



Exclusion Policy

Governor Review Date	Autumn 2015
Review Frequency	Every 2 years
Date for Next Review	Autumn 2017
Head Teacher Approval	
Governor Approval	

Managing Behaviour in School

Every effort is made to ensure that children are excluded only when all other strategies to manage behaviour in school have been exhausted. Caedmon Primary School currently implements a system of rewards and sanctions to maintain good behaviour in school. Details of these rewards and sanctions can be found in the school's behaviour policy.

Alternatives to Exclusion

Internal exclusion

When situations arise which require a pupil to be removed from class but not from school premises, internal exclusion will be applied. The child would be removed to a designated classroom and suitable work would be provided.

Removing pupils from a school site and the decision to exclude

There are four sets of circumstances in which individual pupils may be required to leave the school site, namely where:

- there is sufficient evidence that a pupil has committed a disciplinary offence and if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. In these circumstances, the pupil may be excluded from school for a fixed period or permanently;
- a pupil is accused of a serious criminal offence but the offence took place outside the school's jurisdiction. In these circumstances, the headteacher may decide that it is in the interests of the individual concerned and of the school community as a whole for that pupil to be educated off site for a certain period, subject to review at regular intervals. This is not exclusion.
- for medical reasons, a pupil's presence on the school site represents a serious risk to the health or safety of other pupils or school staff. In these circumstances, the headteacher or teacher in charge may send the pupil home after consultation with the pupil's parents. This is not exclusion and may only be done for medical reasons.
- the pupil is given permission by the head teacher or teacher in charge, or person authorised by them, to leave the school premises briefly to remedy breaches of the school's rules on appearance or uniform, where this can be done quickly and easily; this should be for no longer than is necessary to remedy the breach. This is not exclusion but an authorised absence. However, if the pupil continues to breach uniform rules in such a way as to be sent home to avoid school, the pupil's absence may be counted as unauthorised absence. In all such cases the parent must be notified and the absence should be recorded. When making this decision, the child's age and vulnerability, and the parent's availability, will need to be considered.

Prior to Exclusion

Immediate exclusion should only be imposed if there is an immediate threat to the safety of others in the school or the pupil concerned. In all other circumstances, the following steps must be taken by the headteacher/deputy headteacher/teacher in charge prior to making the decision to exclude:

- ensure that a thorough investigation has been carried out;
- consider all the evidence to support the allegations, taking account of the school's behaviour and equal opportunities policies;
- allow and encourage the pupil to give their version of events;

- consult others, but not anyone who may later have a role in reviewing the decision to exclude; and
- keep a written record of the actions taken, including any interview with the pupil concerned.
NB: If it is more probable than not that the pupil did what he/she is alleged to have done, they may be excluded. In determining this probability, the headteacher/teacher in charge may need to consider evidence of past behaviour.

Permanent Exclusions

The decision to exclude a child permanently should only be taken:

- in response to serious breaches of the school's behaviour policy; and
- if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in school.

Fixed Term Exclusions

The decision to exclude a pupil for a fixed period should be taken:

- in response to breaches of the school's behaviour policy;
- in response to disruptive behaviour, which has not improved after implementing intervention strategies outlined in the school's behaviour policy;
- in response to racist abuse (verbal and physical);
- in response to violence against another pupil or member of staff.

These instances are not exhaustive, but are indicative of the severity of an offense which would result in exclusion.

Decision to Exclude

Only the headteacher/Deputy headteacher/teacher in charge can make the decision to exclude a pupil.

The decision to exclude a child permanently should normally only be taken where the basic facts have been established and it is the final step in the process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success.

- in response to **persistent** breaches of the school's behaviour policy;
- in response to **persistent** disruptive behaviour, which has not improved after implementing intervention strategies outlined in the school's behaviour policy;
- in response to **persistent** racist abuse (verbal and physical);
- in response to carrying an offensiveweapon;
- in response to sexual abuse or assault;
- in response to supplying an illegal drug or bringing illegal drugs onto school premises; and
- in response to **serious** or threatened serious violence against another pupil of member of staff;

These instances are not exhaustive, but are indicative of the severity of an offense which would result in a permanent exclusion.

Length of Fixed Term Exclusions

In the vast majority of cases, fixed term exclusions will be no longer than 1-3 days.

Lunchtime Exclusion

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. Lunchtime exclusions are counted as one half of a day for statistical purposes. Lunchtime exclusions will not be counted towards the school's duty to provide full-time education from day 6 of a fixed period exclusion. Parents will be informed prior to the lunchtime exclusion taking effect in order that they can make arrangements for collection and supervision during the lunchtime period. All lunchtime exclusions will be for a fixed period. This period will be determined by the headteacher/deputy headteacher/teacher in charge and be the severity of the offense.

Exclusion on Medical Grounds

The head teacher/deputy headteacher/teacher in charge may send a pupil home, after consultation with that pupil's parents and a health professional (for example, a school nurse) as appropriate, where because of a diagnosed illness such as an identifiable disease he/she poses an immediate and serious risk to the health and safety of other pupils and staff. This is not an exclusion, but it is an authorised absence and should be recorded as such in the attendance register. It should be for the shortest possible time. If difficulties persist, the head teacher should seek medical advice. **Children with SEN, with conditions such as ADHD and autism, will not be sent home purely for that reason.**

After a Fixed Term Exclusion

Upon an excluded pupil's return to school, a reintegration interview will be led by the headteacher/deputy headteacher/teacher in charge with the parent and pupil. This interview provides the 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 circumstances that may be affecting the child's behaviour; and
- reach an 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.

After a Permanent Exclusion

In the case of a permanent exclusion, the pupil remains on the roll of our school until any appeal is determined; until the time limit for a parent to lodge an appeal has expired without an appeal being brought; or the parent has informed the LA in writing that no appeal is being brought. **During the first five days of a permanent exclusion, work will be provided for the pupil to complete at home and the LA will arrange to assess the pupil's needs and how to meet them.** From the sixth school day of a permanent exclusion, the LA is responsible for ensuring that suitable full-time education is provided to pupils of compulsory school age.

Parental Cooperation

If a parent does not comply with an exclusion, for example by sending the excluded child to school, or by refusing to collect, or arrange collection of, him or her, including at lunchtime, the school will have due regard for the pupil's safety in deciding what action to take. An exclusion will not be enforced if doing so may put the safety of the pupil at risk. If efforts to resolve the issue with the parents are unsuccessful, the Education Welfare Service will be contacted. In some circumstances, police or community support officers may become involved.

Procedures for Review and Appeal – Roles and Responsibilities of the Governing Body

- A parent is entitled to appeal against the decision to exclude a pupil for a fixed period.
- If the period of exclusion is for 5 days or fewer (and does not bring the pupil's total number of days of exclusion to more than 5 in one term), the governing body will consider representations made by the parent (in writing or requested verbally). In such circumstances, they cannot reinstate the pupil but can place a copy of their findings on the pupil's school records.
- If the period of exclusion is for more than 5 but not more than 15 school days in one term (which does not bring the pupil's total number of days of exclusion to more than 15 in one term), the governing body must convene a meeting between the 6th and 50th school day after receiving notice of the exclusion, to consider the exclusion, **but only if the parent requests such a meeting (in writing or requested verbally)**.
- If the exclusion is permanent, or the period of exclusion is more than 15 days (or which brings the total number of days of exclusion to more than 15 in one term), or if the pupil will miss a SATs test, the governors must convene a meeting between the 6th and 15th school day after the date of receipt of notice to consider the exclusion. If a pupil's total number of days of fixed period exclusion exceeds 15 school days in one term, any subsequent fixed period exclusion(s) of the pupil in the same term would again trigger the governing body's duty to consider the circumstances of the exclusion.
- The governing body must invite the parent, headteacher/teacher in charge and LA officer to the meeting at a time and place convenient to all parties and within the relevant statutory time limits.
- The governing body must ask for written statements in advance of the meeting.
- The governing body must circulate, at least 5 days in advance of the review meeting, any written statements and a list of who will be present at the meeting to all parties.
- The governing body must comply with the statutory time limits but are not relieved of their obligation to carry out the relevant duty if they fail to comply.
- The governing body cannot increase the severity of exclusion. They can uphold the decision to exclude, or direct for reinstatement (in accordance with the periods of exclusion described above) either immediately or by a particular date. If the period of exclusion has expired at the time of review, the governing body can place a copy of their findings on the pupil's record.
- During the review, the governing body must consider any representations made by the parent, the pupil and the LA, whether on a balance of probabilities the pupil did what has been alleged and whether the headteacher/teacher in charge has complied with the law on exclusion.
- The outcome of review must be added to the pupil's school record for future reference.
- The governing body will inform the parent, the headteacher/teacher in charge and the LA (home LA if the pupil resides outside of the school LA) of its decision in writing within one school day of the review meeting, stating the reasons.
- If the governors uphold the decision to exclude, its letter to the parent will include; the

reason for the decision, their right to an Independent Appeal Panel, together with the name and address of the person to whom any notice of appeal should be sent, the date by which any notice of appeal should be lodged (15 school days after the day on which notice in

writing of the governor's decision was given), that any notice of appeal must set out the grounds on which the parent is making the appeal and that any claim on grounds of disability discrimination should also be set out in the notice of appeal.

- The decision letter will be placed on the pupil's school record with copies of relevant papers.

Equal Opportunities

We are committed that a pupil having SEN, a pupil's ethnicity or gender will not influence the decision to exclude. Further details for how we ensure equality for all our pupils can be found in our equal opportunities policy.

Responsibilities of the Headteacher/Teacher in Charge

- The headteacher/teacher in charge must treat all exclusion cases in the strictest confidence.
- The headteacher/teacher in charge has the right to extend a fixed term exclusion or convert to a permanent exclusion, usually in the light of new evidence. In such cases, the headteacher/teacher in charge must write to the parents informing them of the decision change.
- The headteacher/teacher in charge must inform the parent of an excluded pupil immediately by telephone, followed up by notification in writing.
- Where the pupil is excluded at the end of the afternoon session and the exclusion takes effect from the next school day, notice must be given before the start of that day.
- Where the pupil is excluded in the morning session and the exclusion takes effect from that afternoon, notice must be given before the start of the afternoon session.
- Where the pupil is excluded in the afternoon session and the exclusion takes effect that afternoon, the notice must be given by the end of the afternoon session.
 - Notices must be in writing and must state a) for a fixed period exclusion, the precise period of the exclusion, b) for a permanent exclusion, the fact that it is a permanent exclusion, c) the reasons for the exclusion d) the parent's right to make representations, about the exclusion to the governing body/management committee and how the pupil may be involved in this, e) the person whom the parent should contact if they wish to make such representations, f) the school days on which the parent is required to ensure that their child is not present in a public place during school hours without justification; and that the parent may be prosecuted, or may be given a fixed penalty notice, if they do not do so, g) the arrangements made by the school for enabling the pupil to continue his or her education during the first five school days of an exclusion, including the setting and marking of work. It is the parent's responsibility to ensure that work sent home is completed and returned to school, h) the school days on (or school day from) which the pupil will be provided with alternative suitable full time educational provision and will be required to attend such alternative provision, if the parent is not otherwise notified of this information the teacher in charge of a PRU should liaise with the LA about this, as the LA has the duty to provide education from the 6th day of exclusion); separate notification of these details can be sent later if more time is needed by the school or LA to make arrangements; in the case

of a fixed period exclusion the parent must be given this information in writing at least 48 hours before the education is to be provided. In the case of a permanent exclusion, on receiving details of the provision, its location, start times and transport arrangements if appropriate, from the relevant local authority, the head teacher will advise the parents in writing and confirm to the local authority that these details have been passed on, i) that the parent will be invited to attend a reintegration interview. Details of time, date and location of the interview should be included in the letter for exclusions of up to five days. For longer exclusions separate notification of these details can be sent nearer to the date of the proposed interview. Any proposed interview should be held no later than the fifteenth school day, following the pupil's return to school.

- Letters to parents should also mention a) the latest date by which the governing body/management committee must meet to consider the circumstances in which the pupil was excluded (except where the exclusion is for a total of not more than 5 school days in any one term, and would not result in the pupil missing a public examination), b) the parent's right to see and have a copy of his or her child's school record upon written request to the school, c) in the case of a **fixed period** exclusion, the date and time when the pupil should return to school (in the case of a **lunchtime** exclusion, the number of lunchtimes for which the pupil is being excluded, and if applicable the arrangements for the child to receive free school meals), d) if the exclusion is **permanent**, the date it takes effect and any relevant previous history, e) the name and telephone number of an officer of the LA who can provide advice and f) the telephone number for the Advisory Centre for Education (ACE) exclusion information line – 020 7704 9822, their website address: www.ace-ed.org.uk, and the fact that a text 'AskACE' can be sent to 68808.
- The headteacher/teacher in charge is responsible for ensuring that appropriate work is provided, and marked, for any child who has been excluded for a fixed period of less than 6 days. On the sixth day of any exclusion, the headteacher/teacher in charge is responsible for arranging suitable off-site, full-time educational provision: this does not apply to pupils of a non-compulsory school age. For a pupil with a statement of special educational needs, the suitable full time provision must be appropriate to their needs as set out in their statement.
- The headteacher/teacher in charge must ensure that the pupil's parent is fully informed of their duties in the first five days of an exclusion and when suitable full-time educational provision will commence. The parent must be informed that the pupil must attend that provision and of any sanctions that may be imposed for non-attendance.
- The headteacher/teacher in charge must meet with the parent to discuss how the time might be used to address the pupil's problems and the arrangements for a reintegration interview with parent and pupil.
- Within one day of exclusion, the headteacher/teacher in charge will inform the governing body and LA (home LA of any pupil living outside the school LA) of permanent exclusions or any fixed term exclusions that would result in the pupil being excluded for more than five school days (or more than 10 lunchtimes) in any one term
- Every term, the headteacher/teacher in charge will inform the governing body and LA of any fixed period exclusions totalling 5 or fewer school days, or 10 or fewer lunchtimes/half days, in any one term. The exclusion reports submitted will include: the pupil's name, the length of the exclusion, the reason for the exclusion, pupil's age, pupil's gender, pupil's ethnicity, whether the pupil has a statement of SEN or whether they are being assessed for such a statement, whether the pupil is on School Action or School Action Plus, whether the pupil is looked after and what alternative provision has been put in place if the exclusion is for more than 5 days.
- The headteacher/teacher in charge must ensure that fixed term exclusion of less than 5 days should be marked in the register using code E. Code B or D should be used if the pupil

has been excluded for more than 5 days and alternative provision is in place.

Every care has been taken in the compilation of this policy and the information provided is correct at the time of publication.

Any policies that have been referred to in this policy are available on the school website (www.caedmonprimaryschool.co.uk) or are available upon request from the school office. Written information that is normally provided by the school can be provided in alternative forms.

