

# Wicklewood Primary School and Nursery



## Exclusion of Pupils Policy

### **Responsible Person**

The person for the updating of this policy is: The Headteacher

### **Review and Monitoring**

This policy will be reviewed annually by the school welfare and performance committee

### **Reviewed:**

Signed: Richard Everitt (Chair of School Welfare and Performance Committee) Date: Summer 2021

Signed: Julia Brooks (Headteacher) Date: Summer 2021

Next Review due: Summer 2022

## **Purpose**

**This policy deals with the policy and practice which informs the school's use of exclusion.**

The school is committed to providing an environment where children can feel safe, happy, accepted and integrated. It is important that an orderly framework should exist within which effective teaching and learning can take place.

The school's Behaviour Policy is readily available to all pupils, parents and carers, and informs the school's use of exclusion. Staff will work closely with parents, carers and pupils to optimise the chances of every pupil succeeding. Where the school has ongoing concerns about a pupil's behaviour it will try to identify any causal factors and intervene early. The school will make every effort to ensure everything possible has been done to support the pupil.

Any pupil in risk of exclusion will be part of the school's special needs system with their own Individual Risk Management Plan/Behaviour Plan which will include behavioural targets. Reasonable adjustments would be made to support the pupil. The school will give consideration to a multi-agency assessment that goes beyond the pupil's educational needs.

Fixed-term or permanent exclusion will be used as the only remaining option. It will be used as a last resort. The school will follow the guidance set out in its exclusion policy/LA guidelines.

## **Introduction**

Section 52(1) Education Act 2011 states that the Head Teacher of a Local Authority maintained school may exclude a pupil from the school for a fixed period or permanently.

The decision to exclude a pupil will be taken in the following circumstances:

- (a) In response to a serious breach of the school's Behaviour Policy
- (b) If allowing the pupil to remain in school would seriously harm the education or welfare of other persons or the pupil him/herself in the school.

Exclusion is an extreme sanction and the Head Teacher (or Deputy in the Head's absence) is the only person who can make a decision to exclude a pupil. Behaviour that could prompt a fixed term exclusion is listed. The exact circumstances that trigger such an exclusion will be specific to each incident and every eventuality is not listed:

- Persistent disruptive behaviour in which there is a risk of injury to the child, other children and/or staff.
- Physical assault against a pupil (e.g. fighting, violent behaviour, wounding, obstruction and jostling) or an adult (e.g. threatened violence, wounding, obstruction and jostling).
- Aggressive behaviour in which property is damaged.
- A total refusal to comply with school discipline and repeated verbal abuse/threatening behaviour (e.g. swearing, carrying an offensive weapon, verbal intimidation) against a pupil or an adult.
- Bullying (Verbal, physical, homophobic, racist taunting and harassment)
- Racist Abuse
- Theft
- Sexual misconduct
- Drug and alcohol related
- Persistent disruptive behaviour

A decision to permanently exclude a pupil will only be taken:

- In response to persistent breaches of the school's behaviour policy; and
- Behaviour where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

It is unlawful to exclude or to increase the severity of an exclusion for a non-disciplinary reason. For example, it would be unlawful to exclude a pupil simply because they have additional needs or a disability that the school feels it is unable to meet.

## **Exclusions Policy and links to other policies**

This policy relates closely to the school's behaviour policy, Exclusion from maintained schools, Academies and pupil referral units in England (DfE 2017) and to the Equalities scheme.

The Head Teacher will:

- be responsible for ensuring this policy is implemented and for reporting to the governing body on its impact.
- ensure the policy and all procedures are in line with current legal requirements and LA guidelines
- ensure that all staff receive appropriate support, advice and training in managing pupil behaviour in order to minimise the risk of needing to exclude a pupil
- ensure that staff work closely with parents and relevant specialist agencies when managing challenging behaviour

