

Meersbrook Bank



**Community Primary
School**

Exclusions Policy

Version: 1

Date: June 2022

Summary

This document is based on statutory standards from the Department for Education regarding exclusions. It is closely linked to the school's Behaviour Policy, and deals with the school's use of suspension and exclusion measures.

At Meersbrook Bank Primary School and Nursery we strive to create a happy, safe school in which everyone observes to 6 R's:

- Resilience
- Respect
- Relationships
- Resourcefulness
- Responsibility
- Reflectiveness

Everyone is important whatever their background and whatever their aspirations. Belonging to a safe and nurturing community, children will thrive and develop into well-rounded individuals who are equipped to meet the challenges of our modern world with confidence. These values are embedded in all of our policies and practice.

Exclusion legislation places obligations in relation to the "relevant person" – a parent or the pupil, where aged 18 or over. The definition of a parent for the purposes of this policy refers to the child's birth parents, or any person having parental responsibility (which includes the local authority where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives.

Document control

Owner

The owner of this document is the Head Teacher. All requests for change should be directed to them. Any printed copies of this document are for reference only; the definitive version is the computer file held by office administrator.

Revision history

Date	Version	Changes	Author(s)
June 2022	1	New Policy	GH

Approval

Date	Version	Approver(s)	Minute number
23/6/22	1	Resources Committee	9.8

Review period – This policy will be reviewed every year

Version	Next revision due
1	June 2023

This policy should be read in conjunction with:

- [Behaviour Policy](#)
- [Safeguarding Policies](#)

Statement of Policy

1. Introduction

- 1.1 Exclusions and suspensions are an extreme sanction and the decision to exclude a pupil is only taken by the Head Teacher (or in their absence, a member of the Senior Leadership Team).
- 1.2 Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The government supports the decisions of Head Teachers and they should be confident in using exclusion or suspension where they consider it to be a lawful, reasonable and fair action.

2. Terms

Suspensions used to be known as suspensions until 2022. These are temporary; the length of which is determined by the Headteacher or senior member of staff.

Exclusion refers to a permanent exclusion, where the child is permanently removed from the school register.

3. Factors determining decisions about exclusions and suspensions

- 3.1 In considering whether to exclude a pupil, the Head Teacher should weigh up the seriousness, or persistence, of the pupil's behaviour. The decision to exclude a pupil will be made in response to a child causing significant harm to another pupil or staff member, or if by allowing the pupil to remain in school, the safety or educational or emotional welfare of others would be seriously put at risk. Examples of such behaviours may include:
 - Verbal abuse of others
 - Physical abuse of others (Including spitting)
 - Serious damage to school or personal property
 - Threatening behaviourThis is not an exhaustive list, and each case is judged in context.
- 3.2 In making exclusions, the school must not discriminate against pupils on the basis of protected characteristics, such as gender, sexual orientation, disability or race. All pupils must be treated fairly and lawfully.

4. Procedures for Suspensions

- 4.1 Most exclusions are of a fixed term nature and are graduated over time and according to the nature of the behaviour.
- 4.2 Government 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.
- 4.3 Following exclusion parents are contacted immediately where possible. A letter (Appendix 1) will be sent by post or hand delivered giving details of the exclusion and the date the exclusion begins and ends. Parents have a right to make representations to the Governing Board and the LA as directed in the letter.
- 4.4 The Head Teacher should ensure that information provided to parents is clear and easily understood. Where the parents' first language is not English, consideration should be given, where practicable, to translating the letter or taking additional steps to ensure that the details of the exclusion and parents' right to make representations to the governing board have been understood.
- 4.5 During the course of a Suspension where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, or in public places during school hours and that daytime supervision

is their responsibility, as parents/guardians. Parents who fail to comply with this duty without reasonable justification commit an offence and may be given a fixed penalty notice or prosecuted.

- 4.6 Class teachers will take reasonable steps to set and mark work for pupils during the first five school days of a suspension.
- 4.7 A 'return to school meeting' will be held following the expiry of the suspension and this will involve a member of the Senior Management Team.
- 4.8 A Suspension can also involve a part of the school day; for example, if pupils' behaviour at lunchtime is disruptive, they may be excluded from the school premises for the duration of the lunchtime session.
- 4.9 A suspension cannot be converted to a permanent exclusion. However the pupil may be suspended while the headteacher investigates further to determine whether a permanent exclusion will be made.

