



Exclusions Policy

Introduction

At our schools, we expect all adults within the school community, including governors, parents/carers and visitors, to be positive role models for all our pupils showing respect for the school rules and Christian ethos, to reinforce the welcoming and safe environment we promote.

We aim to be a proactive school, rather than a re-active school. As such, we endeavour to provide a happy, caring Christian environment whereby everyone feels confident, safe and valued. We praise positive behaviour and reward children appropriately, showing recognition for sensible choices made to create harmony, peacefulness, support and mutual respect for one another. We teach our children to behave in God's image and to seek inspiration from Him so that school is a highly positive experience for everyone.

This policy should be read in conjunction with the school Anti-bullying Policy and Attitudes, Behaviour and Discipline Policy, plus other relevant safeguarding policies e.g. Child Protection Policy, Acceptable Use Policy for ICT, Restraint of pupils, Equal Opportunities and the child-friendly Anti-bullying Policy which our pupils have created.

This policy will only apply when all other methods outlined in our policies have been followed. The school follows the 'Exclusion from maintained schools, academies and pupil referral units in England Statutory Guidance for those with legal responsibilities in relation to exclusion'. (February 2015).

Supporting Pupils to Succeed

We aim to include, 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 go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.

We will use behaviour logs to assess patterns of challenging behaviour in pupils. Where patterns emerge we will systematically intervene, drawing up an action plan with the child, parent and teacher. The Head of School and link governor for behaviour monitoring has overall responsibility for analysing and sharing data with class teachers. It is class teacher's parent's and the child's responsibility to ensure the action plan is followed.

No exclusion will be initiated without first attempting other strategies or, in the case of a serious single incident, a proper investigation.

Reasons for Exclusion

A decision to exclude a pupil, either internally, for a fixed period or permanently is seen as a last resort by the school. The physical and emotional health of our children and staff is our primary concern, and we therefore accept, that in some serious situations, exclusion may be necessary, if all other strategies have been exhausted.

The decision to exclude will usually follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of school rules and policies or a disciplinary offence such as:

- Serious actual or threatened violence against another pupil or a member of staff;
- Possession or use of an illegal drug on school premises;
- Persistent bullying;
- Persistent prejudice based harassment or hatred based acts

Exclusion may be the result of persistently poor behaviour or a serious single incident.

High level disruption

This can include:

- Acts of violence and aggression towards other children or adults in school
- Leaving the school premises without permission
- Persistent behaviour which seriously harms the education, welfare or safety of other children
- Persistent and deliberate refusal to engage in the planned learning activities or follow instructions of staff members
- Persistent and deliberate lack of respect to other people (refusal, answering back, inappropriate use of language or force.)
- Persistent and deliberate lack of respect for property belonging to other people, (taking without consent, defacing or damaging.)

If high level disruption continues, despite the normal school systems being applied, parents will be notified by letter and if necessary, invited into school to attend a behaviour conference. A Social, Emotional and Mental Health Support Plan will be formulated. This will include specific targets and the support to be provided by school and home.

Should the disruptive behaviour still not improve to acceptable standards, the school may seek external support but fixed term or permanent exclusion may result.

If this high level disruptive behaviour is largely or wholly taking place at lunchtime, collection by parents, between 12-1pm may be required in order to safeguard the welfare of the other children and adults. Lunchtime exclusions are treated and recorded as fixed-term exclusions of ½ day.

Fixed Term and Permanent Exclusions

Exclusion is a sanction within the school Attitudes, Behaviour and Discipline Policy; permanent exclusion is the final sanction within the policy.

If the Executive Head teacher is satisfied that, on the balance of probabilities, a pupil has committed a disciplinary offence and needs to be removed from the school site for that reason, formal exclusion is the only legal method of removal.

The Executive Head teacher will conduct a thorough investigation and assess the facts, and give the pupil, either directly or by their parents/carers, the opportunity to respond, before making a decision.

