Policy

Shaftesbury Education

March 2026

# Exclusion and Suspension Policy

| This document relates to | |
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| Shaftesbury Education | ✓ |



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# 1. General Principles

## 1.1 The purpose of this policy

Shaftesbury Education's settings – Shaftesbury Nash College, Shaftesbury Millie College and Shaftesbury Victoria School – use positive behaviour strategies to support students in their day-to-day learning and to respond to behaviours of concern.

In situations where all other support and behaviour management strategies have been exhausted, or an incident requires formal intervention, this policy sets out the procedures that will be followed.

## 1.2 Basis for this policy

This policy applies to 14-16 learners, FE learners and apprentices, and adults undertaking further education (FE) courses and refers to on-campus and online learning. All of these types of learner will be referred to as 'students' in this document. With regard to this policy, it is important to note that school/college hearings are not legal hearings and school/college investigations are not legal investigations, legal rules of evidence do not apply, and it is not therefore necessary to use the legal test of 'beyond reasonable doubt'.

However, at every stage staff should endeavour to reach a fair decision based on the balance of probabilities as to whether the evidence available proves the case being made against the student.

Reference to communication with, and involvement of, parents apply to all students who are under 18, or who turn/have turned 18 within the academic year. Parents must also be included in all actions where the student is known to be vulnerable due to identified learning difficulties or disabilities, including identified mental ill health. In the event of an apprentice being involved in a disciplinary situation, his or her employer will also be informed at the first opportunity.

# 2. Stage One – Strategy Prior to Formal Intervention

Shaftesbury Education uses positive behaviour strategies which will under normal circumstances allow all students to access their learning requirements on a day-to-day basis without recourse to sanctions and punishments.

If the behaviour of a young person becomes a concern, the Pastoral Team, led by the Head of Student Support, will engage with the student using positive behaviour support strategies. The class teacher/lecturer will ensure all necessary information on the School/College tracking



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system is reviewed. Supportive discussions are held with students; parents/carers or employers are contacted, and students are closely tracked and monitored by relevant staff. Any student support needs are identified and fully understood, and support provided, as practicable. Support and support plans will be discussed at Annual Review.

# 3. Stage Two – Formal Intervention

On rare occasions there is a need to temporarily halt a provision, such as where a student puts themselves and others at risk of serious harm and injury. In this instance the school/college maintains the right to use an exclusion procedure designed to create time for placement review and assessment. This is referred to as a Fixed Term Exclusion.

Exclusion or suspension is considered as an action that will only be taken when all other support interventions and behaviour management strategies have not been successful in supporting the pupil or student to demonstrate higher quality conduct and behaviour.

## 3.1 Fixed Term Exclusion also known as Suspension[1]

The decision to implement any exclusion or suspension will be taken by the College Principal or Head in the following circumstances.

## 3.2 Criteria:

- In response to a serious breach(es) of the setting's Positive Behaviour Policy.
- Allowing the student to remain in school or college would be seriously detrimental to the education or welfare of the student or to that of others until further plans / adjustments are implemented for their safe return.
- Exclusion is the appropriate consequence within the Positive Behaviour Management Policy because of the seriousness of the incident or the student's failure to respond positively to their Individual Behaviour Support Plans (IBSPs).

[1] The term suspension is a reference to what is described in the legislation as an exclusion for a fixed period.



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## 3.3 Procedure:

- The College Principal or Head considers exclusion is appropriate
- Contact will be made with parents/carers on the day of the exclusion and a letter sent detailing reason/duration/re-admission meeting and any further advice.
- Staff to be informed of period of exclusion during morning briefing and reminded similarly on the morning of the student's return.
- Re-admission: after exclusion of up to 5 days, subject to the Principal or Head (or designated Deputy's) satisfaction that safe re-admission is possible.
- A meeting will be held as soon as possible between the student, parent /carers and relevant staff to review the placement and advise that the placement has become at risk.
- For exclusions over 2 days, or in the case of more than one incident of extreme behaviours of concern, a placement may be recorded as 'At Risk'.
- Where a placement has been noted as 'At Risk' the Local Authority will be notified and a multi-agency or Best Interest meeting requested within 10 working days. The outcome of this will depend on the individual situation and may include:
    - A review of the EHCP Outcomes for the young person and EHC needs assessment.
    - An early review of the package of support for the young person to consider what or if any reasonable adjustments may be made to support the provision.
    - A decision to cease an EHC plan.
    - Further multi-agency work.

