CANBURY SCHOOL

EXCLUSIONS POLICY

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1. Aims

We are committed to following all statutory exclusions procedures to make sure that every child receives an education in a safe and caring environment.

Our school aims to:

- Make sure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents/carers and students understand the exclusions process
- Make sure that students in school are safe and happy
- Prevent students from becoming NEET (not in education, employment or training)
- Make sure all suspensions and permanent exclusions are carried out lawfully.

2. Canbury School's Ethos in Supporting Students to Succeed

We aim to support, not exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can display challenging behaviour, but we recognise that each person has a unique contribution to make to school life, and we want to support them to achieve this. However, this needs to be balanced with the needs and safety of other students in the School.

We will always consider whether the behaviour displayed by the child is a communication of a wider need or could be because the student has additional Social, Emotional and Mental Health (SEMH) needs which would lead us to believe that they should be covered by the SEN Code of Practice (2014) or covered by the Equality Act (2010)

3. Definitions

Internal Support - when a student is moved away from the rest of the school and must work away from their class for a fixed amount of time with a member of the SLT or Head of Key Stage.

Suspension – when a student is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – when a student is removed from the school permanently and taken off the school admission register. This is sometimes referred to as an 'exclusion'.

Parent/carer – any person who has parental responsibility and any person who has care of the child.

4. Deciding whether to suspend or exclude

Only the Head, or acting Head (in the Head's absence), can suspend or permanently exclude a student from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The Head will only use permanent exclusion as a last resort.

A decision to suspend a student will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a student that their current behaviour is putting them at risk of permanent exclusion

Where suspensions have become a regular occurrence, the Head will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

A decision to exclude a student will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy AND/OR

5. Levels of sanctions at Canbury School

Internal Support

Internal support is when a student is moved away from the rest of the school and must spend time away from their class for a fixed amount of time. The Head or a member of the SLT (the decision to be discussed with the Head) can direct an internal support session. A distinction is made between this and short 'time out', which can be directed by staff members.

An internal support is a discretionary measure, where a student's behaviour is escalating, and more serious measures need to be taken in an effort to avoid recourse to a more serious sanction in the future, i.e. external suspension. The aim is to support the student and co-regulate so that the student is able to rejoin the class and learn.

Parents and carers will be fully informed by writing of any internal support issued to their child. An internal record will also be maintained.

Internal Suspension

An internal suspension is when a student is required to work away from the school student population for a fixed amount of time. This should be for the shortest time necessary to ensure minimal disruption to the student's education, whilst mindful of the seriousness of the breach of policy. A distinction is made between this and internal support, which is for lower level breaches of our school policies and/or student code of conduct.

Work will be set during an internal suspension. In addition, consideration will be given to any relevant needs of the suspended student and how they might be addressed in the interim, together with the student's reintegration post-suspension.

To ensure a safe learning environment during internal segregation, all school-issued digital devices (such as Chromebooks) and managed accounts will remain strictly bound to the school's active filtering and monitoring systems. These platforms are monitored by the leadership team to prevent online harm and ensure student conduct remains safe and focused.

The child will be supervised by a member of the SLT or Head of Key Stage.

For both Internal Support and Internal Suspension the staff member involved must create a detailed written record of the incident as soon as practicable on the same day. Furthermore, in accordance with Standard 32A, written notification detailing the time, duration, reasons, and nature of the physical intervention must be provided to the student's parents/carers as soon as practicable (ideally the same day), unless doing so would place the student at risk of significant harm.

Suspension

A suspension is when a student is excluded from school and must remain home for a fixed amount of time. This should be for the shortest time necessary to ensure minimal disruption to the student's education, whilst mindful of the seriousness of the breach of policy.

Work will be set for a student to do at home during the period when they are suspended. In addition, consideration will be given to any relevant needs of the suspended student and how they might be

addressed in the interim, together with the student's reintegration post-suspension.

A suspension constitutes a clear warning about continued membership of the School. In circumstances where a student receives further suspensions, it increases the risk of a permanent exclusion being imposed should there be further instances of poor behaviour.

Permanent Exclusion

A permanent exclusion is when a student is permanently excluded from school and not allowed to return. Verbal and written warnings as well as discussion would always occur before such action was taken unless it was a case of a single highly unacceptable action by the student; a student may be permanently excluded at any time if the Head is reasonably satisfied that the student's conduct (whether on or off school premises, or in or out of term time) has been prejudicial to good order or school discipline or to the reputation of the School.

