

Pupil Exclusion

This policy 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
- 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)

The school believes in good discipline as 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'.

All pupils are treated fairly with all decisions made on exclusion to ensure that such decisions are lawful, reasonable and fair. Pupils will not be discriminated against on the basis of protected characteristics. All pupils who are vulnerable to exclusion will be treated fairly.

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 as a last resort, when other approaches have been exhausted, except when an immediate exclusion is the only appropriate action to take.

Pupils 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 in writing, as soon as is reasonably practical, about a fixed period exclusion.

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)'. At all times the correct procedures will be followed.

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The school will endeavour to ensure that a decision to exclude will have taken into account a child's special educational need and disability

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.

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 Procedure

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

Role of the Headteacher.

When making the decision to exclude a pupil the Headteacher 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.

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- If she thinks it is necessary, the Headteacher 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 than 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

The Headteacher:

- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- 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;
- annually report to the Governing Body on the success and development of this policy.

Role of School Personnel

School personnel will:

- comply with all aspects of this policy;
- implement the school's equalities policy and schemes;
- 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;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community.

Role of Pupils

Pupils will:

- be aware of and comply with this policy;

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- support the school's Behaviour and Discipline Policy and guidance necessary to ensure the smooth running of the school;

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's Behaviour and Discipline Policy and guidance necessary to ensure smooth running of the school.

Fixed Term Exclusion

In any one school year the Headteacher 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.

Informing the Discipline Committee and the Local Authority

Within one school day the Headteacher will inform the Discipline Committee and the Local Authority of a pupil's exclusion.

The Role of the 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:

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- 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 Headteacher 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

Awareness of this policy will be raised through such media as:

- the School Prospectus
- the school website
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- school events
- meetings with school personnel
- communications with home such as newsletters
- reports such annual report to parents and Headteacher reports to the Governing Body
- information displays in the main school entrance

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

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- Complaints
- Parental Responsibility
- 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.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the Headteacher.

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.

| Date | Review Date |
|-----------------|-----------------|
| September, 2017 | September, 2018 |