



# Exclusion Policy

**Written** October 2016

**Reviewed** October 2016

**Date of next review** October 2018

**Approved, on behalf of the Governing Body by the Chair of Governors, Michele Innes** 

**Date:** 31<sup>st</sup> October 2016

# Exclusion Policy

## 1. Rationale

This policy describes the practice that this school follows with regard to the exclusion of pupils. It recognises however that the seriousness of some situations requires an immediate response that cannot always follow the best practice set out in the policy but, in all situations, the rights of pupils and parents to a full hearing will be respected.

The governing body, the Executive Headteacher and the Head of School of this school are committed to the provision of a broad and balanced curriculum for all pupils. They are also responsible for promoting good behaviour and discipline on the part of the whole school community and for securing an orderly and safe environment for pupils and staff in order to ensure that the curriculum is delivered and pupils are able to realise their full potential.

The Executive Headteacher or Head of School has the discretion to deal with pupils who are displaying challenging behaviour but will do so consistently in the context of the school's behaviour policy. That policy and other relevant documents include a number of different strategies designed to promote the continued inclusion of pupils into the school. Exclusion is the most drastic step that any school can take because it runs against the school's commitment to inclusion and is of necessity reserved for the most serious cases.

Exclusion itself can take many different forms and these may include:

- Time out within the class imposed by the teacher
- Time out in another teacher's class
- Time out in the Internal Exclusion section of The Island (Nurture base)
- Lunchtime exclusion
- Fixed term exclusion
- Permanent exclusion

## 2. Scope of this policy and the guidance used in the creation of this policy

This policy deals with lunchtime, fixed term and permanent exclusions and has been developed in accordance with West Sussex County Council's guidance "A Brief Guide To Exclusion Meetings For Governors, From The Access And Exclusion Team (September 2012)" as well as the Department for Education's publication: *Exclusion from maintained schools, Academies and pupil referral units: A guide for those with legal responsibilities in relation to exclusion (2012)*.

## 3. Steps to be taken before considering exclusion

The school recognises that parents/carers are profoundly affected by the exclusion of their children and will work with them closely to ensure that only in very rare circumstances will exclusion come as a surprise. In most instances parents/carers will have been working with the

school to prevent their child from being excluded. Pupils at risk of being excluded are likely to have had a history of disaffection and to have had a variety of support (Behaviour Action/Support Plans, Pastoral Support Plans) before the question of exclusion arises. In formulating these plans a number of different agencies are likely to have helped the school, for example the Local Authority's Learning and Behaviour Advisory Team or the Educational Psychology Service. In all cases the involvement of these agencies will be shared with parents and in many instances they will have made direct contact with parents/carers.

#### **4. Pupils who have Special Educational Needs**

In some cases the involvement of agencies external to the school will mean that a pupil has been placed on the Register of pupils with Special Educational Needs. In those cases where a pupil who has a Statement of Special Educational Needs is likely to be excluded, the school will try every practicable means to avoid the need for an exclusion and, if appropriate, in liaison with the Local Education Authority, will initiate an 'interim' annual review.

#### **5. Disabled pupils, Travellers, pupils in Public Care and pupils from an ethnic minority**

Particular care will also be given to pupils who are travellers, who are disabled or who are in Public Care or members of ethnic minority groups, as these pupils are known to be at a higher risk of exclusion than their peers. Appropriate steps will be taken to seek to avoid their exclusion. Social Services will be involved at the earliest opportunity whenever a pupil in Public Care seems likely to be excluded. The school pays full regard to the Equality Act (2010).

Pupils who are disabled or who are in Public Care have particular rights of appeal if they are excluded. The Executive Headteacher or Head of School will take all necessary steps to make sure that these rights are respected and that appropriate information is shared with agencies, carers and parents.

#### **6. Actions to be taken in advance of a possible exclusion**

In those cases where exclusion seems likely to occur, the school will:

- Try to warn parents/carers in writing that the pupil is at risk of exclusion;
- If time allows, arrange a meeting with the parents to plan how to support the pupil and avoid the need for exclusion;
- Take account of the views of the pupil (where practical);
- Keep written notes of all verbal warnings to the pupil and advice to parents and carers;
- Involve the Educational Psychology Service, Local Authority Learning and Behaviour Team, Social Services (if applicable) and/or other relevant agencies.

## 7. When to consider exclusion

Exclusion will be used sparingly in response to serious breaches of school policy or law but breaking the law will not automatically result in exclusion. Normally the decision to exclude a pupil will only be taken if:

- There have been serious breaches of the school's behaviour policy; and
- There is a danger that allowing the pupil to remain in school will seriously harm the education or welfare / health and safety of the pupil or others; and
- A range of alternative strategies has been tried before excluding the pupil.

However a permanent exclusion may be given for a first / single offence, for example in the event of serious, actual or threatened violence or selling illegal substances.

Before reaching the decision to exclude a pupil, the Executive Headteacher or Head of School will:

- Consider all the relevant facts and such evidence as may be available to support the allegations made, taking into account the school's behaviour and equal opportunities policies and the need to apply those policies consistently;
- Allow the pupil to give his or her own version of events (where practical);
- Check whether the incident may have been provoked, for example, by racial or sexual harassment;
- Consult others, if necessary, being careful not to involve anyone who may have a role in any statutory review of the decision to exclude, for example members of the governing body's Discipline Committee.

If the Executive Headteacher or Head of School is satisfied, on the balance of probabilities, that the pupil did what he or she is alleged to have done and that exclusion is the appropriate sanction given the nature of the issue, the Executive Headteacher or Head of School may exclude the pupil. (Only the Executive Headteacher or Head of School or, in his/her absence, a senior teacher acting with the head's authority, can exclude a pupil from school).

Exclusion is not an appropriate sanction for dealing with:

- Minor incidents such as failure to do homework or to attend a detention;
- Poor academic performance
- Lateness or truancy
- Breaches of school uniform policy, except where persistent and in open defiance of such policy;
- The behaviour of the pupil's parents/carers, for example, parental violence or abuse against members of the school community (this would be dealt with the separate policy entitled 'Unacceptable behaviour on school premises').

The Executive Headteacher or Head of School will aim to ensure that exclusion is dealt with consistently and that there is no discrimination against any minority group. There is no "tariff" that leads to exclusion and all cases will be dealt with individually, subject to the consistent application of all relevant policies and procedures.

### **8. Lunchtime exclusion**

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. Lunchtime exclusion is treated in the same way as any other fixed period exclusion:

- The Executive Headteacher or Head of School will inform the parent of the period of exclusion and the reasons for it;
- The exclusion will run for a fixed period;
- Parents/carers have the right to make representations about the exclusion to the discipline committee of the governors

If a parent/carer refuses to co-operate with a properly given lunchtime exclusion, the school will have due regard for the pupil's safety before deciding on what action to take.

### **9. Fixed term exclusion**

The Executive Headteacher or Head of School is allowed to exclude a pupil for up to 45 days in any one school year. However individual exclusions will be for the shortest time necessary, because any exclusion makes it difficult for the pupil to reintegrate into the school.

The reasons for fixed term exclusion are mainly:

- To make it clear to the pupil that a particular behaviour is unacceptable, because it affects not only the right of others to a safe and secure environment but also interferes with the opportunities for learning;
- To support school discipline and to act as a clear statement to all pupils that certain behaviour is unacceptable;
- To ensure that parents/carers know of the behaviour and are involved in controlling it.

### **10. Permanent exclusion**

Permanent exclusion is an extremely serious step to take. The Executive Headteacher or Head of School will normally only consider such action if:

- The pupil presents a significant health and safety risk to him/herself and/or others or has been responsible for a single event that presents a serious threat to the health and safety of students and the school community; and
- The pupil has been offered a full range of services and strategies designed to maintain that pupil's inclusion in school; and

- There is evidence that previous plans and strategies have been consistently applied but brought about no significant improvement in the behaviour of the pupil.

Permanent exclusion is usually the final step in the process for dealing with disciplinary offences. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the pupil. Only in the most exceptional circumstances will the Executive Headteacher or Head of School exclude a pupil for a first or one-off offence. Such exceptional circumstances might include carrying an offensive weapon, supplying an illegal drug, sexual misconduct or serious actual/threatened violence against another pupil or a member of staff.

#### 11. **When a pupil has been excluded**

Once the Executive Headteacher or Head of School excludes a pupil, the parents/carers will be notified immediately, by telephone if possible. Within one school day, a letter will follow that telephone call. The Globe Primary Academy uses the model letters supplied by the Local Authority and this letter will include details about:

- The reasons for the exclusion
- The nature and length of the exclusion
- The name and telephone number of a contact at the LEA who can provide advice on the exclusions process and the telephone number for the Advisory Centre for Education helpline
- The arrangements for the pupil's reintegration into school (in the case of fixed term exclusions)
- Details about how parents/carers can make representations about the exclusion to the Discipline Committee (also called a Review Meeting) of the governors. (Details about the responsibilities of the Governors and about the constitution of the Disciplinary Committee can be found in the Department for Education publication: *Exclusion from maintained schools, Academies and pupil referral units: A guide for those with legal responsibilities in relation to exclusion (2012)* and on West Sussex County Council's website <https://www.westsussex.gov.uk/education-children-and-families/schools-and-colleges/school-attendance-behaviour-and-performance/exclusions/>)

#### 12. **Education of excluded pupils**

If a pupil is excluded for more than 15 consecutive school days, the Executive Headteacher or Head of School will plan:

- How the pupil's education will continue during the period of exclusion;
- How the time might be used to address the pupil's problems and will consider, with the Local Authority, what local arrangements will best help with the pupil's reintegration into school at the end of the exclusion.



**13. Post exclusion planning – reintegration into the excluding school**

The Executive Headteacher or Head of School will convene a planning meeting to discuss and make plans for the reintegration of the pupil after an extended exclusion. The meeting will make the necessary preparations for the pupil's return to school and will involve the parents/carers and the pupil as well a representative of the Local Authority. Parents/carers will be invited to come with a friend.

The meeting will consider all aspects of reintegrating the pupil, including any modifications to the timetable or the provision of additional support. Any previous plans will be revised and new targets agreed. If there were no plans prior to the exclusion one will be drawn up. All plans will include elements of a contract between the parties involved so that the pupil will know how to achieve success, the school will set realistic targets and review dates will be set. The meeting will also consider whether the pupil has special educational needs and whether enough is being done to support those needs.

**14. Post exclusion planning – reintegration into another school or educational setting**

If the decision to exclude a pupil permanently is upheld by the Discipline Committee, parents can apply to an independent appeals panel [details of which can also be found in Department for Education's publication: *Exclusion from maintained schools, Academies and pupil referral units: A guide for those with legal responsibilities in relation to exclusion (2012)*].

An individual reintegration action plan will be finalised as soon as possible after the governor's meeting at a Post Exclusion Case Conference. This plan will, wherever possible include:

- The steps to be taken to assess the pupil;
- The steps to be taken towards integrating the pupil with the new setting;
- Regular review dates for the plan;
- The identification of a possible next school or setting;
- The target date for starting at this new school.

In most cases, the Local Authority's Education Officer with responsibility for the excluded pupil is responsible for drawing up and reviewing the reintegration action plan.

**15. Behaviour Outside School**

Pupils' behaviour outside school on school activities, for example school trips or sports events, is subject to the school's Behaviour Policy and unacceptable behaviour will be dealt with as if it had taken place in school. For behaviour outside school but not on or linked to a school



activity this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline in school. If pupils' behaviour in the immediate vicinity of the school or on a journey to and from school is poor and meets the school's criteria for exclusion then the Executive Headteacher or Head of School may decide to exclude.

**16. Monitoring and Review**

The governing body monitors and reviews this policy every two years.