



# The Attic PRU

## *Relationships and Behaviour Policy*

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<b>Named Manager Reviewing</b>	Karen Lodge
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### 1. Aims

This policy aims to:

- Ensure that all Attic staff recognise behaviour either positive or negative is a form of communication and that poor behaviour will be addressed restoratively in the first instance and in accordance with this policy.
- Ensure that response to poor behaviour is proportionate, dealt with on an individual basis and in line with current legislation.
- To create a culture of exceptionally good behaviour for learning that transfers to the community and life.
- To ensure all are treated fairly, shown respect and positive relationships are promoted by staff and students.
- To support all to take control over their own behaviour and take responsibility for the consequences.
- To build a community which values kindness, good humour, empathy for others, compliance and positive engagement.
- To promote community cohesion based on improved relationships based on the school values of Love, Inspire, Hope and Freedom.
- To ensure inclusion is prioritised and prejudice and intolerance is challenged.
- To ensure that excellent behaviour and conduct is an expectation for all.
- To promote the use of positive language and verbal de-escalation techniques.
- To adopt and implement a restorative approach to negative behaviours.

## 2. Legislation and statutory requirements

This policy is based on advice from the Department for Education (DfE) on:

- [Behaviour and discipline in schools](#)
- [Searching, screening and confiscation at school](#)
- [The Equality Act 2010](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)

It is also based on the [special educational needs and disability \(SEND\) code of practice](#).

In addition, this policy is based on:

- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its pupils
- Sections 88-94 of the [Education and Inspections Act 2006](#), which require schools to regulate pupils' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate pupils' property
- [DfE guidance](#) explaining that maintained schools should publish their behaviour policy online

### 3. Definitions

**Misbehaviour** is defined as:

- Disruption of the school community including lessons, break and lunchtimes or the wider school community.
- The use of Inappropriate and/or offensive language directed at others.
- The refusal to follow staff requests or direction.
- Leaving class without justification or agreement
- Aggressive and threatening language or behaviours

**Serious misbehaviour** is defined as:

- Repeated and sustained breaches of the school rules
- Physical assault
- Any form of bullying
- Sexual assault, which is any unwanted sexual behaviour that causes humiliation, pain, fear or intimidation
- Vandalism
- Theft
- Fighting
- Smoking
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco and cigarette papers or related smoking paraphernalia
  - Fireworks
  - Pornographic images
  - Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil)

4. Bullying See Anti-bullying policy at <https://theatticpru.org.uk/ourpolicies>

**Bullying** is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power. **Please refer to The Attic Anti-Bullying policy**

Bullying can include:

Type of bullying	Definition
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
Racial	Racial taunts, graffiti, gestures
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites

Details of our school's approach to preventing and addressing bullying are set out in our anti-bullying strategy policy.

## 5. Roles and responsibilities

### 5.1 Management Committee

The Management Committee is responsible for reviewing and approving the written statement of behaviour principles (**appendix 1**).

The Management Committee will also review this behaviour policy in conjunction with the Headteacher and monitor the policy's effectiveness, holding the Headteacher to account for its implementation.

The named Manager responsible for monitoring the policy's effectiveness is: \*Karen Lodge The chair of the management committee.

\*Will be amended when a manager is appointed

### 5.2 The Headteacher

The Headteacher is responsible for reviewing this behaviour policy in conjunction with the Management Committee and named Manager \*Karen Lodge giving due consideration to the school's statement of behaviour principles. The Headteacher will also approve this policy.

\*Name of manager will be amended when appointed

The Headteacher will ensure that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour, and will monitor how staff implement this policy to ensure rewards and sanctions are applied consistently.

### 5.3 Staff - Please see The Attic PRU staff conduct policy at <https://theatticpru.org.uk/>

Staff are responsible for:

- Implementing the behaviour policy consistently
- Modelling positive behaviour, conduct and relationships
- Providing a personalised, inclusive and dynamic approach to support the specific behavioural needs of particular students
- Resolution of issues through restorative practise and language
- Recording behaviour incidents using the schools electronic logging system.

The senior leadership team will support staff in responding to behaviour incidents in line with the schools aims and expectations as detailed in this policy.

### 5.4 Parents and Carers

Parents are expected to:

- Support their child in adhering to the Behaviour and Relationship code of conduct
- Inform the school of any changes in circumstances that may affect their child's behaviour, conduct or ability to engage with school appropriately.
- Discuss any concerns with staff freely

## **6. code of conduct**

All students attend an induction meeting where the expectations of behaviour, conduct and engagement are made explicit to all. Baseline behaviour data measured using our \*BESST (behaviour, emotional, social and communication, self-evaluation and teaching and learning skills) assessment and risk assessments along with academic data are used to develop a \*Personal Action Plan (PAP) with targets and strategies to support each student.

