



Schools Exclusion Policy

Reviewed by. C. Greenwood September 24

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Headteachers: C Greenwood & W Thompson

Chair of Governors: R Ingram

The Upper Wharfedale Primary Federation aim to ensure that all children are included in all aspects of school life. It is only on a rare occasion that this policy may have to be put into action.

Aims of the governing body:

- To give appropriate support to the Headteachers in exclusion issues.
- To use its best endeavours to ensure that the school does not interfere with the continuous education of a pupil beyond what is necessary to modify behaviour.
- To ensure that exclusion is used appropriately within the framework of the school's Positive Behaviour Policy.
- To discharge appropriately its statutory duties concerning the consideration of reinstatement of excluded pupils.

Procedures: The Decision to Exclude

Only the Headteachers can exclude, or the person in charge on the day if the Headteachers are absent from school. Before deciding to exclude a pupil the Headteachers will:

- Ensure that an appropriate investigation has been conducted.
- Ensure that all the relevant evidence has been considered.
- Give the pupil and opportunity to be heard.
- Consult other relevant people, if necessary.

Having considered these matters the Headteachers will make a decision, normally based on the balance of probability, having regard to any current guidance from the Department.

Factors to be considered before Exclusion.

- An appropriate investigation has been conducted.
- All the relevant evidence has been considered.
- The pupil's version has been heard.
- If appropriate, other people have been consulted (not a member of the Discipline Committee).

If the balance of probabilities has been established, the pupil may be excluded.

Alternatives

- A restorative justice process – whereby the harm caused to the 'victim' can be redressed.
- Internal exclusion (removal from class, but not the site).
- A managed move to another school.

Exclusions can either be for a Fixed Term/Interim or Permanent. Indefinite exclusions are not permissible by law.

Fixed Term Exclusion

The Headteachers are permitted to exclude a pupil for one or more fixed term periods not exceeding 45 school days in any one school year. After 45 days, a Permanent Exclusion will be enforced. An individual fixed period suspension should be for the shortest time necessary, bearing in mind that suspensions of more than a day or two make it more difficult for the pupil to reintegrate back into the school afterwards.

If a child receives more than 15 days of fixed-term suspension in a term, governors must meet to review the suspension.

A school can suspend a pupil for lunchtimes, but the school should make efforts to resolve any difficulties before using a suspension. In exceptional cases, a further fixed term suspension or a permanent exclusion can be issued to follow the initial FTS. If this happens, the headteacher must write to the parent/carer to give reasons for the change.

Interim Exclusion

On occasions, for a serious offence, the Headteachers may decide to exclude a pupil for an interim period. This will allow furthermore detailed investigations to be undertaken.

On conclusion of the investigation the Headteachers will decide that either:

- The exclusion was justified, and no extension is required.

- A further period of exclusion in the form of an extension is required.

In both cases the school will contact the parents/carers of the excluded pupil prior to the expiry of the initial interim period.

When Exclusion is not appropriate:

Exclusion will not be used for:

- Minor incidents such as failure to do homework
- Poor academic performance
- Lateness or truancy
- Pregnancy
- Breaches of school uniform rules or rules on appearance, except where these are persistent and in open defiance of such rules.
- Punishing pupils for the behaviour of their parents/carers, for example where parents/carers refuse, or are unable to attend a meeting.
- Protecting victims of bullying by sending them home.

Education of Pupils excluded for a Fixed Term

The school will provide education from and including the sixth day of any period of fixed period exclusion of 6 (six) days or longer. Days of fixed period exclusion are not to be aggregated. The education must be provided off site.

Education of Pupils excluded Permanently.

Permanent Exclusions (PEX) are issued when the headteacher believes a pupil should never return to the school because they have seriously or persistently breached the school's behaviour policy and that allowing them to remain in school would seriously harm their education or welfare (or that of others in the school).

This type of exclusion must be reviewed at a meeting by a panel of governors. The pupil and parent/carer will have the opportunity to put their case at the meeting, can be represented by someone who can speak on their behalf and can be supported by a friend, if they wish. If governors agree with the Headteacher's decision to permanently exclude the pupil, pupil and parent/carer have a legal right to a further opportunity to challenge this decision via an Independent Review.