There are four circumstances that a pupil may be required to leave the school premises:

1. If there is sufficient evidence that a pupil has committed a disciplinary offence and the pupil remaining on-site could harm the welfare of him/herself and or others.
2. A pupil is accused of a serious criminal offence but the offence took place outside the school's jurisdiction.
3. For medical reasons a pupil's presence on the site represents a risk to the health and safety of others.
4. The pupil is given permission to temporarily leave the school premises to remedy breaches of the school rules.

The Executive Head teacher, or in the Head's absence the Head of School will decide whether to exclude a pupil for a fixed term period (up to 5 days).

Only the Executive Head teacher may permanently exclude a pupil. This must be reviewed by the Governing Body within 15 days of the exclusion, taking into account all the circumstances, the evidence available and the need to balance the interests of the pupil against those of the whole school community.

Alternatives to exclusion

These may include:

- Restorative justice approach (where the "instigator" redresses the harm caused to the "recipient");
- Mediation (including the use of third parties to resolve conflicts);
- Internal exclusion (moved to another class or from particular activities but kept within the school setting);
- Managed Move (to another school to allow the child to have a fresh start).
- Dual registration with, e.g. Oakfield School.

Reintegration Meetings

The Executive Head teacher must arrange a reintegration meeting with parents/carers and the pupil following a fixed term exclusion. Sometimes it may be helpful for other's involved to attend the meeting.

The meeting should consider:

- How to improve and encourage home-school co-operation
- Plan how problems may be addressed in the future
- If there are wider issues that may have an impact on the child's behaviour in

school

Re-integration Interview

The Executive Head teacher must arrange a reintegration interview with parents during or following the expiry of any fixed period exclusion of a primary-aged pupil. An interview is not necessary where the pupil is leaving school within the period of the exclusion for a reason unconnected with his or her behaviour or where the first day of exclusion falls within the last ten school days in the school year. The pupil should normally attend all or part of the interview. The interview should be conducted by the Executive Head teacher, with the Head of School and nominated governor in attendance.

The purpose of the reintegration interview is to assist the reintegration of the pupil and promote the improvement of his or her behaviour. It provides an opportunity to:

- emphasise the importance of parents working with the school to take joint responsibility for their child's behaviour;
- discuss how behaviour problems can be addressed;
- explore wider issues and any circumstances that may be affecting the child's behaviour;
- reach agreement on how the child's education should continue, how best they can be reintegrated and what measures could be put in place to prevent further misbehaviour; and
- create a useful forum to consider with parents the possibility of a parenting contract.

The interview must be held during the period beginning with the first school day to which the exclusion relates and ending with the fifteenth school day following the day on which the pupil returns to school. The Executive Head teacher must try to arrange the interview for a date and time that is convenient to the parent. If possible the interview should be held on the day the pupil returns to school.

At least one of the child's parents is expected to attend the meeting. A parent's failure to attend will be one factor taken into account by a magistrates' court when deciding whether to impose a parenting order, if at any future date a parenting order has been applied for by the school or local authority.

Schools must keep records of the failure to attend a reintegration interview, and of any explanation given by the parent for failure to attend, as the court may need to see them. However, a fixed period exclusion must not be extended if such an interview cannot be arranged in time or the parents do not attend. The interview must be conducted on school premises. The notice relating to a reintegration interview can be combined with the notice informing the parent of the exclusion or relating to the alternative educational provision that the pupil must attend whilst excluded.

Grounds for a Permanent Exclusion

A decision to exclude a child permanently is serious and will only be taken where the basic facts have been clearly established on the balance of probabilities. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success. Persistent, disruptive behaviour that has an adverse impact on the teaching and learning and/or well-being of others may result in a permanent exclusion. It is an acknowledgement by the school

that it has exhausted all available strategies for dealing with the child and no sustained improvement is demonstrated.

There are, however, exceptional circumstances where, in the Executive Head teacher's judgment, it is appropriate to permanently exclude a child for a first or 'one off' offence. These might include:

serious actual or threatened violence against another pupil or a member of staff;

sexual abuse or assault;

supplying an illegal drug; or

carrying an offensive weapon.