\*See glossary of terms appendix

### **6.1 Students are expected to:**

- Behave appropriately
- Be polite and respectful to staff and each other
- In class, make it possible for all students to learn
- Move in an orderly fashion around the school community
- Avoid inappropriate language and aggressive behaviours.
- To be in the right place at the right time
- Respect the school environment and property.
- Take responsibility for own behaviour and accept consequences
- Refrain from behaving in a way that brings the school into disrepute, including when outside school, on school trips and with visitors.

The staff have a crucial role and responsibility to model the expectations expected of our learners. These standards are set out in the teacher's standards and the TA professional standards as well as upholding the ethos and values of Attic PRU

### **6.2 The school and Staff aim to:**

- Create a positive learning environment with realistic, achievable and aspirational expectations.
- Promote and celebrate academic success
- Model through example the importance of feeling and being valued as an individual within the school community
- Encourage positive relationships based on kindness, respect and empathy for others.
- Ensure fair treatment for all, regardless of age, gender, race, religion, ability, sexual orientation and disability.
- Adopt and implement a restorative approach to resolving conflict and behaviour issues where appropriate
- Use positive language and de-escalation techniques to support a learner in managing challenges and conflicts.
- Empower learners to reflect on their actions and encourage them to work positively with staff and keyworkers to identify strategies that allow them to make appropriate choices.

## **7. Rewards and consequences**

The positive ethos of the school's approach to behaviour and relationships is central to the implementation of creating a culture of excellent behaviour, conduct and relationships. Attic recognises that incentive based positive reward and recognition of excellent behaviour is paramount to engagement and the culture of celebration is inherent throughout Attic. The aim is to inspire our learners to make positive changes to their behaviours, manage their emotions, accept consequences and transfer these skills into their wider lives beyond the school community, enhancing their relationships and opportunities to reach their full potential.

### **7.1 List of rewards and consequences**

Positive behaviour will be rewarded with:

- Praise both private and public
- Use of positive non-verbal communication e.g thumbs up
- Positive posts and notes
- Letters, postcards or phone calls home to parents
- Special responsibilities/privileges
- Displaying work
- Prizes and vouchers
- Positive parental meetings
- School trips/excursions
- Class DOJO reward system
- Reward charts

The school may use one or more of the following consequences in response to unacceptable behaviour. The aim is to promote students taking responsibility for their actions and where possible staff will adopt a restorative approach to the resolutions of issues regarding individual behaviour where appropriate and relevant.

- A verbal reminder
- A restorative conversation or meeting
- Completing work in a room other than the classroom
- Expecting work at break or lunchtime
- Referring the student to a senior member of staff
- Letters or phone calls home to parents/carers
- Agreeing a behaviour contract
- Implementing a de-escalation plan
- Retreat or Reflection time out
- Community service
- Fixed term exclusion
- Refer to an external agency or support service for intervention work.

## **7.2 Exclusion (see Appendix 4 )**

### **7.3 Off-site behaviour**

Consequences may be applied where a student has misbehaved off-site when representing the school, such as on a school trip or in a taxi on the way to or from school.

### **7.4 \*The Restorative Approach (See Appendix 2)**

The Attic staff are committed to the use a Restorative approach to promote excellent behaviour and conduct. This approach to resolving conflict focuses on repairing the harm caused that involves all parties in a fair and consistent manner.

### **7.5 Malicious allegations**

Where a student makes an accusation against a member of staff and that accusation is shown to have been malicious, the Headteacher will discipline the student in accordance with this policy.

Please refer to our \*safeguarding policy/statement of procedures for dealing with allegations of abuse against staff for more information on responding to allegations of abuse.

<https://theatticpru.org.uk/ourpolicies/safeguarding>

The Headteacher will also consider the pastoral needs of staff accused of misconduct.

If in the event an allegation is made against the Headteacher it will be referred to the Chair of the Management Committee Karen Lodge

## **8. Behaviour management**

### **8.1 Classroom management**

Teaching and support staff are responsible for setting the tone, culture and context for positive behaviour and conduct within the classroom.