5. Procedures for Permanent Exclusion

- 5.1 The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:
 - i. The 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 breach of the behaviour policy and/or defiant misbehaviour including bullying.
 - ii) on the basis of one serious incident or offence
- 5.2 Where parents dispute the decision not to reinstate a permanently excluded pupil, they can ask for it to be reviewed by an independent review panel.
- 5.3 Schools have powers to direct pupils off-site for education to improve their behaviour (for example to attend a Pupil Referral Unit (PRU) or similar). A pupil can also transfer to another school as part of a 'managed move' where this occurs with the consent of the parties involved, including the parents.
- 5.4 If a decision to permanently exclude is made, this can be reversed by the school within 15 days.

6. General Conduct throughout the Exclusion Process:

- 6.1 The lead up to and the process of exclusion is a difficult time, the school will endeavour to be open and honest with parents, and engage in two way dialogue.
- 6.2 Exclusions may not always be imposed instantly unless there is an immediate threat to the safety of others in the school or the student 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 school policies
 - Allow the student to give her/his version of events.
 - Check whether the incident may have been provoked.
- 6.3 Where a school has concerns about the behaviour or risk of exclusion of a child with additional needs, including a pupil with a looked after child, it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's Special Educational Needs or Disabilities (SEND).

Where a pupil has an Education & Health Care Plan (EHCP), schools should consider requesting an early annual review or interim / emergency review.

7. The governing board's duty to consider exclusion

7.1 The governing board has a duty to consider parents' representations about an exclusion. The case will be considered by a panel of governors from a committee with these delegated functions.

7.2 Within 15 school days of receiving notice of the exclusion, the governing board must consider whether an excluded pupil should be reinstated in the case of:

- All permanent exclusions;
- All suspensions of pupils who have been excluded for more than 15 school days in the term, or who will have been as a result of the exclusion; and
- All suspensions that would result in a pupil missing a national curriculum test.

Whilst there is no legal imperative to allow an excluded pupil to return to school in order to take a public examination or test, the governing board should consider whether it would be appropriate to exercise discretion and allow the excluded pupil back on school premises for this purpose.

7.3 Where the governing board is legally required to consider the reinstatement of a pupil the following parties must be invited to a meeting of the governing board and allowed to make representations:

- parents (and, where requested, a representative or friend);
- the Head Teacher; and
- a representative of the local authority (in the case of a maintained school or PRU).

8. Monitoring

8.1 The Governors will review promptly all permanent exclusions from the school and all suspensions that would lead to a student being excluded for over 15 days in a school term or missing a national curriculum test.

8.2 The Governors will review suspensions which would lead to a student being excluded for over five days in a school term where a parent has expressed a wish to make representations.

8.3 The Head Teacher will must notify the local authority of all exclusions.

8.4 The Head Teacher will notify the governing board once a term of any exclusions.

Appendix I: Standard suspension template (Sheffield Authority)

SUSPENSION EXAMPLE LETTER

Date

**Parent/Carer of
Address**

Dear Parent/Carer

Suspension of ? Days - Re: Pupil name, year group and DOB

I am writing to inform you of my decision to suspend **(Pupil Name)** from school for a fixed period of ? days. This means that pupil he/she will not be allowed in school for this period. The suspension begins on **(day of week and date)**.

I realise that this suspension may be upsetting for you and your family, but the decision to suspend **(Pupil Name)** has not been taken lightly.

(Pupil Name) has been suspended for this fixed period because **reason for suspension**

Your Responsibility

It is your responsibility as the parent/carers (delete as appropriate) to ensure that your child is not present in a public place in school hours during this suspension between **(Dates)** unless there is a reasonable justification for this. I must warn you that you may receive a penalty notice from the local authority if your child is found in a public place during normal school hours on the specified dates without reasonable justification.

The School's Responsibility

The school will set work for **(Pupil Name)**, to be completed during the period of their suspension as specified below.

On the first day of the suspension your child will be expected to:

- reflect upon their behaviour and prepare for the reintegration meeting in which they will be required to consider the incident, how they might make amends and how to avoid this happening again.
- catch up on any outstanding school work.

