member of the Senior Leadership Team
  - c. Member of the Designated Safeguarding Team.

#### **Recommendation for a suspension**

- a) The Lead Investigator must speak to parents personally by phone to advise them that a suspension is being considered.
- b) The Lead Investigator should complete a Suspension Recommendation Form and submit it to either their SLT Line Manager for approval.
- c) The Lead Investigator should ensure that statements from the student and other people involved in the incident are attached to the Suspension Recommendation Form. A copy of the student's behaviour log and attendance should also be included. Suspensions cannot be processed if any relevant paperwork is missing. It is important that statements contain as much detail as possible.
- d) Reference should be made to the National Standard List of reasons for suspension.

#### **Suspensions up to five days**

- a) For all suspensions, the SLT Line Manager should ensure that the student has had an opportunity to express his/her views and that the paperwork has been correctly completed by the Lead Investigator.
- b) The authority to suspend students lies solely with the Headteacher, who will review each request.
- c) For all suspensions, the SLT Line Manager will personally contact the parents by phone to explain the decision to suspend the student, to inform them of the dates of the suspension, to arrange re-admission details and to outline the work to be done by the student. This contact should be made within 24 hours of the decision to suspend being taken.
- d) If the misbehaviour is so serious that it warrants the student being suspended part way through the day, he/she should not be sent home to an empty house unless parents give verbal consent. If parents cannot be contacted, the student should be withdrawn from lessons and placed in the Internal Exclusion Room until contact can be made with them.
- e) Students should be given work to complete for each day of their suspension.
- f) The completed Suspension Recommendation Form should be passed to the Attendance Officer who produces the letter containing the suspension details, the re-admission time and the work to be completed.
- g) By law, it is the parents' responsibility to ensure that their child is supervised whilst suspended.

#### **Education during Suspension**

- a) The college has an obligation to ensure that a suspended student's education continues during the period of suspension.
- b) College staff will set work for students to complete from day one.
- c) Where a student is given a suspension of six school days or longer, the college will arrange full time educational provision from and including the sixth day of exclusion

#### **Return from suspension**

- a) Following a suspension, the student and parents should attend a readmission meeting with the SLT Line Manager, and Pastoral Leader. Where parents/carers are unable or unwilling to attend before the return date, the student will still return as scheduled and the meeting will be rearranged as soon as possible.

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- b) Students are expected to complete their reflection work and bring it on their return. If it is incomplete, this will be addressed through an appropriate in-school sanction/support plan — it will not delay readmission.
- c) On return to college, the student should be placed on PRIDe report to the SLT Line Manager and the Pastoral Leader should offer other support where appropriate.
- d) A reduced / part-time timetable will not be used as a behaviour sanction or as a substitute for formal suspension. It will be used only in exceptional circumstances, where it is in the student's best interests, for the shortest time necessary, with written parental agreement where appropriate, a clear end date, and scheduled review points. A reintegration plan will set out how the student returns to full-time education, and attendance will be recorded lawfully and accurately.

The school does not use informal or unofficial exclusions. Any requirement for a student to leave site or not attend school on disciplinary grounds will be handled through the formal suspension/permanent exclusion processes. The school will not set conditions that prevent a student from returning after a suspension.

### **viii. Additional information**

If a student's suspensions total 15.5 school days or more in a term, or 45 school days in an academic year, a Trustees' Discipline Committee review meeting will be arranged in line with local authority guidance. For cumulative suspensions of 5.5 to 15 school days in a term, a review meeting will be arranged if requested by parents/carers, within the required timescales. Meetings may be held via remote access where requested and where the conditions for fair participation are met.

If a Trustees' Review Meeting is held, the relevant Deputy Pastoral Leader and Clerk to the Trustees will need to compile paperwork for the review from various sources, including the student's files and SIMS. The contents of the paperwork will be provided by the local authority, but as a guide the information required would include: all previous suspensions and supporting statements, behaviour log, any behaviour support plan or pastoral levels of intervention document, SEND information, evidence of involvement of other agencies, evidence of other intervention strategies, attendance data and the last two college reports.

