



Barrow CEVC Primary School

Inspire, Create, Discover, Together

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Exclusion Policy

Originated by:	Alison Earl
Reviewed by:	Dawn Marshall
Review date:	February 2019
Distributed to:	All staff, governors & volunteers
Distribution date:	March 2019
Adopted at Governors' Meeting	March 2019
Signature of Chair of Governors:	
Next review date	Spring 2021



Purpose of this policy

This policy is designed to briefly outline the Barrow School approach to exclusions within the statutory framework as defined in the *Exclusion from Maintained Schools, Academies and Pupil Referral Units in England (September 2017)*. It outlines only where the Barrow School applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the school.

Principles:

Exclusion is a sanction used by the School only in cases deemed as serious breaches of the school's Behaviour Policy. A pupil may be at risk of exclusion from school for (this list is not exhaustive):

Verbal or physical assault of a pupil or adult;

- Persistent and repetitive disruption of lessons and other pupils' learning;
- Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.
- Behaviour that causes danger to the school community.

In discharging their duties the Headteacher and Governors will have regard to the Department for Education guidance "Exclusion from Maintained Schools, Academies and Pupil Referral Units in England" which came into force on 1st September 2017 and any subsequent DfE updates to this guidance. They will also take into account their statutory duties in relation to special educational needs including having regard to the SEN Code of Practice.

Before excluding a pupil, in most cases a range of alternative strategies will have taken place. Where a one-off incident of sufficient gravity has taken place, this may not apply.

EXCLUSIONS:

Exclusion is seen as the last resort in the School's system of sanctions. The aim of the School is to keep children in school unless cases of indiscipline or breach of school rules are such that exclusion can be seen as the only way to maintain the safety of individuals, good order, behaviour and discipline.

This can be of two types:

- ❖ **Fixed term**, where the pupil is normally excluded for between 1 and 5 days at one time; up to a maximum of 15 days within a term.
Including fixed period lunch time exclusion.
- ❖ **Permanent**.

Exclusion can only be sanctioned by the Headteacher and all procedures associated with it are carried out in accordance with LA guidance.

Responsibilities of the Headteacher

The Headteacher alone (or their designate if absent) has the power to exclude pupils. However, where practical, the Headteacher should give the pupil an opportunity to present their case before taking the decision to exclude. Whilst the exclusion may still be an appropriate sanction, the Head teacher should take account of any contributing factors that are identified after an incident of poor



behaviour has occurred. For example, where it comes to light that the pupil has suffered bereavement, has mental health issues or has been subject to bullying. The decision to exclude must be lawful.

Informing Parent(s)/carer(s) About the Exclusion

Parents/carers will be notified as soon as possible of the decision to exclude a pupil and the reason for the exclusion. This will be done on the day of the exclusion being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion will be sent to parents the same day; the letter should also enclose a copy of the academy's Exclusion Policy, or guidance of where to access the policy.

The letter will include the following information:

- The reason(s) for the exclusion;
- The period of fixed-period exclusion or, for a permanent exclusion, the fact that it is permanent;
- Parent's right to make representations about the exclusion to the governing body and how the pupil may be involved in this;
- How any representations should be made; and
- where there is a legal requirement for the governing body to consider the exclusion, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

The Headteacher maintains a Serious Incident file, which records all the details of every exclusion and is responsible for the paperwork. A report on the number, type and nature of exclusions is given to the Governing Body on a termly basis with term-on-term and year-on-year comparisons by total, age and gender. Whilst the school reserves the right to make exceptions in individual cases, the following guidelines are used. They apply to a first offence unless otherwise stated:

In considering the exclusion of a pupil the Headteacher should ensure that the following ranges of activities are carried out:

- Undertake a thorough investigation
- Consider all the relevant facts and firm evidence to support the allegations
- Take into account the Schools Behaviour Policy, the Equality, Diversity and Inclusion Policy and any other relevant policies
- Check whether an incident appeared to be provoked by racial or sexual harassment
- Ensure that all pupils involved have the opportunity to give their version of events.
- Consult other people or agencies except where they may be involved in any review of the exclusion.
- Ensure time has been given to addressing and supporting the pupil's individual problems within the capabilities of school.

Where possible, work is set for the period of exclusion. The Headteacher may exclude a pupil for up to 45 school days in any academic year. Any exclusion beyond 45 school days will be permanent. However, before that point is reached the Head Teacher will have held discussions with the Fair Access Panel regarding alternative placements (both internal and external) or a managed move. The Headteacher will aim for the shortest possible period of exclusion but however brief an exclusion plan will be made to:

- enable the pupil to continue their education;
- use the time to address the pupil's problems; examine the process of reintegration.

