

St Margaret's CE Primary



EXCLUSIONS POLICY 2025

Date adopted by Governing Body: Autumn Term 2024

Date of next review: Autumn term 2027

Suspension Policy

Rationale

St Margaret's Church of England Primary School has a Behaviour Policy that aims to ensure that our children develop good emotional, social and behavioural skills so that they are well equipped for school life, family life and beyond. Alongside this we have procedures in place to ensure the safety and well-being of all members of the school community. The Behaviour and Attitudes Policy includes strategies to help improve the behaviour of individual pupils and consequently avoid exclusion. Good discipline is essential so that all children can benefit from the opportunities provided by education. The Government supports headteachers in using exclusions as a sanction where it is warranted.

The term exclusion is interchangeable with suspension

It may be necessary to exclude a pupil:-

- In response to a serious breach of the school's Behaviour and Attitudes Policy;
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the School.

Types of Exclusion

There are three types of exclusion:-

- Internal exclusion
- Fixed Period Exclusion
- Permanent Exclusion

An internal exclusion would happen if the behavior of the child has caused disruption to the learning of other children and involves the child working outside of the classroom environment, for example in Pupil Welfare room , with a member of the school's leadership team or in another classroom.

A fixed period exclusion will be determined by the Headteacher and is when a child is excluded from school and must remain home for a fixed amount of time. This should be for the shortest time necessary to ensure minimal disruption to the child's education, whilst mindful of the seriousness of the breach of policy. The DfE (Department for Education) regulations states that a pupil may be excluded for one or more fixed periods. These are of short duration (usually between half a day and three days) up to a maximum total of 45 school days in any one school year. In exceptional circumstances a fixed-period exclusion may be converted to a permanent exclusion, usually in the light of further evidence.

Work will be sent home for the pupil and marked on return if at all possible. If the exclusion is longer than 5 days then we will arrange suitable full-time education from (and including) day 6.

A permanent exclusion is issued by the Headteacher when a child is permanently excluded from school and not allowed to return. This is a very serious decision and the Headteacher will consult with senior leaders and the Governing Body as soon as possible in such a case.

Managing serious or persistent problems

We always seek to label the behaviour and not the child. The behaviour of a child giving cause for concern will be assessed. Every effort will be made to improve the child's behaviour and this may include the following:

- Establishing triggers or antecedents by completing Behaviour Incident Logs
- Devising Individual programmes
- Inviting parents to discuss their child's behaviour and to work with us to develop and implement a Behaviour Plan
- Writing a Behaviour Plan/Risk Assessment to identify proactive interventions, the signs of and triggers for escalating behaviour and strategies to be used to minimise the risk of escalating behaviour occurring
- Involving the child in self-assessment to encourage responsibility for own behaviour e.g. by completing a chart to grade own behaviour during a session
- Referring the child to our play therapist for sessions or to the NHS Child Development Centre for a paediatric assessment
- Referring the child to the Learning and Behaviour Advisory Team (LBAT)

Pastoral Support Programme

A Pastoral Support Plan may be used to help a child at risk of exclusion in order to support them to make better behavioural choices. A PSP involves school staff, parents/carers and the child and aims to identify:

- Unacceptable behaviours that the child is displaying, any known triggers resulting in the behaviour and consequences should it occur e.g. time-out, reporting to Headteacher etc
- Objectives and setting targets to be reviewed over a short period of time (usually fortnightly)
- Strategies for managing the environment, the class or group and the activities which give rise to the inappropriate behaviours
- Strategies for teaching the child alternative positive behaviours and ways of thinking

Pupils with Additional Needs

We recognise certain groups of children including those with SEN and those who are 'Looked After' are particularly vulnerable to the impact of exclusion and we will be fully pro-active in taking steps to minimise the risk of having to take this step. We will actively engage with parents, foster carers, children's homes and the Local Authority if a child is placed in care. The decision to exclude a child with an additional need will only be taken as a last resort and permanent exclusion will be avoided as far as possible whilst maintaining the safety of the child and those around them.