Following a permanent exclusion, the school will actively facilitate a secure transition to the student's next educational setting. In compliance with Keeping Children Safe in Education parameters, the Designated Safeguarding Lead (DSL) will ensure that the student's confidential child protection and safeguarding file is transferred to the receiving institution within 5 working days of an in-year transfer. This file must be transmitted securely, with receipt verified, and maintained completely separate from the student's main academic and disciplinary record file to ensure strict statutory compliance.

There will be no refund of fees following expulsion as above, and all unpaid fees and extras must be paid. The deposit will not be returned/credited, but fees in lieu of notice will not be charged.

In making decisions about exclusion, the Head may take into account any previous disciplinary history, special educational needs, disabilities, cultural differences and any other favourable or unfavourable conduct that may be relevant to the case.

Failure of parents to properly comply with the conditions set out in the acceptance form may also lead to the place for the student being immediately withdrawn.

A formal exclusion letter and copy of this policy will be issued to the parents and carers of the child who has received this sanction.

6. Reasons for suspension or exclusion

A student may be excluded from Canbury for the following reasons. **This list of examples is not exhaustive.**

1. If the student continues to break school rules (The Canbury Code) after warnings and previous sanctions.

2. If the student is not prepared to accept school sanctions.

3. If the student brings into the School, or takes at School, illegal substances including drugs such as cannabis, tobacco, E-cigarettes, Vaping equipment, CBD fluid/essence, alcohol.

4. If the student is a danger to other students or staff, including physical assault or threatening behaviour.

5. If the student disrupts lessons so that other students cannot learn.

6. If the student is grossly rude to a member of staff or other employee of the School.

7. If all relevant facts are not disclosed on entry to the School and these prove to be pertinent to acceptance into the school that would not otherwise have been granted.

8. If the student does not adhere to the anti-bullying policy or IT Acceptable User Policy (AUP).

9. For theft.

10. For damage to property.

11. For sexual harassment, racist abuse, religious abuse, gender abuse, disability abuse, sexual misconduct.

12. If a student has been found to have committed a criminal offence in or outside school or found to have behaved in a manner that tends to bring the School into disrepute.

A decision to exclude a student will be taken only:

- In response to serious or persistent breaches of the School's behaviour policy, **AND**
- If allowing the student to remain in school would seriously harm the education or welfare of others

Before deciding whether to exclude a student, either permanently or for a fixed period, the Head will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/were provoked
- Allow the student to give their version of events
- Consider if the student has special educational needs (SEN)
- Consider whether the student is especially vulnerable (e.g. the student has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as:
    - For suspensions: detentions or other sanctions provided for in the behaviour policy
    - For exclusions: managed moves

6.1 Breaches of discipline outside the School's grounds

The School takes the conduct of its students out of school seriously. Students' behaviour outside school (see examples below) is subject to the School's Behaviour Policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in school.

Where a serious incident is reported to the School of a student's poor behaviour outside of school, the School will follow the procedure set out in this policy.

This may apply in the following circumstances:

- taking part in any activity organised by the School, or related to the School; and/or
- travelling to and from school; and/or
- wearing PE kit or uniform; and/or
- in some other way identifiable as a student of the School.

Misbehaviour would be seen (at any time, whether or not any of the above apply) as an incident that:

- could have repercussions for the orderly running of the School; and/or
- poses a threat to another student or member of the public; and/or
- could adversely affect the reputation of the School.

In all cases, the above misbehaviour would apply whether it took place in person, over the telephone or online (including on social media).

7. Students with SEND

When considering a sanction for a student with SEND, the school will take into account:

- Whether the student was unable to understand the rule or instruction?
- Whether the student was unable to act differently at the time as a result of their SEND?
- Whether the student is likely to behave aggressively due to their particular SEND?

If the answer to any of these questions is yes, we will reflect on how best to support the student and may adopt an alternative strategy either instead of or in addition to pursuing a sanction. The school will then assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

There are situations where, given the nature, persistence and/or severity of the behaviour in question, it is appropriate to implement a sanction notwithstanding any link to a student's SEND. Our behaviour system is designed to support students to be their very best and to learn and grow from their time in school and to become well-rounded individuals.

While the school will always consider and implement reasonable adjustments where appropriate, this does not mean that the behaviour system will not apply to individuals with SEND. It could mean, as mentioned above, the adaptation of the sanctions system, on a case by case basis.

