



Midgley School Exclusions Policy

Rationale

1.1 Good discipline in school is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports head teachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to 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.

Purpose

2.1 The decision to exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion.

Broad Guidelines

3.1 The school will follow DfE guidelines and LA advice on exclusions. It will liaise with relevant bodies' e.g. educational welfare officer, educational psychologist, behavioural support unit, health and social services.

3.2 When considering exclusion from school as a disciplinary measure, in response to incidents of behaviour that staff consider serious enough to justify such an act, the Headteacher will carefully examine the evidence provided. She will also take into account;

- the age of the pupil,
- the child's previous record,
- circumstances unique to the pupil that could be sensibly taken into account. e.g. turmoil in the domestic situation of a short term nature,
- parental, peer or other pressure put on the child including who influenced the negative behaviour
- degree of severity of the negative behaviour and its frequency
- the likelihood of the above behaviour recurring
- whether the education or welfare of other members of the school community would be seriously affected if the child concerned was not excluded
- whether the child has a statement of education need or an emotional and behavioural difficulty
- whether rules explicitly stated in the school's other policies (e.g. behavioural), have been broken.

3.3 If behaviour presents an immediate risk to other members of the school community, an immediate, fixed-term exclusion may be made.

3.4 Otherwise a formal warning will be given to parents and child that any further incidents of negative behaviour could initiate a fixed-term exclusion from school.

3.5 Pupils who repeatedly disobey their teachers' academic instructions could also be subject to exclusion

3.6 Fixed-term exclusions will be from between 0.5 to 5 days. A lunchtime exclusion counts as a half day exclusion.

3.7 They will be repeated if there is no marked improvement in the negative behaviour, provided this does not exceed 45 days in a school year. Longer fixed-term exclusions may be made but the school would be required to fund the student's education after the fifth day.

3.8 Where the Headteacher excludes a pupil for more than 15 days (including cumulatively in a term, and permanent exclusions) the governing body will convene a Discipline Committee which will meet to consider the appropriateness of the exclusion. Parents and LA will be invited. This meeting must be held within 15 days (3 weeks) of the exclusion. The Governors may direct re-instatement of the child.

3.9 For permanent exclusions, parents have 15 days to request and independent appeal after the date of the Governors' decision.

4.0 For exclusions of between 5.5 and 15 days, the Discipline Committee will meet, upon request from the parents of the excluded child, within 50 days (10 weeks) of the exclusion.

4.1 Fixed-term exclusions which would bring the total to more than 45 days in a school year will be equivalent to initiating a permanent exclusion.

4.2 The Discipline Committee will include three, non-staff members of the Governing Body, and will be convened by the Chair of Governors, or his deputy.

4.3 The Headteacher will use a letter to parents when informing them of the decision to exclude a student. As per national rules, this will include the information that (for fixed-term exclusions) the student must not be in a public place, unsupervised, during the first five days. The letter will make clear that the parents may be prosecuted if this condition is not adhered to.

4.4 A decision to exclude a pupil permanently should only be taken:

- in response to 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.

4.5 The school will follow DfE Statutory Guidance on permanent exclusions.

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