If we have concerns about a child with additional needs we will re-assess the suitability of provision and modify and/or adapt the provision we are offering to meet the child's needs and then monitor the impact of these changes. If still concerned, we will then consult with other professionals, including the Local Authority, to consider what additional support or alternative placement may be required. Where a child has an Education, Health and Care Plan, we may request an early annual review or an emergency interim review.

The Headteacher and the governors will consider their duties in relation to a child's special educational needs when administering the exclusion process and give careful consideration to how these needs are being met under the 2014 SEN Code of Practice. We are aware that it is unlawful to increase the severity of an exclusion because of a child's additional needs or because of a need that is difficult to meet.

Responsibilities of the Headteacher

Exclusion is an extreme sanction taken as a last resort and is only administered by the headteacher. When the decision is made to issue an exclusion the DfE's statutory guidance on exclusions (that came into effect in September 2012), will be followed. When establishing the facts in relation to exclusion the headteacher will apply the civil standard of proof and not the criminal standard of "beyond reasonable doubt". This means that if something is more likely than not to have occurred then the standard is met.

When deciding whether to exclude a pupil, the headteacher will also consider the school's responsibilities under the Equality Act 2010. We will not discriminate against, harass or victimise pupils because of their sex, race, disability, religion or belief or sexual orientation. We strive to ensure that our policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion.

Although the decision to exclude remains the Headteacher's decision, the pupil will be given the opportunity to present their case. The Headteacher will take into account any contributing factors that are identified after an incident of poor behavior has occurred. These might include where a pupil has suffered bereavement or has been subject to bullying. In the event that a pupil is sent home following an exclusion, the Headteacher will take full account of the school's duty of care.

All exclusions will be recorded, even for short periods. Pupils cannot be sent home to 'cool off' even with parental cooperation. This is illegal. The Headteacher must, without delay, notify the governing body and the Local Authority of:

- A permanent exclusion
- An exclusion that would result in the pupil be excluded for more than five school days (or more than ten lunchtimes) in any one term
- An exclusion that would result in the pupil missing a National Curriculum test

For all other exclusions the Headteacher must notify the LA and governing body once a term and the reasons for and duration of exclusions must be given.

Responsibilities of the Governing Body and Local Authority

The governing body must consider parents' representations about an exclusion. This can be by a sub-committee consisting of at least three members. The exclusion must be considered within fifteen days if:

- The exclusion is permanent
- The number of days from fixed term exclusions exceeds fifteen in one term
- It will result in a pupil missing a National Curriculum test

The governing body must invite the parents, the Headteacher and the Local Authority to attend the meeting so that they can make their representations.

In the case of a fixed period exclusion which does not bring the pupil's total number of days of exclusion to more than five in a term, the governing body must consider any representations made

by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

If requested to do so by the parents, the governing body must consider the reinstatement of an excluded pupil within fifty school days of receiving notice of the exclusion if a pupil would be excluded from school for more than five school days, but not more than fifteen, in a single term.

For a fixed-period exclusion of more than five school days, the governing body must arrange suitable full-time education for the pupil. This provision must begin no later than the sixth day of the exclusion. If the governing body upholds a permanent exclusion, then parents are advised of a right to independent review at which the exclusion will be reviewed again.

For a permanent exclusion the LA must arrange full-time education for the pupil to begin no later than the sixth day of the exclusion. Where a pupil has an EHCP this decision must be made in consultation with parents who have the right to express their preference for the school they wish their child to attend.

Partnership with Parents

We strive to work collaboratively with parents to jointly support children to behave in a socially acceptable way so that they can feel good about their own behaviour and the choices they make (please see our Behaviour and Attitudes Policy and our Anti-bullying Policy for more details). We will work collaboratively with parents so that we can jointly use our best endeavors to avoid excluding a child.