Students with Education, Health and Care (EHC) Plans

Where a student who holds an Education, Health and Care (EHC) plan displays persistent or serious breaches of discipline that put them at risk of permanent exclusion, the school will take proactive steps before any final decision is made. In alignment with statutory guidance and our duties under the Equality Act 2010, the Head will immediately contact the responsible Local Authority and convene an emergency EHC plan review. The school will work collaboratively with the Local Authority, parents, and external agencies to evaluate whether the student's underlying SEND needs are being met appropriately, whether additional specialist support or aids are required, or whether a placement transfer is necessary, seeking to avoid permanent exclusion wherever possible.

8. Communication with parents/carers

If a student is at risk of suspension or exclusion, the Head will inform the parents/carers/student (if they are 18 or over) as early as possible, in order to work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place to improve the behaviour.

If the Head decides to suspend or exclude a student, the parents/carers/student will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers/student will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about the parents'/carers'/student's right to make representations about the suspension or permanent exclusion to the governing board and, where the student is attending alongside parents/carers, how they may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a student, and that parents/carers/the pupil have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- That parents/carers/the student have the right to request that the meetings be held remotely, and how and to whom they should make this request.

If the Head cancels the suspension or permanent exclusion, they will notify the parents/carers/student without delay, and provide a reason for the cancellation.

Parental responsibilities

For the first five school days of any exclusion, parents must ensure that their child of compulsory school age is not in a public place during school hours without very good reason. Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this.

9. Procedure

The procedure that the school will follow before reaching a final decision about a suspension or permanent exclusion has distinct steps:

1. Investigation
2. Disciplinary meeting (optional)
3. Decision
4. Appeal (if requested)

1. Investigation

As part of the investigation:-

- The student(s) and staff involved may be asked to prepare statements as soon as possible after the incident has taken place.

- The student(s) may be interviewed by a member of staff to establish whether there are grounds for the reported complaint and/or a formal investigation. The school is not required to inform the parents that an informal meeting is to take place but will arrange for a member of staff to be present to support the student. However, parents/carers will be informed as soon as reasonably practicable if a complaint or allegation under investigation is of a nature that could result in the student being excluded or suspended.

- A student who is waiting to be interviewed may be segregated, and the school may confiscate a student's Chromebook, mobile phone or other personal belongings (as appropriate) for such a period as it is deemed necessary.

- The school reserves the right to require the student to remain away from school as a neutral act during an investigation procedure. Alternatively, the student may be placed under a segregated regime on school premises. Work will be set for a student to do at home during this period.

    - If a parent wishes to raise a concern about lack of, or the quality of, education arranged during a suspension or exclusion (and their child is still of compulsory school age), they may follow the school's official complaints' procedure.

The Head will ensure that an appropriate investigation has been conducted:

- Ensure that all the relevant evidence has been considered.

- Wherever possible, the Head will inform the parent(s)/carers as soon as reasonably practicable of any incident that could lead to a suspension or permanent exclusion and of the details of the investigation taking place. This may not always be possible, in particular where on-going investigations produce new material.

- Give the student an opportunity to be heard and to put forward any mitigating factors,

- Consult other relevant people, or agencies, if necessary.

- If the Head considers that suspension or exclusion may be the appropriate sanction, the Head may take into account any previous disciplinary history, special educational needs, disabilities, cultural differences and any other favourable or unfavourable conduct that may be relevant to the case.

- Give a written decision about the incident and the appropriate sanction, together with reasons for those decisions, as soon as reasonably practicable.

- In circumstances involving the possibility of the student's required removal on the grounds of unreasonable parental behaviour, the Head will meet with the parents.

The Head will advise the Co-Chairs of Governors when a student is suspended or excluded.

Where any disciplinary investigation or incident reveals an underlying child protection, contextual safeguarding, or severe welfare concern, the school will act immediately in accordance with our statutory duties. In compliance with Working Together to Safeguard Children, if there is reasonable cause to suspect a student is suffering, or is likely to suffer, significant harm, the school will bypass internal disciplinary delays and make an immediate referral to local authority children's social care and/or the police. Such statutory notifications are governed by local multi-agency safeguarding thresholds and do not operate at the subjective discretion of school leadership.

2. Disciplinary meeting (optional)

If it is decided that a disciplinary meeting is appropriate, the meeting will be convened as soon as is practicable. The meeting will normally be conducted by the Head. The parents/carers may attend the meeting with their child, and may be accompanied by one other person, if they wish. This may be a relative, teacher or friend. Legal representation is not permitted.