They will:

- Create and maintain a stimulating environment that encourages students to be engaged
- Provide appropriate and personalised resources
- Display the student code of conduct or their own classroom rules
- Develop a positive relationship with students, which may include:
  - Greeting students in the morning/at the start of lessons
  - Establishing clear routines
  - Communicating expectations of behaviour in ways other than verbally
  - Highlighting, modelling and promoting good behaviour
  - Concluding the day positively and starting the next day afresh
  - Having a plan for dealing with low-level disruption
  - Using positive reinforcement and reward
  - Using restorative practises

## 8.2 Physical restraint

Please see <https://theatticpru.org.uk/ourpolicies/>

All staff are trained in Team Teach physical restraint.

In some circumstances, when other appropriate strategies have been exhausted, staff may use reasonable force to restrain a student to prevent them:

- Causing disorder
- Hurting themselves or others
- Damaging property

Incidents of physical restraint must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded and reported to parents

## 8.3 Confiscation

**Any prohibited items (listed in section 3) found in pupils' possession will be confiscated.** These items will not be returned to pupils.

We will also confiscate any item which is harmful or detrimental to school discipline. These items will be returned to students after discussion with senior leaders and parents or carers, if appropriate.

The police will be notified in the case of incidents that involve knives or pornography and they will confiscate these items in the first instance.

Searching and screening students is conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

## 8.4 Student support

The school recognises its legal duty under the Equality Act 2010 to prevent students with a protected characteristic from being at a disadvantage. Consequently, our approach to challenging behaviour will be differentiated to cater to the needs of the student.

As part of the school's induction process the Special Educational Needs Co-ordinator (SENCO) produces a Pupil Action Plan (PAP) and completes a range of assessments with every student to identify any unmet needs and triggers to challenging behaviours. The PAP provides an overview of this information and includes personalised strategies for staff and student to implement to encourage positive behaviours based on knowledge of the individual student. Further information regarding these processes can be found in our SEND Information policy, SEND policy, Admissions policy and Assessment policy; these can be found on the Attic website <https://theatticpru.org.uk/our-policies/>

Where necessary, support and advice will also be sought from other professionals which may include: Specialist Teachers, an Educational Psychologist, Early Help, Youth Offending, Educational Welfare Officer (EWO), Inclusion Facilitator, medical practitioners and/or others, to identify or support specific needs. This is completed in partnership with parents and carers and any plan that is implemented is reviewed on a regular basis.

## **9. Student transitions**

### **Into The Attic**

Students are referred to The Attic for a variety of reasons including school refusal, permanent exclusion or being at risk of permanent exclusion from mainstream school. Students may also be referred to at the Attic at any time within the school year. Consequently, it is essential that we support each student to make the transition into Attic successful. In order to achieve this, we gather information and views from the students, parent or carer, dual registered school (if applicable) and any other professionals that have been working with the student to develop a PAP. This information is shared with all staff prior to the student attending Attic, so that staff are informed on the best strategies to support the student. Every student is allocated a Key Worker to work closely with the student and their family. Further information can be found in our Admissions policy on the Attic website. <https://theatticpru.org.uk/our-policies/>

### **To Mainstream School**

Our aim wherever possible is to support our students to return to a Mainstream school. In order for this to be successful, we share the student's PAP once every half term whilst the student attends Attic, with the mainstream school and parents and carers. The school and parents and carers are invited to comment on the progress that the student has made and the school and parents and carers are also invited to two review meetings each year. When it is considered that the student has developed the skills necessary to be successful in a mainstream school, we start a transition back into the mainstream school which will be at the pace that is right for each student. All of the parties we meet regularly to review the transition and listen to the views of the student and when all parties feel that that transition is successful the student will return to the mainstream school for their educational provision.

### **Post-16**

We work with our students to facilitate a successful transition to a post-16 provision. This is supported by visits to post-16 provisions throughout year 11, accompanying students to taster days and sharing information with the post-16 providers that will help to support the student. Once the student has enrolled at a post-16 provision our Family Engagement Officer makes regular checks with the student and family during the first half term of post-16 and offers support to students where necessary.

## **10. Training**

We recognise that providing staff with appropriate training is a key factor in enabling staff to support our students effectively. As part of our ongoing CPD (continuing professional development) the following training has been delivered to understand and support behaviour and is regularly revisited:

De-escalation and positive handling – Team Teach

Transactional Analysis 101 - Giles Barrow

Human Toolbox – Vivienne Berry

Thrive – <https://www.thriveapproach.com>

Staff are also actively encouraged to source their own training interests and requirements and are supported where possible to do this.

