

# HALL MEADOW PRIMARY SCHOOL

**POLICY FOR:** Exclusion

**Responsible person:** Mrs Sally Hamson

**Date adopted:** MARCH 2019

**Review by:** MARCH 2022

## General principles

- 1.1 The School will use exclusion as its final consequence and ultimate sanction to ensure the safety and well-being of all members of the school community and to maintain an appropriate educational environment in which all can learn and succeed.
- 1.2 Exclusion will only be used in response to serious breaches of the School's Behaviour and Discipline Policy.
- 1.3 The following are examples of unacceptable conduct, are infringements of the School's Behaviour and Discipline policy and are likely to result in exclusion: physical assault including violent behaviour, verbal abuse/threatening and aggressive behaviour, bullying, racist abuse, sexual misconduct, drug and alcohol related incidents (including other substances), damage to property, theft and persistent disruptive behaviour, including persistent and wilful failure to follow school rules. These are level 3 behaviours as defined in the Behaviour Policy.
- 1.4 Pupils' behaviour outside school on school "business" is subject to the School's Policy and inappropriate behaviour in these circumstances will be dealt with as if it had taken place in school. For behaviour outside school, but not on school business, this Policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour, order and discipline among the school community as a whole. This includes pupil behaviour in the immediate vicinity of the School or on a journey to and from School.
- 1.5 Permanent exclusion will be a last resort, when all other reasonable steps have been taken and when allowing the child to remain in school would be seriously detrimental to the education and/or welfare of the pupil themselves or other members of the school community. However, permanent exclusion may, on rare occasions, be considered the appropriate response to a single or one-off incident of very extreme misconduct.
- 1.6 Parents have the right to make representations to the Governing Body about any exclusion, fixed period or permanent. At our School we delegate the function of reviewing exclusions to a Discipline Committee with a quorum of at least 3 governors. Representations should be made via the Clerk to the Governing Body. Governors will consider these and may arrange formal meetings according to current Guidance.
- 1.7 In applying this Exclusion Policy, the School will follow current DFE and LA guidance and advice. It will also pay due consideration to the Equality Policy and SEN policy.

## **2 Action by the Head teacher**

- 2.1 The Head teacher alone will decide if a pupil is to be excluded. The only exception is when the Head teacher is absent from school - their power to exclude will be delegated to the teacher acting in their absence.
- 2.2 Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or to the pupil concerned. Before deciding whether to exclude, the Head will ensure appropriate investigations are carried out, consider all the evidence available to support the allegations, take the school's policies into account, allow the pupil to give their version of events, check whether the incident may have been provoked, e.g. by bullying, racial or sexual harassment, and review any extenuating circumstances.
- 2.3 In reaching a decision the Head will always look at each case on its own merits. A tariff system fixing a standard penalty for a particular action is therefore inappropriate, although the following section on permanent exclusion does highlight the one-off occasions when this is likely to be used.
- 2.4 When it is necessary to exclude a student, parents will be contacted by telephone, if possible, at the earliest possible opportunity. The exclusion will always be confirmed with a letter which sets out the length and reasons for the exclusion and also informs parents of their rights to make representations to the Governing Body. We also advise parents and carers of their duty to ensure their child is not present in a public place for the first five school days of an exclusion.

## **3 Fixed-period exclusions**

- 3.1 Fixed-period exclusion may be used for a single occurrence of serious misconduct or for persistent breaches of the behaviour policy, including persistent disruptive behaviour.
- 3.2 Exclusion from school premises for the duration of the lunch-time period counts as one half day exclusion each time.
- 3.3 The School will set and mark work during the first five days on an exclusion which should be returned promptly for marking. The School will make arrangements for full-time educational provision for excluded pupils from day 6 of their fixed period exclusion.
- 3.4 A fixed period exclusion may be converted to a permanent exclusion if the circumstances warrant this. The Head teacher will write again to parents to confirm this.
- 3.5 A pupil can be excluded for one or more fixed periods not exceeding 45 school days in any one school year. A total of 45 school days will become a permanent exclusion.
- 3.6 Before the pupil returns to school, the Head teacher will arrange a re-integration meeting with parents, and the pupil if appropriate, to discuss the incident and future conduct and strategies. This may include the drawing up of a pastoral support plan.

## **4 Permanent exclusion**

- 4.1 Permanent exclusion is a very serious matter and will normally be used as a last resort. It is likely to be applied only after lesser sanctions, including fixed-period exclusion, and other available strategies have been used but have failed to produce the desired response in the pupil.

4.2 Permanent exclusion may, however, be an appropriate response to a single incident of extreme misconduct, for example, serious actual or threatened violence, sexual abuse or assault, supplying illegal drugs, carrying an offensive weapon. The School will consider police involvement for any of the above offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well-being of the School.

## **5 Action by the Governing Body**

5.1 The Governors' Discipline Committee will promptly consider any representations from parents about exclusions and will meet within the specified deadlines to review permanent exclusions and any fixed period exclusions of more than 15 school days in a term. At least three governors will hear the case but no governor with any prior knowledge will participate in the hearing.

5.2 Where a review is undertaken, the governors will require the Head teacher to explain the reasons for their decision to exclude the pupil. The Committee will look at appropriate evidence such as witness statements, previous behaviour history if relevant and the strategies used by the school to support the pupil prior to exclusion as well as any extenuating circumstances. Their role is not to rubber stamp the Head teacher's exclusion decision but to consider objectively whether the action taken was appropriate.

5.3 The procedure followed at a hearing will be as informal as possible. It will normally follow the format set out below, with the Local Authority being invited to meetings to review longer-term or permanent exclusions. The Governors may ask questions of either the Head teacher or the parents at any time.

### Procedure:

- i. The committee will, at the same time, meet the Head teacher and the parent and/or the pupil and any accompanying supporters as well as any representative of the Local Authority.
- ii. The Governors will invite the Head teacher to give their reasons for the exclusion.
- iii. The parents will be invited to ask questions of the Head teacher.
- iv. The parents will be given the opportunity to explain why they think the exclusion is inappropriate.
- v. The Head teacher will have an opportunity to ask questions of the parents.
- vi. The Head teacher and the parents will be given an opportunity to sum up and to ask any questions of the Governors.
- vii. All parties will then withdraw from the meeting and allow the Governors to consider the case on their own with support from their Clerk.
- viii. The role of the LA representative is not to comment on the merits of the exclusion but to provide advice on practice elsewhere in the Authority or to highlight issues that need clarification or where Guidance has not been followed.

5.4 The Governors can make one of two decisions – to uphold the Head teacher's decision to exclude or to order the reinstatement (if appropriate) of the pupil, either immediately or at a later date. If the governors decide that a child should be reinstated the Head teacher must comply with this ruling.

5.5 The Governors cannot impose any conditions on the reinstatement of a pupil, nor can they increase the sanctions imposed by the Head teacher.

5.6 The details of an exclusion cannot be expunged from the pupil's school record but the Governors' findings should be annotated to this and copies of relevant papers added.

5.7 The decision of the Governors' Discipline Committee, with its reasons, will be communicated to the parents or carers, the Head teacher and the LA within one school day. In the case of permanent exclusions upheld by Governors, the letter will inform parents of their right of appeal to an Independent Appeal Panel and the process and timescale for this.

## **6 Policy monitoring and review**

6.1 The Governing Body will be notified of exclusions according to latest Guidance.

6.2 It is important for the Governing Body to monitor the implementation of school policies. A report on exclusions will be produced annually identifying looked after children, those with special educational needs, race and ethnic background and gender.

6.3 This Policy will be subject to review by the Governing Body every two years. Governors may however review it earlier if the Government introduces new regulations or if the Governing Body receives recommendations on how the policy might be improved.

### **Policy Links**

- Drugs and Substance Misuse
- SEN
- Anti-Bullying
- Behaviour and Discipline

***Agreed on behalf of the Governing Body***

**Date:**

**Review date:**