The Local Authority will be required to provide full-time education from day 6 (six) of a permanent exclusion.

Suspension/Exclusion as a Last Resort

A pupil will be suspended/excluded from school only as a last resort and because of serious and/or persistent breaches of the school behaviour policy and where allowing them to remain in school would be of serious detriment to the education or welfare of the pupil or others in school.

Other options should be investigated before resorting to a suspension/exclusion. The NYCC Ladder of Intervention provides structured, step-by-step guidance for schools to support individual pupils who

have social and emotional needs manifesting in challenging behaviour that could lead to a suspension/exclusion. The guidance details a graduated response to ensure early help is in place to support children and young people with social, emotional, and mental health needs, including those that are at risk of suspension/exclusion.

Before taking the decision to suspend/exclude, the Headteacher should consider the following:

- What whole-school approaches and provision are in place to support this pupil?

e.g. whole school behaviour policy and inclusive practice to support behaviour for learning, quality first teaching, etc.

- What measures or strategies has the school put in place to support this specific pupil?

e.g. behaviour plan, specific learning support, mental health, and wellbeing advice, etc. Have support and intervention been put in place and has enough time been allowed for the intervention or support to take effect?

- If there have been multiple, repeat suspensions/exclusions for similar reasons (e.g. abusive behaviour, drug use, etc.) what has been put in place to successfully address the causes?

Where the school is repeatedly suspending/excluding for the same reason, this could indicate unmet needs.

- What support has been sought from outside agencies, including the Local Authority?

Through its universal and targeted provision, the LA provides access to a range of services.

Has school accessed any of the following?

- SEND guidance (for pupils with Special Educational Needs or a Disability)
- Ladder of Intervention
- SEND Assessment (leading to an Education Health and Care Plan)
- Local Behaviour Collaborative or the Pupil Referral Service (PRS)
- Referral to the Locality Hubs to support additional educational and/or social, emotional, and mental health needs.
- Advice and support from an Educational Psychologist, the Early Help Service, Child, and Adolescent Mental Health Service (CAMHS), Youth Justice Service or Children's
- Social Care
- Early Help (EH) Assessment and Action Plan

Grounds for Exclusion

In line with paragraph 16 of the statutory guidance, before excluding a pupil permanently, the Headteacher must be convinced that there is sufficient evidence that the pupil has committed a disciplinary offence and that allowing the pupil to remain in school would seriously harm the education or welfare of that pupil or others in the school.

Re-integration Interviews

On all occasions when a pupil is excluded from school, a reintegration interview will be requested.

This will initially be the day of return after exclusion. A record will be made on the pupil file should a parent/carer choose not to attend without good reason. The Antisocial Behaviour Act 2003 has been

amended allowing a Court Order to consider the unreasonable failure of a parent/carer to attend a reintegration interview when deciding to make a parenting order.

Duties of Parents/Carers in relation to Excluded pupils.

Parents/carers will be responsible for supervising their child during the first 5 (five) days of any period of exclusion and will face a Fixed Penalty Notice if their child is found in a public place in school hours without reasonable justification during this period.

The procedure to exclude a pupil is to remain on file with this policy.

Procedure for Excluding a Pupil

Informing Parents/Carers about the Exclusion

The Headteacher will inform parents/carers without delay (by telephone, with a follow up letter within one school day). Parents/carers should be given the following information:

- In cases of fixed term exclusions, the length of the exclusion.
- In cases of permanent exclusion, that it is a permanent exclusion.
- The reasons for the exclusion.
- The parent's right of access to the pupils' school record.
- The date and time when the pupil should return to school (with a fixed term exclusion) or the number of lunchtimes for which the pupil is excluded (with lunch-time exclusions)
- With a permanent exclusion, its immediate effect, and any relevant previous history.
- Arrangements for the setting and marking of work (it is the parent's responsibility to ensure that work sent home is completed and returned to school).

The Clerk to the Governors will inform parents/carers of:

- Their right to make representations to the Discipline Committee
- The name of the person to be contacted if they wish to make representations.
- The letter to parents/carers will also state: the latest date by which the Discipline Committee must meet to consider the case.
- The name and telephone number of the Local Authority (LA) officer to be contacted for advice.
- The telephone number of ACE (the Advisory Centre for Education).
- The school will use model letters in the DfE's Guidance 'Improving Behaviour and Attendance' as exemplars.

