

Meersbrook Bank



Community Primary
School

Meersbrook Bank Primary School

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Exclusion Policy

Compiled by	Rachel Edwards	Jan 2019
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To be reviewed	Annually or when legislation changes	
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Our school thrives on its calm, positive community feel. We are 100% committed to supporting every child and working with families to work through any specific behavioural difficulties. However, we do have a duty of care to **all** children and staff in school. Every child and member of staff has a right to be safe at school and the right to learn. In very serious cases a child may be excluded. Each incident will be judged according to the individual circumstances and their behaviour record. Parents will be contacted immediately and involved in this process. We will work in partnership with parents to resolve issues and ensure specific strategies are put into place to support their child. Our ultimate responsibility is to provide and maintain a safe, learning environment for everyone in the school.

Background

This policy deals with the policy and practice which informs the School's use of exclusion. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

1. The first is to ensure the safety and well-being of all members of the school community, and to maintain an appropriate education environment in which all can learn and succeed;
2. The second is to realise the aim of reducing the need to use exclusion as a sanction.

Introduction

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 is only administered by the Head teacher. Exclusion, whether for a fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the school's Behaviour Policy:

- Verbal abuse to staff and others
- Verbal abuse to pupils
- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Theft
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.

This is not an exhaustive list and there may be other situations where the Head teacher makes the judgment that exclusion is an appropriate sanction.

At times the Head teacher will decide not to use the extreme sanction of an exclusion but will decide that a Pastoral Support Plan should be drawn up to try avoid the sanction of an exclusion in the future. This might be accompanied by an internal exclusion.

Exclusion procedure

Most exclusions are of a fixed term nature and are of short duration (usually between one and three days). The DfE regulations allow the Head teacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

The Governors have established arrangements to review promptly all permanent exclusions from the school and all fixed term exclusions that would lead to a pupil being excluded for more than 15 days in a school term or missing a public examination.

The Governors have established arrangements to review fixed term exclusions which would lead to a pupil being excluded for more than five days but not more than 15 days in a school term where a parent has expressed a wish to make representations.

Following exclusion parents are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body and the Local Authority as directed in the letter.

A return to school meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Management Team and other staff where appropriate. During this meeting a Pastoral Support Plan will be drawn up, which will include a review date.

During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility as parents/guardians.

Records relating to exclusions will be stored confidentially.

Permanent Exclusion

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant mis-behaviour including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.

2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act 1993 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him".
- Arson
- Behaviour which poses a significant risk to the child's own safety.

The school will involve the police for any relevant offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of the school.

General factors the school considers before making a decision to exclude

Exclusion will not be imposed instantly 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 will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the Behaviour Policy, Equal Opportunity and Race Equality Policies

- Allow the pupil to give her/his version of events
- Explore the wider context, taking into consideration how much the incident may have been provoked (for example by bullying or by racial or sexual harassment).

If the Head teacher is satisfied that on the balance of probabilities the pupil did what he/she is alleged to have done, then exclusion will be the outcome.

Fixed-term and Permanent Exclusions - Procedures

- Only the Headteacher has the power to exclude a pupil from school (and in her absence the Head of School). The Headteacher may exclude a pupil for one or more fixed periods, for up to 45 days in any one school year. The Headteacher may also exclude a pupil permanently. It is also possible for the Headteacher to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this
- If the Headteacher excludes a pupil, s/he informs the parents immediately, giving reasons for the exclusion. At the same time, the Headteacher makes it clear to the parents that they can, if they wish, appeal against the decision to the governing body. The school informs the parents how to make any such appeal
- The Headteacher informs the LA and the governing body about any permanent exclusion, and about any fixed-term exclusions beyond five days in any one term. The governing body itself cannot either exclude a pupil or extend the exclusion period made by the Headteacher
- The governing body will convene a discipline committee, which is made up of between three and five members. This committee considers any exclusion appeals on behalf of the governors
- When an appeals panel meets to consider exclusion, they consider the circumstances in which the pupil was excluded, consider any representation by parents and the LA, and consider whether the pupil should be reinstated
- If the governors' appeals panel decides that a pupil should be reinstated, the Headteacher must comply with this ruling