## 3.4 Fixed Term Exclusion – Immediate Removal

- Only the College Principal or Head is able to make this decision.
- A student can be removed from college for one day or less under emergency conditions and without a prior hearing to ensure the safety of the site, students, staff and self without the placement being considered at risk.



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# 4. Stage Three – Permanent Exclusion (Cessation of Placement)

## 4.1 Criteria:

- This is the final step in the process for dealing with dangerous occurrences that have been targeted within the IBSP and after a range of planning meetings have been exhausted without a manageable deterioration in serious incidents.
- It is the appropriate response to serious offences, such as those involving extreme threat to the welfare of staff and/or students or themselves.

## 4.2 Procedure:

1. College Principal or Head considers permanent exclusion is appropriate sanction
2. Only the College Principal, Head, or their delegated Deputy in their absence, can authorise this type of exclusion.
3. A standard format for exclusion letters is followed in the first instance and sent to student/parents/carers/funding agencies.
4. A Stage Three Panel Meeting is convened within 10 College term days from the date of the exclusion letter to consider the permanent exclusion
5. Outcome decision of the Stage Three Panel meeting is communicated to student/parents/carers/funding agencies (either confirming or over turning the decsion to Permanently Exclude)
6. If the decision of the Stage Three Panel Meeting was to overturn the decision to Permanently Exclude then the student will be re-instated and a reintegration plan will be agreed with the student/parents/carers
7. If the decision of the Stage Three Panel Meeting was to uphold the decision to Permanently Exclude then an Appeal can be made within five working days of the written notification of the decision has been upheld
8. After the appeal period has ended the Local Authority/funding agencies will be notified of cessation of placement.
9. Student removed from roll.



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### 4.3 Permanent Exclusion Immediate Removal

Only the College Principal or Head is able to make this decision. Where there are exceptional circumstances and it is not appropriate to implement other strategies, and where it could be appropriate to permanently exclude a student for a first or 'one-off' incident. These might include:

- Serious actual or threatened violence against another pupil/student or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon[2]
- Arson

Shaftesbury Education will consider police involvement for any of the above offences.

# 5. The Stage Three Panel Meeting

The purpose of the Stage Three Panel Meeting is to ensure that the decision to permanently exclude is independently[3] scrutinized to certify that the decision was balanced and reasonable.

The Stage Three Panel will consist of a Chair who is a member of Senior Leadership Team (this might be from another Liveability service) accompanied by the College Principal or Head. Other colleagues may also be invited to attend at the discretion of the Chair. The opportunity to attend will also be offered to all students or vulnerable adults and parents or carers (who may represent the student if appropriate to do so).

The Chair will take overall responsibility for the outcome (which can be either to uphold the decision to permanently exclude or to overturn the decision to permanently exclude). The Chair will also be responsible for ensuring the meeting is conducted in a manner and to a structure that is most likely to facilitate a fair hearing to allow a balanced judgment to be made, with opportunities to hear the student's views and for the student to ask further questions.

Administrative support will be present to take minutes. For apprentices, employers may also be invited to share their views.

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[2] Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him."

[3] Independently from the decision maker (this is an internal Shaftesbury process).



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### 5.1 Attendees

For students who are under 18 and those classed as vulnerable adults, the parents/carers will be invited to attend. If the student is over 18 years of age, they may opt to bring a 'friend' in place of parents. For this purpose, a friend/representative may be a Student Union representative, or another member of the College of the student's choosing. The friend or representative may not be a solicitor or barrister, or a legally qualified representative.

All parties (including employers of apprentices) will be given five working days' notice of the panel meeting. Requests to change the date are granted only at the discretion of the Chair.

No electronic recording devices are allowed at these meetings, unless organised by the College. Where a recording is made, a copy will be provided by the College to the student or their representative.

# 6. Appealing a Permanent Exclusion

The only right of appeal is against a permanent exclusion and this only if additional evidence is made available which was not known at the Stage Three Panel meeting or if the College has not followed correct procedures. There is no right of appeal against any other process within the policy, although the College Complaints Procedure applies if students feel they have been wrongly treated.

An appeal will be considered by the Principal and Director for Education who has the right to delegate this responsibility to another member of the College Executive, as required.

Appeals should be made in writing to the Transition Manager for the attention of the Principal or Head and setting out the reasons for the appeal and should be received within five working days of the notification of permanent exclusion has been upheld following the Stage Three Panel Meeting. At the discretion of the Principal and Director for Education there may be an appeal meeting, which would normally take place within 10 working days of receipt of appeal. The Principal and Director for Education will respond to all appeals within 15 working days of receipt of appeal. Where an appeal is upheld, the exclusion will be revoked without any detriment to the student. Where an appeal is not upheld the decision of the Principal and Director for Education is final and there is no further right of appeal.



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# 7. Alternatives to Permanent Exclusion

As described earlier in this document, alternative strategies to permanent exclusion are always used if possible and the threat of a permanent exclusion will never be used as the means to coerce parents/carers to move their young person to another setting.

# 8. Making a Decision to Exclude

Examples of behaviours in this document are not exhaustive but indicate the severity of such incidents and the fact that such conduct and behaviour seriously affects the discipline and wellbeing of the setting. Before deciding whether to exclude a student either permanently or for a fixed period the College Principal or Head will ensure that:

- Appropriate investigations have been carried out.
- All evidence available to support the allegations has been collated, taking into account Shaftesbury Education Positive Behaviour Policy and Equality & Diversity Policy.
- The student has been allowed to give their version of events.
- There is no evidence which may indicate that the incident may have been provoked, for example by bullying or by racial or sexual harassment.
- The initial decision to permanently exclude has been appropriately communicated in a timely manner by the Head or College Principal to the Chair of the Local Advisory Board (LAB) and the Executive Director for Education.
- Consideration has been given to any reasonable adjustments that could be made to avoid exclusion.

## Exercise of discretion

In reaching a decision on temporary or permanent exclusion, the College Principal or Head will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate. However, permanent exclusion may be considered on the basis of cumulative impact over time. It may also be considered during an investigation for serious incidents relating to health and safety or safeguarding.



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In considering whether permanent exclusion is the most appropriate sanction, the Head/College Principal will consider:

- The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Positive Behaviour Policy.
- The effect that the pupil/student remaining in college would have on the education and welfare of other pupils/students and staff.

If it is judged that, on the balance of probabilities, the pupil/student did what they are alleged to have done, exclusion will be the likely outcome.

# Fees in the Event of Suspension or Exclusion

In the event of a student's suspension or exclusion there is no automatic refund of fees.



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## Policy Ownership

| Name | Version |
|---|---|
| Exclusion and Suspension Policy | 3.2 |

| Date published | Date for next review |
|---|---|
| March 2026 | March 2027 |

| Approved by | Signature | Date |
|---|---|---|
| Shaftesbury Safeguarding and Services Quality Committee | | March 2026 |

| History | Date | Author | Reason |
|---|---|---|---|
| v1.0 | November 2022 | Adele Audin | New Policy |
| v2.0 | February 2023 | Adele Audin | Clarity Edit |
| v3.0 | March 2024 | Martin Bentham | Update |
| v3.1 | March 2025 | Thomas Guy | Rebrand |
| v3.2 | March 2026 | Adele Audin | No changes required |



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