Please ensure that your child undertakes this reflection and catches up on any work which is outstanding. Depending on the length of the suspension, after the first day your child will be provided with a pack of materials to work on at home up to the fifth day of suspension. The school will ensure you receive appropriate work for the period of the exclusion. Please ensure that work set by the school is completed and returned promptly for marking, and that your child is in the care of yourself or a responsible adult during school hours.

Your Rights

- A. If the total days of suspension are below five days in any one term you may** make representation to the Governing Body who will consider these but the Governing body does **not** have the authority to overturn the exclusion. At **(SCHOOL NAME)** representation for this level of exclusion will be considered by the Chair of Governing Body

B. If the total days of suspension take the total number of days above 5 but below 15 days in any one term parents **can** request a Governing Body Meeting*. This meeting will be held within 50 days of the parent receiving the suspension notice. A representative of the local authority will also attend if requested.

C. If the total days of suspension take the total number of days above 15 days in any one term or if the suspension is permanent the Governing Body* **must** convene a meeting to consider reinstatement. A representative of the local authority will also attend.

Number of days **(Pupil Name)** has been excluded this Autumn/Spring/Summer term **YEAR** is ? days.

If you wish to make representations please contact our Chair of Governors, **Governor Name**, at the school address as soon as possible.

Reintegration Meeting

You and your child are requested to attend a reintegration interview with **Staff Names on Date and Time**. If that is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration interview is to be clear what the school, yourself and your child can all agree to ensure a successful reintegration.

Impartial Information

This can be accessed through: Coram Children's Legal Centre: www.childrenslegalcentre.com or Tel: 08088 020 008.

Statutory Guidance on Exclusions

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

You may want to contact the Sheffield Exclusion's Team at Moorfoot Building on 2736197 or 2735750.

Yours sincerely

Headteacher

*The Governing Body in these cases is likely to mean a subcommittee of at least three Governors.

Copies to:

Appendix 2 - Letter template in the event that a suspension **requires further investigation.**

Date

Parent/Carer of
Address

Dear Parent/Carer

Suspension of ? Days - Re: Pupil name, year group and DOB

I am writing to inform you of my decision to suspend (**Pupil Name**) from school for a fixed period of ? days. This means that pupil he/she will not be allowed in school for this period. The suspension begins on (**day of week and date**).

I realise that this suspension may be upsetting for you and your family, but the decision to suspend (**Pupil Name**) has not been taken lightly.

(**Pupil Name**) has been suspended for this fixed period because **reason for suspension**

Further Investigation

Due to the serious nature of the incident I will continue to investigate and gather information, during the suspension period in order to ensure the matter has been dealt with appropriately. Please note that should additional evidence/information come to light in that time, which I was not in possession of at the time of making the decision to suspend (Pupil's Name), I reserve the right to review the matter in light of the new evidence/information; and I may decide the appropriate decision is to permanently exclude (Pupil's Name) in light of that evidence/information. In line with the current legislation any such decision would not be made until the suspension has concluded and you would be informed accordingly in writing.

Your Responsibility

It is your responsibility as the parent/carer (**delete as appropriate**) to ensure that your child is not present in a public place in school hours during this suspension between (**Dates**) unless there is a reasonable justification for this. I must warn you that you may receive a penalty notice from the local authority if your child is found in a public place during normal school hours on the specified dates without reasonable justification.

The School's Responsibility

The school will set work for (**Pupil Name**), to be completed during the period of their suspension as specified below.

On the first day of suspension your child will be expected to:

- reflect upon their behaviour and prepare for the reintegration meeting in which they will be required to consider the incident, how they might make amends and how to avoid this happening again.
- catch up on any outstanding school work.

Please ensure that your child undertakes this reflection and catches up on any work which is outstanding. Depending on the length of the suspension, after the first day your child will be provided with a pack of materials to work on at home up to the fifth day of suspension. The school will ensure you receive appropriate work for the period of the suspension. Please ensure that work set by the school is completed and returned promptly for marking, and that your child is in the care of yourself or a responsible adult during school hours.

Your Rights

D. If the total days of suspension are below five days in any one term you may make representation to the Governing Body who will consider these but the Governing body does **not** have the authority to overturn the suspension. At (**SCHOOL NAME**) representation for this level of suspension will be considered by the Chair of Governing Body

E. If the total days of suspension take the total number of days above 5 but below 15 days in any one term parents **can** request a Governing Body Meeting*. This meeting will be held within 50 days of the parent receiving the suspension notice. A representative of the local authority will also attend if requested.

If the total days of suspension's take the total number of days above 15 days in any one term or if the suspension is permanent the Governing Body **must** convene a meeting to consider reinstatement. A representative of the local authority will also attend.

Number of days **(Pupil Name)** has been suspended this Autumn/Spring/Summer term **YEAR** is ? days.

If you wish to make representations please contact our Chair of Governors, **Governor Name**, at the school address as soon as possible.

Reintegration Meeting

You and your child are requested to attend a reintegration interview with **Staff Names on Date and Time**. If that is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration interview is to be clear what the school, yourself and your child can all agree to ensure a successful reintegration.

Impartial Information

This can be accessed through: Coram Children's Legal Centre: www.childrenslegalcentre.com or Tel: 08088 020 008.

Statutory Guidance on Suspensions

<http://www.education.gov.uk/schools/pupilsupport/behaviour/suspension>

You may want to contact the Sheffield Exclusion's Team at Moorfoot Building on 2736197 or 2735750.

Yours sincerely

Headteacher

Appendix 3 - Standard permanent exclusion letter template (Sheffield Authority)

Date

Parent/Carer of

Address

Dear Parent/Carer

PERMANENT EXCLUSION - Re: Pupil Name, Year Group and DOB

I regret to inform you of my decision to permanently exclude **(Pupil Name)** with effect from **(Date)**. This means that **(Pupil's Name)** will not be allowed in this school/this PRU unless he/she is reinstated by the governing body/the discipline committee/(PRU only) the local authority. Alternative arrangements for **(Pupil Name)**'s education to continue will be made.

Why?

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude **(Pupil's Name)** has not been taken lightly. **(Pupil's Name)** has been excluded because **(Reasons for the exclusion)** which is/or

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

Your responsibility

It is your responsibility **(according to recent legislation)** as the parent/carer to ensure that your child is not present in a public place in school hours during this exclusion between **(Specify dates)** unless there is reasonable justification for this. I must warn you that you may receive a penalty notice from the local authority if your child is found in a public place during normal school hours on the specified dates without reasonable justification.

School's Responsibility

For the first five school days of the exclusion we will set work for **(Pupil's Name)** and would ask you to ensure this work is completed and returned promptly to school for marking **(this may be different if supervised education is being provided earlier than the sixth day)**.

From the sixth school day of the exclusion onwards – i.e. from **(Specify the date)** the Sheffield Local Authority will provide suitable full-time education. **(Set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter or by phone)**. You can contact Genine Nuttall on 2736197 or Sarah Kelly on 2735750 – who work in the Exclusions Team.

(Where pupil lives in a local authority other than the excluding school's local authority) I have also today informed **(Name of officer)** at **(Name of local authority)** of your child's exclusion and they will be in touch with you about arrangements for his/her education from the sixth school day of exclusion. You can contact them at **(Give contact details)**.

Governing Body

As this is a permanent exclusion the governing body must meet to consider it. At the review meeting you may make representations to the governing body if you wish and ask them to reinstate your child in school. The governing body has the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you if you dispute the outcome of the decision you have the right to an independent review. The latest date by which the governing body must meet is **(Specify the date – the 15th school day after the date on which the governing body was notified of the exclusion)**. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact **(Name of Contact)** on/at **(Contact Details – Address, Phone Number, email)**, as soon as possible. Your child is also entitled to attend the meeting and speak on his / her behalf, taking into account your child's age, understanding and how they may feel about giving their view. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform **(Contact)** if it would be helpful for you to have an interpreter present at the meeting.

I must also draw your attention to sources of relevant free and impartial advice:

The Department for Education guidance on exclusions:

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion/a0076478/previous-exclusion-guidance>

The Coram Children's Legal Centre:

www.childlawadvice.org.uk 0300 330 5485

The School Exclusions Project:

<https://schoolexclusionproject.com/>

Where considered relevant by the Headteacher, information on the Traveller Service or the Sheffield Special Educational Needs and Disability Information Advice and Support (SENDIAS) 2736009 or ssendias@sheffield.gov.uk

Yours sincerely

(Name)

Copies