## **Exclusion procedure**

- in the event of an exclusion, notify the parent without delay ideally by telephone, followed by a letter officially informing the pupil's parent of the period of the exclusion, or that the exclusion is permanent, by letter and give the reasons for the exclusion
- advise the parent that he or she may make representations about the exclusion to the governing body, and how and to whom their representations may be made
- advise the parent of the days on which he or she will be responsible for ensuring the pupil is not found in a public place
- if applicable, advise the parent of the latest date by which the governing body must meet to consider the circumstances of the exclusion of more than five days in one term either where the parent has requested a meeting or where the exclusion would result in the pupil missing a public examination
- in the case of a fixed-term exclusion, advise the parent of the date and time when the pupil should return to school
- advise the parent of the date, time and details of the reintegration interview (return to school meeting). This will be held following the expiry of the fixed term exclusion and will involve a member of the Senior Management Team and other staff where appropriate.
- advise the parent of any alternative educational provision, including location, dates of attendance and so on
- ensure that suitable full-time education is arranged for excluded pupils from the sixth school day of any fixed-period exclusion
- notify within a school day both the LA (i.e. the school's maintaining authority) and the governing body of the details of the exclusion, including the reason for it in the case of:
  - permanent exclusions and fixed-period exclusions which are converted to permanent exclusions
  - fixed-period exclusions totalling more than five school days in any one term
  - any exclusion that would result in the loss of an opportunity to take a public examination
- arrange a reintegration interview with parents following the expiry of any fixed-period exclusion of a primary-aged pupil where this will assist pupils reintegration and engage parents in promoting the improvement of her or his behaviour.

The **governing body** will:

- promote positive behaviour by celebrating the achievements of pupils and if appropriate by participating in final warning meetings to encourage pupils to make full use of the opportunities the school offers them.
- review the Head Teacher's exclusion decisions.
- dismiss exclusions that do not relate to a disciplinary issue and consider complaints about other circumstances under the complaint's procedure.
- receive training to equip themselves to discharge their duties properly.
- consider whether to establish a discipline committee. If so, it will consist of at least three members. The Head Teacher may not be a member.
- ensure that all exclusions meetings are clerked.

In cases of:

- permanent exclusions and fixed-period exclusions converted to permanent exclusions
- all fixed-period exclusions totalling more than 15 school days in any one term
- fixed-period exclusions totalling more than five school days in any one term, where the parent expresses a wish to make representations to the governing body
- exclusions that would result in the loss of an opportunity to take a public examination

the governing body (or discipline committee) will meet to:

- consider the circumstances in which the pupil was excluded
- consider any representations about the exclusion made by the parent and by the LA
- consider whether the pupil should be reinstated immediately, reinstated by a particular date or not reinstated.

**Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period.** The legal requirements in relation to such exclusions, such as notifying parents, still apply. Lunchtime exclusions are counted as half a school day.

The timescales and requirements about presentation of evidence as set out in the *Guide to Law for School Governors* will be followed at all times.

Pupils will be consulted when rules are being developed and will contribute to the monitoring of impact.

Parents will be encouraged to support good attendance and behaviour through home-school agreements, parents' meetings and newsletters. Parents will be aware that the school has an equal opportunities policy and will be consulted when monitoring the impact of the policy on different groups by race, gender and disability.

Where the governing body has upheld a permanent exclusion, parents may make an application for an Independent Review to the local authority. The decision of the Independent review panel is binding on the parties. If the parent considers that there was maladministration by the review panel, he or she may make a complaint to the Local Government Ombudsman or the Secretary of State.

Where a reintegration meeting is arranged following a fixed term the parents' presence is crucial. A parent's failure to attend may be a factor taken into account by a court when considering whether to impose a parenting order, if one is applied for at some future time.

**The school governors have agreed that a pupil excluded for the third time in one year will be permanently excluded. This process would be considered in the light of any child that has recognised SEN or disability.**

The school will exclude a pupil permanently on one incident if it is of a significant and serious nature.

The exclusion details will be uploaded to CPOMS and will include a copy of the Exclusion Notification Form, a copy of the parent's letter and a report from teacher/teacher assistant on the incident.

**The forms can be found on this link:**

<https://www.schools.norfolk.gov.uk/pupil-safety-and-behaviour/school-exclusions>

### **The school Arrangements for monitoring and evaluation**

The governing body will evaluate the impact of this policy through receiving data analysed by year group, gender and ethnicity on the number and range of fixed-term and permanent exclusions each term together with the reasons. It will encourage debate about the relevance and effectiveness of the school's behaviour management strategies, including the involvement of pupils and parents in forming policy.