Informing the Discipline

Informing the Discipline Committee and the LA

The Headteachers will inform the Governors' Discipline Committee and the Local Authority within

one school day of:

- Permanent exclusions
- Exclusions totalling more than five school days or ten lunch-times per term
- Exclusions necessitating a pupil missing a public examination

The Headteachers will inform the Discipline Committee and the Local Authority of fixed term exclusions amounting to five or fewer school days or ten (10) or fewer lunchtimes (or half days). The Headteachers will include:

- The name of the pupil
- The duration of the exclusion
- The reason(s) for the exclusion
- The pupil's age, gender, and ethnicity
- Whether the pupil has a statement or is on School Action or School Action Plus and whether he/she is in Local Authority care.

The Responsibilities of the Discipline Committee

The Discipline Committee –

- The Governing Body will appoint a Discipline Committee at the beginning of each academic year, and appoint a Chair and a Clerk.
- The Discipline Committee will review all exclusions and consider any representations from parents/carers.
- The Governors have decided that for exclusions under 6 (Six) days only written representations will be accepted.
- The Committee will consider whether reinstatement is a practical option.
- The Committee may consider more than one exclusion at anyone meeting where appropriate in cases where a pupil will miss a public examination because of exclusion; the Discipline Committee should endeavour to meet before the date of the examination.

Discipline Committee Meetings re: Exclusions.

On being informed of exclusion by the Headteachers, the Clerk or Chair MUST:

- With fixed term exclusions totalling fewer than 6 (Six) school days in one term, convene a meeting of the Discipline Committee to consider representations from the parents/carers (if these have been made), but the pupil cannot be reinstated.
- In the case of fixed term exclusions totalling more than 5 (five) but not more than 15 (fifteen) school days, in any one term, convene a meeting to review the exclusion if the parents/carers have asked to make representations between the 6th and the 50th school day after being notified of the exclusion.

- In cases of permanent exclusion, or where one or more fixed term exclusions add up to more than fifteen (15) days in any one term, arrange a meeting to review the exclusion between the 6th and the 15th school day after being notified of the exclusion.
- Invite the parent/carers, Headteachers and a Local Authority Officer to attend a mutually convenient time and place.
- Request written statements before the meeting; and circulate any such written statements (including any statements from witnesses).
- Send a list of those due to attend in advance to all interested parties.
- The parent/carers may be accompanied by a friend or a legal representative. The excluded pupil would usually be allowed to attend and to speak if the parent/carers requests this.
- The Committee must comply with the statutory time limits but is not absolved of its legal duties in the event of noncompliance (i.e. its decision remains valid even if it was made out of time).

Liaison with Parents/Carers

At all stages the Headteacher is expected to seek parental co-operation.

Drug related Exclusions.

Any decision to exclude will be based on the criteria spelled out in the school's Drug Policy, which forms part of the PSHE policy.

Lunchtime Exclusion

The Headteacher can exclude a disruptive pupil for the duration of a lunch break.

Permanent Exclusion

A decision to exclude a pupil permanently, as befitting its gravity, should only be taken as a last resort when a wide range of strategies for dealing with disciplinary offences have been employed to no avail or if an exceptional 'one-off' offence has been committed – examples of this are:

- Serious violence, actual or threatened, against a pupil or member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Deliberately sounding the school fire alarm
- Any other one-off offence considered by the Headteachers to be an exceptionally serious one.

Offsite Behaviour

In certain circumstances at the discretion of the Headteachers, the school will treat poor behaviour off site as though it occurred on the premises. This usually involves such behaviour committed on the way to and from school or during an educational visit.

Equal Opportunities

In making decisions about exclusion the Headteacher and Disciplinary Committee will consider any special educational needs, disabilities, gender, and cultural differences that may be relevant to the case. The Headteachers will consider the advice in the DfE's 'Improving Behaviour and Attendance', and any published codes of practice.

Monitoring and Review

The Headteachers will report at least annually on the number and type of exclusions and their outcome. The Disciplinary Committee will review the working of this policy, make an annual report to the Governing Body, and make recommendations as necessary to the Governing Body.

Related School Policies

Positive behaviour

Equalities policy