Pupils Returning from a Fixed Term Exclusion

All pupils returning from a Fixed Term Exclusion are required to attend a reintegration meeting, accompanied by a parent. This meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between pupil, parent and school.

In some cases, a pupil has one or more fixed term exclusions coupled with a poor behaviour record and is likely to be permanently excluded unless the behaviour changes. In these cases, the pupil and a parent / carer will be asked to attend an interview and set up a SPSP. (Suffolk Pastoral Support Plan). Copies of this are held by the home and the school.

Procedures for a Permanent Exclusion follow DfEs Circular 10/04.

A Pupil Discipline Committee of at least three governors (excluding staff) considers a report from the Headteacher and representations from the parent/carer within 15 school days. If the permanent exclusion is upheld, the parents/carers are given advice by the Local Education Authority to determine future provision for the pupil. Parents/carers may appeal to Suffolk County Council, if they are unhappy with the decision of the Pupil Discipline Committee.

Before deciding to exclude a pupil permanently the Headteacher will first try a range of strategies as outlined in the Behaviour Policy, including fixed term exclusion. Only when other strategies have been tried without success will the Headteacher consider permanent exclusion. Except, or notwithstanding, where a one-off incident of sufficient gravity has taken place. There are occasions when the severity of the offence will merit permanent exclusion, even when there has been no record of poor behaviour.

Relationship to Other School Policies

The Exclusion Policy should be read in tandem with the school's Behaviour Policy as well as other relevant school policies, particularly the Special Educational Needs Policy and the Equality, Diversity and Inclusion Policy. It also has a close inter-relationship with the Attendance Policy and Safeguarding Policy.

Model letter

From head teacher (or head teacher in charge of a PRU) notifying parent of a fixed period exclusion of 5 school days or fewer in one term, and where a public examination is not missed.

Dear [Parent's Name]

I am writing to inform you of my decision to exclude [Child's Name] for a fixed period of [specify period]. This means that he/she will not be allowed in school for this period. The exclusion begins/began on [date] and ends on [date].

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded for this fixed period because [reason for exclusion].

[for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on [specify dates] unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for [Child's Name] to be completed on the days specified in the previous paragraph as school days during the period of his/her exclusion when you must ensure that he/she is not present in a public place without reasonable justification. [detail the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

[School other than PRU] You have the right to make representations about this decision to the governing body. If you wish to make representations please contact [Name of Contact] on/at [contact details — address, phone number, email], as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

[PRU] You have the right to make representations to [name of LA] about this decision. These representations will be considered by [set out arrangements which the LA have made for considering representations]. If you wish to make representations please contact [name of contact] on/at [contact details-address, phone number, email] as soon as possible.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the Special Educational Needs and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9DN.

[This paragraph applies to all fixed period exclusions of primary-aged pupils]

You [and your child or pupil's name] are requested attend a reintegration interview with me [alternatively, specify the name of another staff member] at [place] on

National Teaching School
designated by



National College for
Teaching & Leadership

[date] at **[time]**. If that is not convenient, please contact the school **[within the next ten days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see a copy of **[Child's Name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[Child's Name]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact **[Name]** at **[LA name]** LA on/at **[contact details — address, phone number, email]**, who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) — an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or at www.ace-ed.org.uk **[insert reference to local sources of independent advice if known]**

[Child's Name]'s exclusion expires on **[date]** and we expect **[Child's Name]** to be back in school on **[date]** at **[time]**.

Yours

[Name]

Headteacher

sincerely

EQUALITY IMPACT ASSESSMENT

Part A :- SCREENING EIA							
General Information							
1. Title of the policy or practice being assessed:							
Exclusion Policy							
2. Aim(s) of the policy or practice being assessed:							
To set out the school's rationale and procedures for the exclusion of a pupil.							
3. Type of policy or practice being assessed:							
Existing				Proposed			
✓							
4. Name of person responsible:							
For the policy or practice				For completing this EIA			
Mrs Helen Ashe				Mrs Helen Ashe			
5. Which members of our school community are affected/likely to be affected by the policy or practice?							
Pupils	Staff	Parents and carers	Governors	School volunteers	Visitors to the school	Other –	
X	X	X	X				
6. Does or could this policy have a negative impact on any of the following?							
Age	Disability	Gender	Gender identity	Pregnancy or maternity	Race	Religion or belief	Sexual orientation
X	X	X	X	X	X	X	X
<i>Undertake a full EIA if any answer is 'yes' or 'not sure'.</i>							
7. Does or could this policy help promote equality for any of the following?							
Age	Disability	Gender	Gender identity	Pregnancy or maternity	Race	Religion or belief	Sexual orientation
<i>Undertake a full EIA if any answer is 'no' or 'not sure'.</i>							
<i>Any adverse impacts are explored in Part B :- the Full Impact Assessment below.</i>							