At the point of formal written notification, the College should be more than satisfied that the suspension decision is both appropriate and unavoidable, and has been authorised by the Headteacher. However, if parents do not accept the decision and feel that there are grounds for appeal, the notification letter will provide them with details of how to contact the Clerk of Trustees in order to register their objection to the decision.

#### **Trustees' role in reinstatement decisions**

- 0–5 school days (in a term): Trustees consider any representations made by parents/carers but cannot direct reinstatement.
- More than 5 and up to 15 school days (in a term): Trustees will meet to consider reinstatement if requested by parents/carers and may direct reinstatement.
- 15.5 school days or more (in a term): Trustees must meet to consider reinstatement and may direct reinstatement.
- A suspension that would cause a student to miss a public examination/assessment: Trustees must meet to consider reinstatement and may direct reinstatement.
- Permanent exclusion: Trustees must meet to consider reinstatement and may direct reinstatement.

Parents/carers will be informed of their rights in the formal notification letter, including rights relating to the Equality Act 2010.

In the event of a student being subject to criminal proceedings and a suspension in relation to a particular incident, the Headteacher will decide whether a suspension would be appropriate under

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the circumstances. Minor theft will be dealt with by the college but subsequent occurrences would be reported to the police. Any activities involving illegal drugs or any offence which would be likely to result in a criminal prosecution may be reported to the police.

### **ix. Monitoring of suspensions**

The termly Headteacher's report to the Trustees will provide details on the number and type of suspensions given, together with comment on particular behaviour issues that Trustees need to be aware of. The Safeguarding, Curriculum & Support Committee will receive a regular report regarding suspension data from the Pastoral Deputy Headteacher.

Monitoring will include:

- suspensions by reason (DfE categories), repeat suspensions
- internal removals, off-site direction/AP placements, reduced timetables, managed moves
- analysis by student groups: SEND, disadvantaged (PP), children's social care, ethnicity, gender
- actions taken where disproportionality appears (training, adjustments, review of practice)

## **3. RESPONSIBILITY FOR IMPLEMENTATION**

The Trustees of Wyvern College have a duty, within its general role of supporting the Headteacher and staff, to maintain standards of discipline and ensure fairness to students and parents with regard to strategies for serious mis-behaviour, suspensions and permanent exclusions, parents' representations and monitoring of suspensions.

### **i. ACCOUNTABILITY**

The Trustees are responsible for approving this policy.

The Safeguarding, Curriculum & Pastoral Committee is responsible for ensuring this policy is monitored effectively.

### **ii. SUPPORTING DOCUMENTS AND APPROPRIATE LINKS**

Exclusions Guidance for Hampshire Schools

DfE: Suspensions and Permanent Exclusions Guidance (August 2024)

Wyvern College Drugs Policy

Behaviour Policy

Equal Opportunities Policy

SEND policy

## **APPENDIX 1**

### **Permanent exclusion:**

<b>Permanent exclusion</b>
<ul style="list-style-type: none"><li>• The *LA shall make available, suitable full time education from day 6.</li><li>• Notification to parent, *TDC &amp; LA immediately.</li><li>• TDC to meet between 6 and 15 school days from the date of receipt by the TDC of a notice of permanent exclusion.</li><li>• Parents may make representation to the TDC orally and/or in written form.</li><li>• The LA must be invited to the meeting at a time convenient to all parties.</li><li>• Full paperwork should be provided by the school to all the parties 5 days prior to the meeting.</li><li>• LA will provide a written statement to all parties.</li><li>• TDC has the power to uphold, or reinstate the student immediately or by a particular date. They should write to parents and LA informing them of their decision within one school day.</li><li>• If reinstated, the exclusion remains on the student's record as a matter of fact, but the reinstatement is added to the record.</li><li>• Parents have the right to make an appeal to an Independent Appeals Panel (IAP) even if they do not attend the TDC meeting and/or if they do not wish their child to be reinstated to the excluding school. They must do this within 15 school days after the receipt of notification of the TDC decision to uphold the permanent exclusion.</li><li>• IAPs will also hear appeals against permanent exclusion where disability discrimination is alleged to have taken place (see current statutory guidance on suspensions and permanent exclusions, including provisions relating to disability discrimination). The decision of the IAP is binding on all parties.</li></ul>

*\* LA – Local Authority*

*\* TDC - Trustees' Discipline Committee*