At the meeting, the person/ people who conducted the investigation will give an account of their findings. A member of staff will take minutes at the meeting so that a record of what is said is taken by the school. The Head, the parents/carers and the student will be given the opportunity to ask questions. The parents/carers and the student will then be given the opportunity to offer any further contextual information or detail of any mitigating factors they would like to be taken into account before any decision is reached. If the Head considers that further investigation is needed, the meeting may be adjourned, and the reason for the adjournment will be explained to the student/their parents/carers.

3. Decision

Following stage 1 (and stage 2 if deemed necessary) a decision will be reached on the balance of probability. The parents/carers will be informed of the decision in writing no later than two working days after any meetings or communication home around the incident except when it is necessary to suspend an investigation, for example, where external agencies such as the Police or Social Services are involved and their findings or recommendations are pending.

Informing the Co-chairs of Governors

The Co-chairs of Governors will be informed of the decision; a copy of the formal letter of decision will be sent to the Co-Chairs.

Informing the local authority (LA)

The Head will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion

- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

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

Informing the student's social worker and/or virtual school head (VSH)

If a:

Student with a social worker is at risk of suspension or permanent exclusion, the Head will inform **the social worker** as early as possible

Student who is a looked-after child (LAC) is at risk of suspension or exclusion, the Head will inform **the VSH** as early as possible

This is so they can work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place to improve the behaviour.

If the Head decides to suspend or permanently exclude a student with a social worker/a student who is looked after, they will inform the student's social worker/the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the student
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the student's ability to sit a public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the student's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks, and the student's welfare are taken into account.

In making decisions about suspensions or exclusions, the Head will take into account any special educational needs, disabilities and cultural differences that may be relevant to the case.

Any complaint relating to actions taken under the investigation or disciplinary meeting stages of this procedure will be dealt with by the School as an appeal under this Exclusions Policy.

4. Appeal

A decision to suspend or permanently exclude a student is not taken lightly. If parents are not satisfied with the Head's decision to exclude, they may appeal in writing or email to the Co-chair of Governors, via the Clerk to the Governing Body, within 15 school days of the notification. The appeal should set out the grounds for appeal. Receipt of the appeal request will normally be acknowledged by the Clerk within 5 working days.

9. Appeal

If parents disagree with the decision to suspend or exclude the student they should write to:

The Co-chairs of the Governors

Canbury School

Kingston Hill

Kingston upon Thames

Surrey

KT2 7LN

Or email: bursar@canburyschool.co.uk

The Panel

The Clerk will liaise with the Co-chair of Governors to convene a panel consisting of two governors, one of whom will chair the panel, and a third member who is independent of the management and running of the School. The Clerk will notify the parents/carers and the Head of the names of the panel members.

Notice of Appeal Hearing

An appeal hearing will be scheduled to take place as soon as practicable, normally within 15 working days of receipt of the request for an appeal.

Prior to the Hearing

The panel will have the sole and full authority to determine the outcome of the appeal and all matters of procedure arising prior to or in the course of the hearing, whether or not provided for in this procedure. The panel may request further information from either party in advance of the hearing.

If either party has any other additional information they would like the panel to consider, they should provide this to the Clerk no later than 7 working days in advance of the hearing. Any documentation which is submitted late may result in a delay in the panel reaching their decision. Unless directed otherwise by the panel, all information and documentation supplied by either party will be shared with the other. In exceptional circumstances where disclosure of documents would disclose information about other students, in breach of their rights under the data protection act or for reasons of Child Protection and where redacting names would not be adequate, copies of these documents may be supplied to the panel only.

The Clerk will prepare a bundle of papers for transmission to both parties and the panel members, normally at least 5 working days prior to the hearing.

Attendance at the Hearing

In accordance with Independent School Standard 33(h), parents/carers have the right to attend the appeal panel hearing and be accompanied by a companion of their choice. This companion may be a relative, friend, or professional advisor. Appeal panel hearings are internal administrative review proceedings rather than formal legal hearings. Any accompanying person attends primarily in a supportive or advisory capacity to assist the parents/carers in presenting their case. The panel retains discretion over the conduct of the hearing to ensure it remains fair, structured, and focused on the grounds of appeal

The panel may retain the services of a Clerk (usually the Clerk to the Governors) who may take a written record of the hearing, but shall take no part in deciding the appeal.

