



St. Andrew's
Church of England Primary School



Exclusion Policy

Spring 2021

We believe that every person in our school community should flourish and broaden their horizons. Therefore, it is the element of 'enrichment' that defines our school; we are a church school that endeavours to provide the widest of opportunities for all.

Within our caring and nurturing environment and guided by our shared Christian values, we aim to ensure that all voices in our school family can be heard and all are engaged in learning that develops and challenges them, excites their imagination and provides an opportunity to achieve their full potential.

We see everyone and everything as valued in the eyes of God and recognise that all the members of our family are individuals as we work together towards a society of mutual respect, compassion and justice.

Even the smallest person can change the course of the future." JRR Tolkien

1. Rationale

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.

This policy takes into account the guidance contained in:

- *The Lincolnshire Ladder of Behavioural Intervention (LLBI) October 2017*
- *Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion September 2017*

2. 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 the School would seriously harm the education or welfare of the pupil or others in the School.

3. Roles and Responsibility

Exclusion is an extreme sanction and is only administered by the Headteacher (or the acting Headteacher). Exclusion, whether 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 and may include

- 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 Headteacher makes the judgement that exclusion is an appropriate sanction.

4. Reducing and Preventing Exclusions

The School will consider the following factors in order to aim to reduce and prevent exclusions.

For pupils **at risk**:

Step One

- Consideration of any unmet need whether this is educational or environmental. Possible support through our SEND graduated approach or through the completion of an Early Help Assessment. Assessment and the engagement of services from outside agencies will be undertaken where appropriate.
- Use of a Pastoral Support Plan

For pupils who have **not** responded to Step One

Step Two

- Targeted school-based support from Behaviour Outreach Support Service (BOSS)
- Consideration of a managed move
- Consideration of Education, Health and Care (EHC) Plan if delegated funding has been used and advice from agencies exhausted

For pupils who have **not** responded to Step Two

Step Three

- Referral for placement in alternative provision

4. Exclusion procedure

4.1 Only the Headteacher (or the or the Senior Leader acting in his place) has the power to exclude a pupil from school. The Headteacher may:

- exclude a pupil for one or more fixed period.
- exclude a pupil permanently
- convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this.

4.2 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.

4.3 The procedures identified on page 6 will be followed in relation to any meetings.

4.4 The Headteacher informs the Governing Body about any permanent exclusion, and about any fixed-term exclusions. The Headteacher will also brief the governor responsible for safeguarding. (This governor will not subsequently participate in any appeals procedures that may take place.)

4.5 In addition, the Headteacher would inform the Local Authority about any permanent exclusion, and about any fixed-term exclusions of more than five days or where a pupil's total number of days excluded, in any one term, exceed 5 days.

4.6 The Governing Body itself cannot either exclude a pupil or extend the exclusion period made by the Headteacher.

4.7 When required, the Governing Body will convene a Behaviour Committee which is made up of between three and five members. This committee considers any exclusion appeals on behalf of the Governors.

4.8 During a fixed term exclusion of 5 or fewer days, work will be set by the school for the student to complete at home. This work should be returned completed at the end of the exclusion for marking.

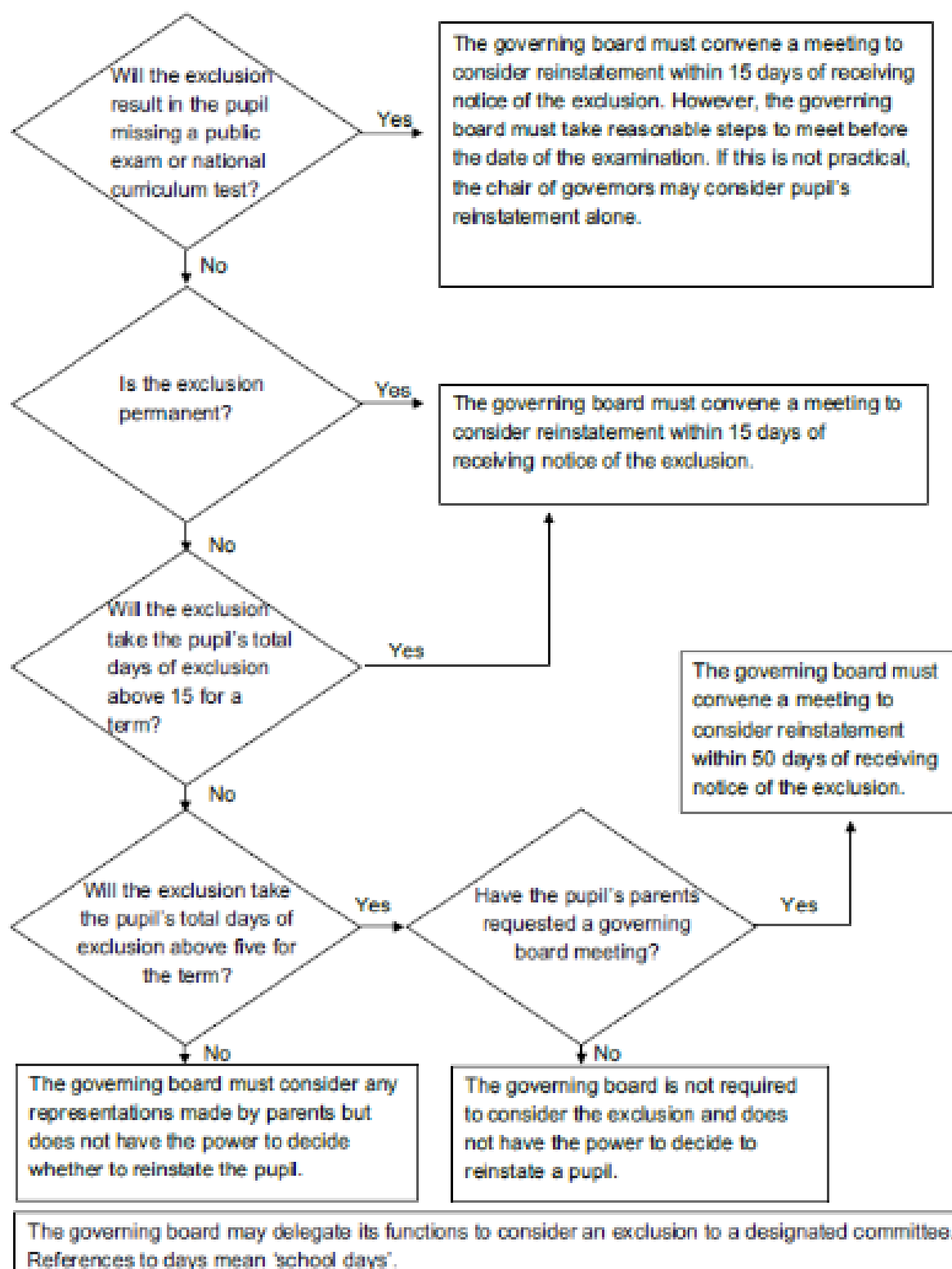
4.9 For an exclusion of longer than 5 days, the school will arrange full-time educational provision from the sixth day of exclusion with the Local Authority.

4.10 During the first five days of any exclusion, the parents of an excluded student must ensure that they are not present in a public place during normal school hours without reasonable justification, whether with or without a parent/carer. Failure to comply with this is an offence for which a fixed penalty notice can be issued.

4.11 When the Behaviour Committee meets to consider an exclusion, they consider the circumstances in which the pupil was excluded, applying the balance of probabilities standard of proof, consider any representation by parents and the LA, hear any witnesses, consider any signed and attributed witness statements, consider whether the Headteacher's decision to exclude was justified and then determine whether they should uphold the Headteacher's decision.

4.12 In determining any exclusion appeal, the Behaviour Committee will abide by all current guidance and regulations (currently: Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion September 2017).

Schedule for Meetings



4.13 If the Governors' Behaviour Committee decides that a child should be reinstated, the Headteacher must comply with this ruling.

Where reinstatement is not practical because, for example, the pupil has already returned to school following the expiry of a fixed period exclusion or the parents make clear they do not want their child reinstated, the Governing Body must, in any event, consider whether the Headteacher's decision to exclude the child was justified based on the evidence.

4.14 If applied for by parents within the legal time frame, the school must, at their own expense, arrange for an independent review panel hearing to review the decision of a governing body not to reinstate a permanently excluded pupil. It is the school's decision to use the services provided by the Local Authority.

4.15 The legal time frame for an application is:

- within 15 school days of notice being given to the parents by the governing body of their decision to uphold a permanent exclusion (in accordance with the requirements in paragraph 74); or
- where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion

Any application made outside of the legal time frame must be rejected by the school.

5. Lunchtime Exclusion

Pupils whose behaviour at lunchtime is disruptive, may be excluded from the School premises for the duration of the lunchtime period. Alternatively, this may also be considered as part of a pastoral support plan and reduced timetable.

Where this is treated as a fixed term exclusion and not part of an agreed pastoral support plan, parents/carers will have the same right to gain information and to appeal.

6. Behaviour Outside the School

Pupil's behaviour outside the school on school "business" for example:

- School visits and journeys
- 'Away' school sports fixtures

is subject to the School's Behaviour Policy. Poor choices of behaviour in these circumstances will be dealt with as if they had taken place in the School.

7. Pupils with special educational needs and/or disabilities

7.1 The School must take account of any special educational needs when considering whether or not to exclude a pupil. St Andrew's has a legal duty under the Equality Act 2010 as amended not to discriminate against disabled pupils 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 pupil's disability so the pupil is not treated less favourably for reasons related to the disability. 'Reasonable steps' could include:

- differentiation in the school's behaviour policy
- developing strategies to prevent the pupil's behaviour
- requesting external help with the pupil
- staff training

7.2 The School will work in partnership with others, including the LA, to consider what additional support or provision may be required. The school may consider requesting an early or interim/emergency review for those pupils with an EHC Plan.

7.3 Where reasonable adjustments to policies and practices have been made to accommodate a pupil's needs and to avoid the necessity for exclusion as far as possible, exclusion may be justified if there is a material and substantial reason for it. A specific incident affecting order and discipline in the School may be such a reason.

8. Permanent Exclusion

8.1 The decision to exclude a pupil permanently is a serious one and reflects the fact that a permanent exclusion should only happen when allowing the perpetrator to remain in school would harm other pupils. There are two main types of situation in which permanent exclusion may be considered:

- A. 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 all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on School premises.
- B. 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 violence against another pupil or a member of staff
 - Sexual abuse or assault
 - Supplying any drugs/medication
 - Possessing any drugs/medication not previously approved by the school (approval being defined by the procedures within our Administration of Medicines Policy)

- Carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act 193 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

8.2 The School will consider police involvement for any of the above offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well being of the School.

8.3 Intent will be considered for incidents involving a potential weapon. The School recognises that drug use can be a symptom of other problems and is ready to refer pupils to other services if needed.

9. General factors the School considers before making a decision to exclude

9.1 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 Headteacher (or the Senior Leader acting in her place), will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the pupil Behaviour Policy, Equality Policy
- Allow if possible the pupil to give her/his version of events
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.
- Consideration of mitigating circumstances e.g. bereavement or bullying

9.2 If the Headteacher (or the Senior Leader acting in his place) is satisfied that on the balance of probabilities the pupil did what he/she is alleged to have done, exclusion will be the outcome.

10 Alternatives to Exclusion

St Andrew’s is committed to using exclusion only as a last resort. Alternatives will always be considered and may include:

- restorative justice processes;
- isolation; and/or
- reduced/modified timetables as part of an agreed pastoral support plan
- a managed move, in line with the locally agreed protocol.

11. Reintegration

11.1 Before the end of any fixed-term exclusion, parents / carers will be invited to attend a reintegration meeting at the school with their son/daughter. The purpose of the meeting is to ensure that the student understands the reason for the exclusion and is committed to

preventing the behaviour that led to the exclusion from being repeated. The school will consider all further support needed to help the student, including referral to external agencies if appropriate.

11.2 A fixed term exclusion will not be extended because a meeting with parents/carers cannot be arranged, nor because a parent/carer refuses to sign a Pastoral Support Plan. In the event that a meeting with parents/carers cannot be arranged, the meeting will still be held with the student and an appropriate adult. The school will keep a record if parents/carers fail to attend and any reason given.