



Exclusions Policy

Frequency: Every 3 years	Renewal Date: September 2024
Committee: FGB	

Our approach to behaviour management, as set out in our Positive behaviour Policy, is rooted in the belief that all children have the right to learn in a positive environment.

We achieve this through:

- **Building positive relationships with all children.**
- **Giving attention to the behaviour we want to see.**
- **Consistent and calm adult behaviour.**

Children use behaviour as a way of communicating. It is our responsibility to understand and identify what they are trying to communicate.

We achieve this through:

- **Restorative conversations.**
- **All adults being role models for positive behaviours.**

We want all children to feel safe, happy and respected in school.

We achieve this through:

- **Routines.**
- **Clear rules with consistent follow-up actions applied fairly for all children.**

Whilst the strategies set out in the Positive Behaviour Policy are appropriate in most situations, there may be times that the Headteacher feels that an incident or on going behaviour requires an alternative approach.

Suspensions or Permanent exclusions may be necessary, as a last resort, only for pupils not responding appropriately to the Discipline and Pupil Behaviour policy and the procedures above.

The school will follow the DfE guidance on exclusions, as found on the DfE website.

<https://www.gov.uk/government/publications/school-exclusion>

The decision to exclude

A decision to exclude a pupil should be taken only:

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

Only the head teacher, or Executive Head Teacher (or, in the absence of the head teacher or teacher in charge, the acting head teacher or teacher in charge) can exclude a pupil.

A decision to exclude a child **permanently** is a serious one. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies, which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the child and should normally be used as a last resort.

There will, however, be exceptional circumstances where, in the head teacher's judgement, it is appropriate to permanently exclude a child for a first or 'one off' offence. **These might include:**

- a) Serious actual or threatened violence against another pupil or a member of staff
- b) Sexual abuse or assault
- c) Supplying an illegal drug
- d) Carrying an offensive weapon (for advice on what constitutes an offensive weapon refer to the DfE website

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1091132/Searching_Screening_and_Confiscation_guidance_July_2022.pdf#:~:text=Being%20in%20possession%20of%20a%20prohibited%20item%20%E2%80%93,cases%20may%20be%20involved%20in%20child%20criminal%20exploitation.

Schools should consider whether or not to inform the police where such a criminal offence has taken place. They should also consider whether or not to inform other agencies, e.g. Youth Offending Teams, social workers, etc.

Factors to consider before making a decision to exclude

Exclusion should not be imposed in the heat of the moment, unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to exclude a pupil, either permanently or for a fixed period, the head teacher should:

- a) Ensure that a thorough investigation has been carried out;
- b) Consider all the evidence available to support the allegations, taking account of the school's behaviour and equal opportunities policies, and, where applicable, the Race Relations Act 1976 as amended and the Disability Discrimination Act 1995 as amended;
- c) Allow and encourage the pupil to give his or her version of events
- d) Check whether the incident may have been provoked, for example by bullying, including homophobic bullying, or by racial or sexual harassment

e) If necessary, consult others, but not anyone who may later have a role in reviewing the head teacher's decision, for example a member of the governing body.

The standard of proof to be applied is the balance of probabilities, i.e. if it is more probable than not that the pupil did what he or she is alleged to have done, the head teacher may exclude the pupil. However, the more serious the allegation, the more convincing the evidence substantiating the allegation needs to be. This is not the same as requiring the criminal standard to be applied but it does mean that when investigating more serious allegations, head teachers will need to gather and take account of a wider range of evidence (extending in some instances to evidence of the pupil's past behaviour), in determining whether it is more probable than not that the pupil has committed the offence. *(revised 21 July 2004)*

Early intervention and alternatives to exclusion

Local Authorities should have preventative programmes in place to enable them to refer pupils identified as being at risk of exclusion to appropriate support. Experience has shown that such intervention has a high success rate and few pupils go on to be excluded. Exclusion, whether fixed period or permanent, should be used as a last resort when all other alternatives have been exhausted, but there will be circumstances where exclusion is appropriate.

When exclusion is not appropriate

Exclusion should not be used for:

- a) Minor incidents such as failure to do homework or to bring dinner money
- b) Poor academic performance
- c) lateness or truancy
- d) Pregnancy
- e) Breaches of school uniform rules or rules on appearance (for example, relating to jewellery, body-piercing, hairstyles, etc), except where these are persistent and in open defiance of such rules
- f) Punishing pupils for the behaviour of their parents, for example where parents refuse, or are unable, to attend a meeting. Guidance on dealing with difficult parents is contained in the

Length of fixed period exclusions

The regulations allow head teachers to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year. The limit of 45 school days applies to the pupil and not to the institution. Therefore, any days of fixed period exclusion served by the pupil in any school or PRU in the same school year will count towards the total. It is important therefore that, when a pupil transfers to a new school during the academic year, records of the fixed period exclusions a pupil has received so far during the current academic year are also transferred promptly to the new school. However, individual fixed period exclusions should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school. Ofsted inspection evidence suggests that 1-3 days is often long enough to secure the benefits of exclusion without adverse educational consequences. Exclusions may not be

given for an unspecified period, for example until a meeting can be arranged. Such a practice amounts to an indefinite exclusion for which no legal arrangements exist.

Lunchtime exclusion

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. A lunchtime exclusion is a fixed period exclusion (deemed to be equivalent to one half of a school day) and should be treated as such, and parents have the same right to be given information and to make representations. A lunchtime exclusion for an indefinite period, like any other indefinite exclusion, would not be lawful. Arrangements should be made for pupils who are entitled to free school meals to receive their entitlement which may mean, for example, providing a packed lunch. The Secretary of State does not expect lunchtime exclusion to be used for a prolonged period. In the long run another strategy for dealing with the problem should be worked out.

Procedures for review and appeal

Governing bodies must review all permanent exclusions from their school, and all fixed period exclusions that would result in a pupil being excluded for more than 15 school days in any one term, or missing a public examination. Governing bodies must also review fixed period exclusions which would result in the pupil being excluded for more than 5 school days but not more than 15 school days in any one term, only where the parent has expressed a wish to make representations. They must decide whether or not to reinstate the pupil, if appropriate, or whether the head teacher's decision to exclude the pupil was justified.

In line with DfE guidance, other alternatives to exclusion may be sought. In addition, the involvement of outside agencies, such the Behaviour Support Team and Inclusion Support may be sought, with a Pastoral Support Programme put in place to work with parents and multi-agencies to change a child's behaviour.

Monitoring and review

The headteacher monitors the effectiveness of this policy on a regular basis. They also report to the governing body on the effectiveness of the policy and, if necessary, makes recommendations for further improvements.

The governing body reviews this policy every two years. The governors may, however, review the policy earlier than this if the government introduces new regulations, or if the governing body receives recommendations on how the policy might be improved.