Hearing Procedure

The hearing shall take place in private and shall be confidential. No recording may be made of the proceedings.

The manner in which the hearing is conducted shall be at the discretion of the panel.

The student and their parents/carers will be allowed to make representations to the Panel and ask questions. The Head and the member of staff who conducted the investigation will be present to explain the process followed and the basis on which the final decision was reached.

Members of the panel may ask further questions of those present.

Appeal Outcome

The Panel will reach its final decision following an adjournment. The panel would either confirm the decision on exclusion or reinstate the student (it is not the role of such a panel to suggest alternative sanctions). The decision would be final.

The Panel will write to the parents/carers, the Co-chairs of Governors, and the Head informing them of its final decision and the underlying rationale strictly within 10 working days of the appeal hearing. In accordance with Independent School Standard Part 7, a copy of the Panel's formal written findings and recommendations will be securely retained on the school premises for inspection by the Head.

10. Returning from a suspension

Following a suspension, the School will provide support for the student returning to school. This process begins with the student attending a meeting, usually led by the Head with the Form tutor or Head of Key stage present, to welcome the student back into the School and to discuss the student's feelings towards the event, the work completed during the suspension and looking to the future.

Expectations of behaviour following the suspension are made clear to the student, and this will be monitored closely in upcoming weeks and months. The student's transition back to normal school life will be monitored for a suitable period of time, usually by the tutor, to ensure the wellbeing of the student, as well as that of any potential victims e.g. in the case of suspension due to bullying.

It may be appropriate to conduct some restorative justice or other strategies, and this will usually have been discussed and agreed with students and their parents during the investigation process. Staff will be made aware of any potential impact and will be asked to remain vigilant, reporting any concerns immediately to the tutor and Head of Year.

11. Next steps after a permanent exclusion

If there is no appeal following the Head's decision for permanent exclusion, the student's family will begin the process of transitioning to another school. It is not the responsibility of the School to find a suitable alternative, but in some cases advice may be offered.

The School will be supportive during this process and provide as positive, but factual, a reference as possible when asked to do so. It may be appropriate for the school to continue to provide work for the student during a transition period, and this decision is left to the discretion of the Head.

Neither the school nor the local authority is legally required to arrange for an excluded student to take a public examination that occurs during the exclusion, although some may choose to arrange for this, either on school premises or elsewhere. Where a parent has concerns about their child missing a public examination, they should raise these with the school.

12. Recording and monitoring

Where the sanction imposed is fixed period or permanent exclusion, the written record on the investigation will be placed on the student's file.

Details of the fixed period or permanent exclusion will be recorded on the School's Student's behaviour record.

School registers

A student's name will be removed from the school admission register only after the statutory appeals window has fully closed (15 school days from notification without an appeal lodged), or immediately following a final Panel decision not to reinstate the student. In strict compliance with the School Attendance (Pupil Registration) (England) Regulations 2024 and our obligations under Independent School Standard 15, the school will make a mandatory statutory return to the local authority immediately upon removing a permanently excluded student from our roll. This notification will provide the student's future educational destination, current residential address, and all data required under local Children Missing Education (CME) tracking protocols.

Appendix A: Statutory Legislation and Guidance

This policy has been drafted with due regard to statutory legislation, regulations, and departmental guidance, including:

- **The Education (Independent School Standards) Regulations 2014**, specifically Part 1 (Quality of Education), Part 3 (Standard 9 - Behaviour; Standards 16A & 32A - Restrictive Interventions), Part 6 (Provision of Information), Part 7 (Standard 33 - Complaints and Appeals), and Part 8 (Standard 34 - Quality of Leadership and Management).

- **Keeping Children Safe in Education (2026)** (DfE statutory guidance).
- **Working Together to Safeguard Children (2026)** (DfE statutory guidance).
- **The School Attendance (Pupil Registration) (England) Regulations 2024** and **Working Together to Improve School Attendance**.
- **The Equality Act 2010**
- **The Children and Families Act 2014**
- **DfE Departmental Advice**: *Behaviour in Schools (2022)*, *Searching, Screening and Confiscation (2022)*, and *Restrictive Interventions, including Use of Reasonable Force, in Schools*

This policy is also written with regard to, but with some deviation (due to the independent status of Canbury and the limited support from Local Authorities for independent schools), 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' and the Special educational needs and disability code of practice: 0 to 25 years Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf