Believing and Achieving Together

Signed:

Date: March 2021

Review: March 2023 or sooner if required

Pupil Exclusion Policy

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Education Act 2002
- Anti-social Behaviour Act 2003
- Education Act 2005
- Education and Inspections Act 2006
- Education (Pupil Exclusions and Appeals) (Miscellaneous Amendments) (England) Regulations 2006
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- Apprenticeships, Skills, Children and Learning Act 2009
- Equality Act 2010
- Education Act 2011
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

The following documentation is also related to this policy:

- Exclusion from Maintained Schools, Academies and pupil Referral Units in England (DfE)
- Special Educational Needs and Disability Code of Practice: 0 to 25 Years. Statutory Guidance for Organisations Who Work With and Support Children and Young People with Special Educational Needs and Disabilities (DfE) and (DoH)
- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)

We strongly believe in good discipline as we feel it is essential to ensure that all pupils can benefit from the educational and social opportunities that the school offers. The exclusion of a pupil will only be 'used as a last resort in response to a serious breach or persistent breaches of the school's behaviour policy'.

We work hard not to exclude pupils but to help to support them by constantly reviewing our behaviour management and working with them to help their behaviours. We have in place a behaviour management system that everybody is familiar with and know what they are doing

We treat all pupils fairly with all decisions to exclude will be lawful, reasonable and fair. We will not discriminate against pupils on the basis of protected characteristics. All pupils who are vulnerable to exclusion will be treated fairly.

We believe pupil exclusion is best defined as when a pupil is not allowed to attend school for either a fixed term or permanently. Pupil exclusion is a sanction that will be used only as a last resort, except when an immediate exclusion is the only appropriate action to take.

We acknowledge that a pupil will only be excluded following serious breaches of discipline or if the safety of pupils and school personnel would be harmed if the pupil remained in the school. Parents will be informed immediately in writing about a fixed period exclusion.

Before a pupil is excluded a whole range of strategies such as early intervention and pupil support plans will be implemented in order to improve the behaviour of the pupil.

We believe that 'disruptive behaviour can be an indication of unmet needs' and we will do all that we can to identify the causes and if need be to 'give consideration to a multi-agency assessment that goes beyond the pupil's educational needs.'

All exclusions will follow the correct procedures as outlined in 'The Department for Education guidance Exclusion from Maintained Schools, Academies and pupil Referral Units in England (2012)'. We are aware that is illegal to unofficially or informally exclude by just sending a pupil home for disciplinary reasons. At all times the correct procedures will be followed.

We will try to ensure that other than in the most exceptional circumstances we will not exclude any pupil who has a statement for SEN, or an education, health and care plan (EHC) or is receiving SEND support.

Parents will be made aware of their rights that they can appeal against an exclusion to the Governing Body. An independent review panel will deal with all appeals.

We will ensure that all excluded pupils will be 'enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.'

We have a duty to have in place a strategy for reintegrating pupils that return to school following a fixed period of exclusion, and a strategy for managing their future behaviour.

We wish to work closely with the School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We all have a responsibility to ensure equality permeates in to all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We acknowledge the findings of the Race Disparity Audit that clearly shows how people of different ethnicities are treated across the public services of health, education, employment and the criminal justice system.

The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Aims

- To only use exclusion as a last resort except when an immediate exclusion is appropriate.
- To have in place early intervention systems to deal with bad behaviour.
- To maintain full-time provision for permanently excluded pupils.
- To have in place systems to reinstate excluded pupils as soon as possible.
- To establish good working relations with parents of pupils who have been excluded.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedures

Role of the Governing Body

The Governing Body has:

- delegated powers and responsibilities to the Headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- make effective use of relevant research and information to improve this policy;
- the responsibility of involving the School Council in:
  - ☐ determining this policy with the Governing Body;
  - ☐ discussing improvements to this policy during the school year;
  - ☐ organising surveys to gauge the thoughts of all pupils;
  - ☐ reviewing the effectiveness of this policy with the Governing Body
- nominated a link governor to:
  - ☐ visit the school regularly;
  - ☐ work closely with the Headteacher and the coordinator;
  - ☐ ensure this policy and other linked policies are up to date;
  - ☐ ensure that everyone connected with the school is aware of this policy;
  - ☐ attend training related to this policy;
  - ☐ report to the Governing Body every term;
  - ☐ annually report to the Governing Body on the success and development of this policy.

- responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Headteacher

The Headteacher will:

- work in conjunction with the Senior Leadership Team to ensure all school personnel, pupils and parents are aware of and comply with this policy;
- endeavour to identify the causes of a pupils disruptive behaviour and if need be will consider a multi agency assessment;
- consider the following when making the decision to exclude a pupil:
- when making the decision to exclude a pupil the Head will:
  - ☐ undertake a thorough investigation into the alleged incident by looking at all the evidence that is available;
  - ☐ from the outset keep a written record of all the stages of the investigation plus signed witness statements;
  - ☐ listen to the pupil's version of what happened;
  - ☐ check whether the alleged incident was provoked by racial or sexual harassment and to take into account any breach of the school's equal opportunities policy;
  - ☐ if he/she thinks it is necessary, the Head will consult with other relevant people other than those who might be later involved in reviewing this incident;
  - ☐ comply with the Equality Act;
  - ☐ look at alternatives other that exclusion such as:
    - Internal exclusion by removal to another class
    - Restorative justice
    - Mediation
    - A managed move
  - ☐ Decide on the length of the exclusion;
    - Fixed or
    - Permanent
  - ☐ Inform parents immediately.
  - ☐ Report the exclusion to:
    - The Disciplinary Committee
    - The Local Authority
- once a fixed-term exclusion has ended hold a reintegration meeting involving the pupil, parents/carers and the appropriate school personnel on the first day a pupil returns to school following a fixed-term exclusion;
- the reintegration meeting will plan:
  - ☐ how the pupil will manage their future behaviour;
  - ☐ what support is required;
  - ☐ how the pupil can succeed within the school;
  - ☐ how further exclusions can be avoided;
  - ☐ what both the school and the pupil can do to ensure success;
  - ☐ ensure conditions are not placed upon the pupil returning to school.
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality;
- make effective use of relevant research and information to improve this policy;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy by speaking with pupils, school personnel, parents and governors;

- annually report to the Governing Body on the success and development of this policy.

Role of the School Personnel

School personnel will:

- comply with all aspects of this policy;
- be aware of and support the pupil behaviour management policy;
- try to establish the reasons for a pupil demonstrating disruptive behaviour;
- report and deal with all incidents of discrimination;
- report all incidents of serious violence, assault, sexual abuse, the use of illegal drugs, possession of offensive weapons and bullying;
- implement the school's equalities policy and schemes;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community.

Role of Pupils

Excluded pupils will:

- ☐ be 'enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding';
- ☐ work hard to conform with the reintegration plan.

Pupils will:

- be aware of and comply with this policy;
- support the school Code of Conduct and guidance necessary to ensure the smooth running of the school;
- liaise with the school council;
- take part in questionnaires and surveys.

Role of Parents/ Carers

Parents/carers will:

- be aware of and comply with this policy;
- be made aware of their rights of appeal against an exclusion;
- be asked to take part periodic surveys conducted by the school;
- support the school Code of Conduct and guidance necessary to ensure smooth running of the school.

Fixed Term Exclusion

In any one school year the Head is allowed to exclude a pupil for one or more fixed term periods but not exceeding 45 school days.

During this period of exclusion the school will continue to provide education for the pupil and plan for the pupil to be reinstated after the exclusion period has ended.

Once a decision has been made parents will be informed by telephone and then by letter.

Discipline Committee & the Local Authority

Within one school day the Head will inform the Discipline Committee and the LA of a pupil's exclusion.

Role of Discipline Committee

The Discipline Committee will:

- Review all exclusions.
- Consider any representations from parents.
- Take the following into account when making a decision about exclusion:-
  - ☐ special educational needs
  - ☐ disabilities
  - ☐ gender
  - ☐ cultural differences

Liaison with Parents

Every effort will be made to seek parental co-operation at all stages.

Permanent Exclusion

A pupil may be permanently excluded if:

- All other strategies have failed.
- The offence was a serious one-off offence such as:
  - ☐ serious, actual or threatened, violence against a pupil or a member of the school personnel;
  - ☐ sexual abuse or assault;
  - ☐ supplying an illegal drug;
  - ☐ carrying an offensive weapon;
  - ☐ or any other serious offence.

Reporting

Annually the Head will report the following to the Governing Body the:

- number of exclusions
- type of exclusions
- outcome of each exclusion
- rates of exclusion from different groups such as SEND, free school meals, looked after children and ethnic groups.

Raising awareness of this policy

We will raise awareness of this policy via:

- School Handbook/Prospectus;
- School website;
- Staff Handbook;
- Meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops;
- School events;
- Meetings with school personnel;
- Written communications with home such as weekly newsletters and of end of half term newsletters;
- Annual report to parents;
- Headteacher reports to the Governing Body;
- Information displays in the main school entrance;
- Text messages
- Email

Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:
  - ☐ All aspects of this policy
  - ☐ Pupil Behaviour and Discipline
  - ☐ Supervision of Pupils
  - ☐ Pastoral Care
  - ☐ Safeguarding and Child Protection
  - ☐ Complaints
  - ☐ Parental Responsibility
  - ☐ Home-School Agreement
  - ☐ Attendance and Truancy
  - ☐ Special Educational Needs and Disabilities
  - ☐ Equal opportunities
  - ☐ Inclusion
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Monitoring the implementation & effectiveness of this policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

Linked policies

- Attendance and Truancy
- Complaints
- Home-School Agreement
- Induction of New Staff
- Pupil Behaviour and Discipline
- Safeguarding and Child Protection
- Special Educational Needs and Disabilities