### **11. Monitoring arrangements**

This Relationships and Behaviour policy and the written statement of behaviour principles will be reviewed annually by the Deputy Headteacher and Karen Lodge and amendments made where necessary. The policy will then be ratified by the Management Committee once the reviewed policy has been approved.

### **12. Links with other policies**

All policies can be found on the Attic website <https://theatticpru.org.uk/our-policies/>

This behaviour policy is linked to the following policies:

- Safeguarding policy
- SEND policy
- SEND Information Report
- Assessment policy
- Admissions policy
- Positive Handling policy
- Staff conduct policy

## **Appendix 1**

### **A written statement of behaviour principles**

All staff recognise that ALL behaviour either positive or negative is a form of communication, however poor behaviour will be addressed in the first instance in accordance with this policy.

- Every student understands they have the right to feel safe, valued and respected, and learn free from the disruption of others
- All students, staff and visitors are free from any form of discrimination
- Staff and volunteers set an excellent example to students at all times
- Rewards, sanctions and reasonable force are used consistently by staff, in line with the behaviour policy
- The behaviour policy is understood by students and staff
- The exclusions policy explains that exclusions will only be used as a last resort, and outlines the processes involved in permanent and fixed-term exclusions
- students are supported to take responsibility and accept the consequences of their actions.
- Families are involved in behaviour incidents to foster good relationships between the school and students' home life

The Management Committee also emphasises that violence or threatening behaviour will not be tolerated under any circumstances.

This written statement of behaviour principles is reviewed and approved by The Management Committee annually.

## **Appendix 2**

### **A Restorative Approach**

**Restorative practice** is a way of working with conflict that puts the focus on repairing the harm that has been done. It is an **approach** to conflict resolution that includes all of the parties involved. The Attic uses a restorative approach to inappropriate behaviour and conduct this promotes good behaviour and resolves unacceptable behaviour in a fair and consistent way. It promotes positive relationships, conflict resolution and supports students in taking ownership over their own behaviour and accepting the consequences of their actions. This approach is inherent throughout The Attic and contributes to a positive culture and whole school ethos and approach to conflict resolution.

#### **Restorative Practice in Schools is about:**

- building safer schools and positive learning environments
- changing behaviour not punishing. Restorative not punitive
- adults modelling restorative approaches and appropriate conduct and behaviours
- finding ways to repair harm
- building community cohesion

#### **Why use a restorative approach?**

- Consequences doesn't meet needs of those who suffered
- May be kudos or 'street cred' attached to the consequence
- Individuals don't have to face full effects of actions
- Individuals may feel isolated and it may be difficult for them to get back into school community, making rule-breaking more attractive
- If negative behaviour persists, student may be pushed down a road of exclusion and marginalisation. They may be removed from school, but remain a problem in the wider community

#### **Restorative Questions 1**

To respond to challenging behaviour:

- What happened?
- What were you thinking about at the time?
- What have your thoughts been since?
- Who has been affected by what you did?
- In what way have they been affected?
- What do you think you need to do to make things right?

#### **Restorative Questions 2**

To help those harmed by others' actions:

- What did you think when you realised what had happened?

- What have your thoughts been since?
- How has this affected you and others?
- What had been the hardest thing for you?
- What do you need to do to make things right?

### Appendix 3

#### A glossary of terms

<b>Acronym</b>	<b>Full Name</b>
BESST	Behaviour, emotional, social, self-assessment and teaching and learning skills assessment
EHCP	Education Health and Care Plan
EWO	Educational Welfare Officer
PAP	Pupil Action Plan
PEP	Personal Education Plan
SENCO	Special Educational Needs Co-ordinator
SEND	Special Educational Needs and Disability

## Appendix 4

### Exclusions

#### Aims

The Attic aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by the Management Committee, staff, parents, carers and students
- Students in school are safe and happy
- Students 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: Exclusion 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 Exclusions and Reviews) (England) Regulations 2012

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

#### The decision to exclude

Only the Headteacher, or Acting Headteacher, can exclude a student from school. A permanent exclusion will be taken as a last resort.

The Attic is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

"...the practice of removing a student from the school roll without a formal, permanent exclusion or by encouraging a parent or carer to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the student."

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

A decision to exclude a student will be taken only:

In response to serious or persistent breaches of the Attic's Relationship and 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 Headteacher will:

Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked

Allow the student to give their version of events  
Consider if the student has special educational needs (SEN)

## **Definition**

For the purposes of exclusions, 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 Headteacher**

#### **Informing parents**

The Headteacher will immediately provide the following information, in writing, to the parents or carers of an excluded student:

The reason(s) for the exclusion

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

Information about parents' or carers right to make representations about the exclusion to the Management Committee and how the student may be involved in this

How any representations should be made

Where there is a legal requirement for the Management Committee to meet to consider the reinstatement of a student, and that parents or carers have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The Headteacher will also notify parents or carers by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, 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 or carers may be given a fixed penalty notice or prosecuted if they fail to do this.

If another form of alternative provision is being arranged, the following information will be included when notifying parents or carers of an exclusion:

- 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 student 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 an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' or carers consent.

#### **Informing the Management Committee and Local Authority**

The headteacher will immediately notify the Management Committee and the Local Authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is followed by a decision to permanently exclude a student
- Exclusions which would result in the student being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the student missing a public examination

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

For all other exclusions, the Headteacher will notify the Management Committee and LA once a term.

## **The Management Committee**

Responsibilities regarding exclusions are delegated to the Management Committee consisting of at least 3 managers.

- The Management Committee has a duty to consider the reinstatement of an excluded student (see section 6)
- Within 14 days of receipt of a request, the Management Committee will provide the secretary of state and the LA with information about any exclusions in the last 12 months.
- For a fixed-period exclusion of more than 5 school days, the LA will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of the exclusion.

## **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 student**

The Management Committee will consider the reinstatement of an excluded student within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a fixed-term exclusion which would bring the student's total number of school days of exclusion to more than 15 in a term
- It would result in a student missing a public examination or national curriculum test
- If requested to do so by parents or carers, the Management Committee will consider the reinstatement of an excluded student within 50 school days of receiving notice of the exclusion if the student would be excluded from school for more than 5 school days, but less than 15, in a single term.

Where an exclusion would result in a student missing a public examination, the Management Committee will consider the reinstatement of the student before the date of the examination. If this is not practicable, the chair of the Management Committee (or the vice-chair where the chair is unable to make this consideration) will consider the exclusion independently and decide whether or not to reinstate the student.

The Management Committee can either:

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

In reaching a decision, the Management Committee will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the Headteacher 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 student's educational record.

The Management Committee will notify, in writing, the Headteacher, parents or carers and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the Management Committee decision will also include the following:

- The fact that it is permanent
- Notice of parents' or carers' 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 student's SEND are considered to be relevant to the exclusion
- That, regardless of whether the excluded student has recognised SEND, parents or carers have a right to require the Local Authority to appoint an SEND expert to attend the review
- Details of the role of the SEND expert and that there would be no cost to parents or carers for this appointment
- That parents or carers must make clear if they wish for a SEND expert to be appointed in any application for a review
- That parents or carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents or carers may also bring a friend to the review

That if parents or carers believe that the exclusion 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 or carers apply for an independent review, the LA will arrange for an independent panel to review the decision of the Management Committee not to reinstate a permanently excluded student.

Applications for an independent review must be made within 15 school days of notice being given to the parents or carers by the Management Committee of its decision to not reinstate a student.

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 Management Committee category and 2 members will come from the headteacher 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
- School 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 Headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

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

- Are a member of The Attic or Management Committee of the Attic.
- Are the Headteacher of the Attic, or have held this position in the last 5 years
- Are an employee of the Attic or the Management Committee, (unless they are employed as a Headteacher at another school)
- Have, or at any time have had, any connection with the Attic school, Management Committee, parents or carers or student, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years.

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the Management Committee's decision
- Recommend that the Management Committee reconsiders reinstatement
- Quash the Management Committee'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 student's name will be removed from the school admissions register if:

- 15 school days have passed since the parents or carers were notified of the exclusion panel's decision to not reinstate the student and no application has been made for an independent review panel, or
- The parents or carers 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 Management Committee will wait until that review has concluded before removing a student's name from the register.

Where alternative provision has been made for an excluded student 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.

## **Returning from a fixed-term exclusion**

Following a fixed-term exclusion, a re-integration meeting will be held involving the student, parents or carers, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a student returns from a fixed-term exclusion

- Targets will set with the student for the student
- Strategies will be implemented following discussion with the student and parents or carers
- The student's de-escalation plan will be amended if necessary
- Identify any barriers to learning
- Identify any known triggers and discuss how to manage these

### **Monitoring arrangements**

The Deputy Headteacher monitors the number of exclusions every term and reports back to the Headteacher and the Management Committee. They also liaise with the local authority to ensure suitable full-time education for excluded students.

### **Independent review panel training**

The LA 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 exclusions, 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 Headteachers, Management Committees 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