In the event that an exclusion is issued, parents will be provided in writing with:

- The reasons for the exclusion
- The period of a fixed-period exclusion or for a permanent exclusion, the fact that it is permanent
- Their right to make representations about the exclusion to the governing body
- How to make representations

They will also be notified that they must ensure that during the initial 5 days their child is not found in a public place during school hours without justifiable reason and may be given a fixed penalty notice or prosecuted if they fail to do so.

Parents of a pupil excluded on a fixed-term will be invited to a reintegration meeting, usually on the pupil's first morning back into school, so that an appropriate way forward can be agreed. If needed a Pastoral Support Plan will then be put in place to support the pupil. This will be reviewed fortnightly with parents until it is no longer felt to be necessary or further measures are needed. We will not use the threat of a permanent exclusion as the means to coerce parents to move their child to another school.

If alternative provision is being arranged parents will be notified of:

- The start date for any provision of full-time education and start and finish times
- Where the provision will take place
- Who the pupil should report to on the first day

Parents will be receive this information directly or by letter, email or text.

Please note that in this and in all our policies the term 'parent' is used to signify any adult who legally has parental responsibility for a child.

Grounds for Exclusion

Reasonable grounds:

Breach of the school's behaviour policy such as:

- Serious harm to the education or welfare of the pupil or others
- Persistently leaving school premises without authorisation
- Bringing adults or young people onto school premises with malicious intent
- Bringing the school into disrepute at a public event
- Persistent refusal to co-operate with school staff
- Verbal aggression towards staff, pupils or other members of the school community
- Bullying, racial, sexual or other harassment of staff, pupils or other members of the school community

Strong grounds:

Serious breach of the school's behaviour policy such as:

- Seriously endangering the safety of others
- Bringing the school into disrepute through dangerous behaviour
- Supplying or using an illegal drug on school premises
- Carrying, threatening to use and/or using an offensive weapon (including fireworks)
- Attempting arson on school grounds, destruction or serious damage of school property or buildings
- Repeated threats and highly offensive language towards staff, pupils or other members of the school community
- Repeated bullying, racial, sexual or other harassment of staff, pupils or other members of the school community

Unlawful grounds:

It is unlawful to exclude, or increase the severity of an exclusion, due to:

- The actions of the pupil's parents
- The child failing to meet specific conditions before they are reinstated
- A child's academic ability or attainment

However, pupils that repeatedly disobey their teachers' academic instructions could be subject to exclusion.

Behaviour Outside School

Pupils' behaviour outside school on school activities, for example school trips or sports events, is subject to the school's Behaviour Policy and unacceptable behaviour will be dealt with as if it had taken place in school. For behaviour outside school but not on linked to a school activity this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour

and discipline in school. If pupils' behaviour in the immediate vicinity of the school or on a journey to and from school is poor and meets the school's criteria for exclusion then the Headteacher may decide to exclude.

Removing a Pupil's Name from the School Register

The Headteacher must remove a pupil's name from the school admission register if fifteen days have passed since the parents were notified of the governing body's decision to uphold a permanent exclusion and no application has been made for an independent review or if a parent has stated in writing that they will not be applying for an independent review.

Where an application has been made within fifteen school days, the Headteacher must wait until the review has been determined or abandoned before removing the child's name from the register.

Marking Attendance following an Exclusion

Where alternative provision that meets regulations has been made, and the pupil attends it, an appropriate attendance code should be used such a code B for education off-site or code D for dual registration. Where a pupil is not attending alternative provision they should be marked using code E.

Further Advice

This policy has been written with due regard for the following Government publications:

- The DfE's statutory guidance 2012
- The Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The Education and Inspections Act 2006
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- The Equality Act 2010

Parents are also invited to seek advice from the Special Educational Needs and Disability, Information, Advice and Support Service (SENDIASS) if their child has SEN or a disability and they are concerned about exclusion. Any parent may contact the school's governors or the Local Authority's Access and Exclusion Team.

SENDIASS

0845 075 1008

Governors may be contacted via the school office

01903 785416

Access and Exclusion Team

03302 228537