The following factors will be taken into account:

- Is the event in breach of the school's behaviour policy?
- Would allowing the child to remain in school seriously harm the education or welfare of other children or adults in school?
- What other sanctions, as described in the policy, have been used previously and to what effect and whether other sanctions could be used as an alternative to exclusion?
- To what extent the school has previously supported the child and what level of impact this support has had.
- If the child has a diagnosis, e.g. ADHD, ASD, which may be contributing to behaviour problems and to what extent reasonable adjustments have already been made or could now be made? (Evidence could be SEN documentation e.g. EHCP, Individual Behaviour Plan, SEMH Support Plan, Risk Assessments.)
- Are there any circumstances that could mitigate the situation, and how have these been considered?

NB Even if the child does have a recognised diagnosis, a decision to exclude can still be taken.

Penalty notice for excluded pupils

Currently, schools and local authorities are required to make full-time educational provision for excluded pupils from the sixth day of their exclusion. Parents and carers have a duty to ensure their child is not present in a public place during the first five days of exclusion. This requirement applies whether or not the pupil is in the company of the parent. A failure to comply with this requirement is an offence. Parents can be given a fixed penalty notice of £50 if they fail to do this. The penalty payable increases to £100 if unpaid after 28 calendar days, and if this is still unpaid after 42 days the parent will be subject to prosecution for the original offence.

Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal exclusion until the end of the day, implementing the

original exclusion decision from the time the child is collected from school, or, in more severe circumstances the school may contact Social Services and/or the Police to safely take the pupil off site.

After the Decision to Permanently Exclude

Once all considerations have been made, and the decision to permanently exclude has been taken, the school will follow the DFE Guidance 'Exclusion from Maintained Schools, Academies and Pupil Referral Unit in England' (2017).

The school will also ensure that DLAT/Local Authority guidelines are followed, and may take advice as required.

When exclusion is not appropriate

Exclusion will not be used for:

- minor incidents such as failure to do homework or to bring dinner money;
- poor academic performance;
- lateness or truancy;
- pregnancy;
- breaches of school uniform rules or rules on appearance (for example, relating to jewellery, body-piercing, hairstyles, etc.), except where these are persistent and in open defiance of such rules;
- punishing pupils for the behaviour of their parents, for example where parents refuse, or are unable, to attend a meeting;
- protecting victims of bullying by sending them home.

Procedures for review and appeal, Governor & DLAT Responsibilities

The Executive Head teacher must notify the governing body and DLAT of the types of exclusion listed below:

- permanent exclusions;
- exclusions which would result in the pupil being excluded for more than five school days (or more than 10 lunchtimes) in any one term; and
- exclusions which would result in the pupil missing a public examination.

In our schools, the Executive Head teacher reports all exclusions to the governing body as part of the termly Executive Head teacher's report to governors.

Where governing bodies are notified of an exclusion, they must (whether or not the parent requests) review any exclusion which is a permanent exclusion from their school, or a fixed period exclusions that would result in a pupil being excluded for more than 15 school days in any one term, or missing a public examination.

The governing body must decide whether or not to reinstate the pupil, if appropriate, or whether the Executive Head teacher's decision to exclude the pupil was justified/appropriate. The governing body delegates the function of reviewing exclusions to a committee consisting of at least three governors.

The DLAT must make arrangements for Independent Appeal Panels to hear appeals against permanent exclusions where the governing body or management committee upholds the exclusion.

Parent Advice

For further advice parents can visit the following website:

<https://www.gov.uk/school-discipline-exclusions/discipline>

Free legal advice and information on children's schooling and education rights is available from the Coram Children's Legal Centre. Factsheets can be downloaded from the website or an advisor is available to speak to on the phone.

Coram Children's Legal Centre

www.childrenslegalcentre.com

Telephone: 08088 020 008

Monday to Friday, 8am to 8pm

Monitoring

Any exclusions from school will be monitored by the school and Governing Body to guarantee consistency and fairness. They will ensure that no group of pupils is unfairly disadvantaged or discriminated against and that any underlying needs of individuals are met.

The school sees Permanent Exclusion as the very last resort.

J Hopkins 2019