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Exclusion Policy

DATE APPROVED BY SMNG	Summer 2018		
REVIEW DATE	Summer 2020		
SIGNED HEAD TEACHER		DATE	22/5/18
SIGNED CHAIR OF TRUSTEES		DATE	22/5/18

St Mary's Church of England Primary School is committed to valuing the uniqueness of every child and encouraging them to reach their full potential. We promote an environment in which children, parents and staff are treated fairly and with respect, feeling able to contribute to the best of their abilities.

In the event of an exclusion being necessary the headteacher and Board of Trustees will be mindful of the latest revisions of Exclusion guidance from the Secretary of State for Education and DfE. This policy complies with the DfE's "Exclusion from maintained schools, academies and pupil referral units in England," September 2017. In the event of an exclusion the Education Welfare Officer and the LBE exclusion team will be informed and actions taken in accordance with the DfE statutory guidance for Children Missing from Education (January 2015).

We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way. All children can go through times of inappropriate behaviour, and we strive to never 'give up' easily on a child as we recognise that each person is a unique individual. We want to support them to achieve this.

A decision to exclude a child, either for a fixed period or permanently is seen as a last resort by the school. The physical and emotional health of all our children and staff is our primary concern. However we accept, that in some rare situations, exclusion may be necessary if all other strategies have been exhausted.

The school is responsible for communicating to children, parents and staff its expectations of standards of conduct. Policies and procedures are in place to promote good behaviour and appropriate conduct. These are the **Behaviour and Anti-Bullying Policy** and the **Physical Restraint Policy**.

No exclusion will be initiated without first exhausting other strategies or, in the case of a serious single incident, a thorough investigation.

Reasons for exclusion:

- Serious breach of the school's rules or policies;
- Persistent breaches of the school's rules or policies;
- Risk of harm to the education or welfare of the child or others in the school.

Any exclusion will be at the discretion of the headteacher, in consultation with the Chair of the Trustees, and with reference to the Trustees, as appropriate.

Temporary (Fixed-term) Exclusion

A temporary exclusion should be for the shortest time necessary. Ofsted evidence suggests that 1-3 days is the shortest time needed for the school to put in place strategies/train staff/etc., to enable it to support and manage a child's behaviour. That is, to secure the child benefits without adverse educational consequences.

Persistent or Cumulative Problems

Exclusion for a period of time from a half day to 5 days, for persistent or cumulative problems, will be imposed only when the school has already offered and implemented a range of support and management strategies. Such problems could include repetitive dangerous or destructive behaviour that has not been resolved following one or more of the strategies outlined in the Behaviour and Anti-Bullying Policy. An outside agency could be involved at any stage and at the discretion of the headteacher.

Single Incident

Temporary exclusion may be used in response to a serious breach of school rules and policies or a disciplinary offence, or when the child presents a danger if they were to remain in school. In such cases the headteacher will investigate the incident thoroughly and consider all evidence to support the allegation, taking account of the school's policies. The child will be encouraged to give his/her version of events and the headteacher will check whether the incident may have been provoked, for example by bullying or racial harassment.

If necessary the headteacher will consult the Chair of the Trustees. The Trustees would regularly review all types of exclusions.

Permanent Exclusion

A permanent exclusion is a very serious decision and the headteacher will consult with the Chair of the Trustees before enforcing it.

As with a temporary exclusion, it will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach or persistent breaches of school rules and policies. In this situation allowing the child to remain in school will seriously harm the education or welfare of the child or others in the school, or a disciplinary offence such as:

- serious actual or threatened violence against another pupil or a member of staff;
- possession or use of an illegal drug on school premises;
- carrying or use of an offensive weapon;
- persistent bullying;
- or persistent racial harassment.

Decision to Exclude

If the headteacher decides to exclude a child he/she will:

- ensure that there is sufficient recorded evidence to support the decision;
- explain the decision to the child;
- contact the parents, explain the decision and ask that the child be collected;
- send a letter to the parents confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion, and explain the parents' rights to appeal to an Independent Review Panel;
- the length of the exclusion and any terms or conditions agreed for the child's return;
- in cases of more than 5 days exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked;
- in cases of longer exclusion, ensure that alternative provision is arranged for the sixth day;
- plan how to address the child's needs and integration back into their class on his/her return;
- plan a meeting with parents and child on his/her return.

In the case of a permanent exclusion, the headteacher, in consultation with the Chair of Trustees will:

1. contact the parents;
2. inform the Trustees;
3. inform the Local Authority.

Safeguarding

An exclusion will not be enforced if doing so may put the safety of the child at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from school, or, in more severe circumstances the school may contact Social Services and/or the Police to safely take the child off site.

Behaviour outside school

Children's behaviour away from the school on school business (such as school trips, or sports fixtures) is subject to the Behaviour Policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in school.

Children with Special Educational Needs or Disability

The school must take account of any special educational needs when considering whether or not to exclude a child.

We have a legal duty not to discriminate against disabled children by excluding them from school for behaviour related to their disability. The headteacher should ensure that reasonable steps have been taken by the school to respond to a child's disability so the child is not treated less favourably for reasons related to the disability.

Marking Attendance Registers Following an Exclusion

When a child is excluded temporarily, he/she should be marked as absent using Code E.

Managed Move

A managed move will become necessary when:

- the headteacher and parents agree that the progress of the child has been unsatisfactory and the child is unwilling or unable to profit from the educational opportunities offered;
- or if a parent has treated the school or members of its staff unreasonably where 'unreasonable behaviour' is defined by the school's Parent code of conduct.

The headteacher may require the parents to remove the child at the end of a term. This is not exclusion and in such cases the headteacher may assist the parents in placing the child in another school, according to the local fair access protocol in conjunction with LBE.

Removal from school for other reasons

The headteacher may send a child home, after consultation with that child's parents and a health professional as appropriate, if the child poses an immediate and serious risk to the health and safety of other children and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time.

Appeal Procedure

If parents wish to appeal the decision to exclude, the matter will be referred to a committee of Trustees. It will arrange for an Independent Review Panel should the need arise and if requested will appoint a Special Needs expert to advise the panel. The Trustees will consider any recommendations and follow any directions made by these bodies.

The Trustees' committee must meet within 15 school days of the commencement of the exclusion. The committee must be formed of at least 3 trustees who must not discuss the exclusion with any other persons outside the meeting. The parents,

headteacher and a representative of the local authority must be invited to the meeting. All parties must be given the opportunity to make representations.

The school must provide written evidence in advance, which will be circulated to all invitees at least 5 school days in advance of the meeting.

When establishing the facts, the committee must apply the civil standard of proof, the committee must consider whether the decision to exclude was lawful, reasonable and procedurally fair, taking into account any evidence presented and whether the headteacher complied with their legal duties.

An outcome letter will be issued and sent to the parents within 5 working days of the committee meeting.

Parents have the right to refer the decision of the trustees' committee to an Independent Review Panel, should the committee not choose to reinstate the pupil. This application must be made within 15 school days of receipt of the committee's decision. Contact details for the independent panel will be available from the meeting clerk.

Document Retention

Parents can be reassured that all concerns will be treated seriously and confidentially.

Written records of all exclusions, committee meetings and independent panel reviews will be kept by the school in line with the trust's document retention management policy.