



REINWOOD JUNIOR SCHOOL

Exclusions Policy

Date: November 2016 Review date: November 2019 Version no: 3

Introduction

1.1. 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:

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

1.2. The school follows the procedures of the appropriate Kirklees agencies when dealing with exclusion.

1.3. Under the Single Equality Duty, the school has due regard to the need to eliminate discrimination, harassment, victimisation or any other conduct prohibited by the Equality Act. Therefore additional consideration will be given to the needs of pupils with a protected characteristic.

2. Reasons for Exclusion

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

- In response to serious breaches of the school's behaviour policy; and
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

2.2. Pupil exclusion reasons include;

- Physical assault against a pupil
- Physical assault against an adult
- Persistent verbal abuse/threatening behaviour against a pupil
- Verbal abuse/threatening behaviour against an adult
- Sexual misconduct
- Drug and alcohol related
- Damage
- Theft
- Persistent disruptive behaviour
- Serious safeguarding concerns for other pupils
- 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.
- Persistent verbal or physical abuse relating to a child or adults race, ethnicity, religion, sexual orientation or disability would be an excludable offence.

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.

2.3. A decision to exclude a pupil for a fixed period should be taken, on a balance of probabilities, only in response to breaches of the school's behaviour policy, including persistent disruptive behaviour, where these are not serious enough to warrant permanent exclusion and lesser sanctions are considered inappropriate. Individual fixed period exclusions should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school afterwards.

2.4. Only the Head Teacher (or, in the absence of the Head Teacher, the acting Head Teacher) can exclude a pupil. Other exclusion-related activities do not have to be undertaken by the Head Teacher personally, but may be delegated.

2.5. A decision to exclude a child permanently is a serious one and should only be taken where the basic facts have been clearly established on the balance of probabilities. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the child and should normally be used as a last resort.

2.6. There will, however, be exceptional circumstances where, in the Head Teacher's judgment, it is appropriate to permanently exclude a child 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; or
- Carrying an offensive weapon

2.7. For behaviour outside school, but not on school business, a Head Teacher may exclude a pupil if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupil body as a whole.

3. Definition of Exclusion

3.1. Exclusion means that the pupil cannot be in or near the school grounds for the period of time stated in the exclusion letter. During this period, if the pupil is seen in a public place during school hours the parent(s)/carer(s) may be subject to a fixed-penalty notice.

3.2. The pupil may also be removed from the public place by the police and taken to designated premises.

3.3. There are two types of exclusion from school, fixed-term exclusion and permanent exclusion.

3.4. Alternatives to Exclusion

- In school measures – parental engagement, change of set or class
- In school Learning Support Unit
- Temporary or part-time placement in a Pupil Referral Unit
- A managed move

- Consideration of, and assessment of, special educational needs
- Allocation of a key worker (if budget allows)
- Referral for specific support

Fixed-term exclusion

4.1. This means that the pupil has been excluded from school for a fixed period of time. A pupil cannot be given fixed-term exclusions which total more than 45 days in one school year. (A maximum of 5 may be given at any one time)

4.2. The parent(s)/carer(s) should receive a letter from the school within one school day stating:

- The reason for the exclusion
- The dates and total number of days of the exclusion
- The date of the re-integration meeting

4.3. It is important for the parent(s)/carer(s) and pupil to attend the re-integration meeting as this will give them both an opportunity to discuss the incident and highlight any concerns they may have.

Permanent Exclusion

5.1. When all other reasonable steps have been taken and it's our judgement that allowing the child to remain in school would be seriously detrimental to the welfare of others, then a pupil may be permanently excluded.

5.2. If the decision is made to exclude, we will inform the pupil's parents immediately. We will explain:

- Why the student is to be excluded
- The steps that have been taken to try to avoid it
- Arrangements to allow the pupil to continue their education during the exclusion period

6. Standard Of Proof

6.1. The standard of proof to be applied is the balance of probabilities, i.e. if it is more probable than not that the pupil did what he or she is alleged to have done, the Head Teacher/teacher in charge may exclude the pupil. However, the more serious the allegation and thus the possible sanction, the more convincing the evidence substantiating the allegation must be. This is not the same as requiring the criminal standard of 'beyond reasonable doubt' to be applied. But it does mean that when investigating more serious allegations, in determining whether it is more probable than not that the pupil has behaved as alleged, the Head Teacher will need to gather and take account of a wider range of evidence. In some cases this may extend to evidence of the pupil's past behaviour, if relevant to the seriousness of the present allegation.

6.2. Where a police investigation leading to possible criminal proceedings has been initiated, the evidence available may be very limited. However, it may still be possible for the Head Teacher to make a judgment on the balance of probabilities on whether to exclude the pupil.

7. Exclusion

7.1. In every instance where a pupil is sent home for disciplinary reasons, the Head Teacher must formally record and specify the length of the exclusion (for reporting purposes this should be recorded as a half day, whole day or lunchtime). They should ensure that:

- They are meeting their legal duty of care towards pupils, and that parents are formally notified of the exclusion
- Child protection issues are taken into account e.g. bearing in mind the child's age and vulnerability, that a parent/carer is at home and the child is not placed at risk by, for example, being left to wander the streets; and
- That work is sent home or alternative provision is arranged.

8. Governor's Disciplinary Committee (GDC)

8.1. This should take place within 15 days of the permanent exclusion. For permanent exclusions the Central Team's Exclusions Officer would normally attend the GDC to provide procedural advice. Any alternatives that have been put in place or that may still be available at this late stage should be discussed in order to ensure every option has been considered to prevent a permanent exclusion.

8.2. At one meeting the Governing Body's disciplinary committee may consider more than one exclusion so long as it complies with the statutory time limits relating to each one.

8.3. The Head Teacher should attend the meeting to clarify points and answer any questions relating to the incident or events leading to the exclusion.

8.4. The Head Teacher can withdraw the permanent exclusion where an alternative strategy can be agreed upon.

8.5. Possible outcomes of GDC, Governors can:

- Uphold the permanent exclusion
- Overturn the permanent exclusion and reinstate the child.

8.6. If the Governors uphold the permanent exclusion then the parents/carers have the right to appeal during which time the Day 6 provision continues. There are 3 possible outcomes of the Independent Appeal Panel:

- The decision to permanently exclude is upheld
- The decision is overturned and the pupil is reinstated
- The decision is overturned but the pupil is not reinstated

Equal Opportunities

Kirklees LA requires all its schools, colleges and services to promote racial and sexual equality, harmony, understanding and justice. We promote tolerance of and respect for people of all faiths (or those of no faith), races, genders, ages, disability and sexual orientations (and other groups with protected characteristics) through the effective spiritual moral, social and cultural development of pupils, including through the extent to which schools engage their pupils, including through the extent to

which schools engage their pupils in extra-curricular activity and volunteering within their local community.

The staff and pupils at Reinwood Junior School uphold this requirement and act accordingly.

Positive Mental Health and Wellbeing

We aim to promote positive mental health for every member of our staff and student body. We pursue this aim using both universal, whole school approaches and specialised, targeted approaches aimed at vulnerable students.

We aim to recognise and respond to mental ill health by developing and implementing practical, relevant and effective mental health policies and procedures. We aim to promote a safe and stable environment for students affected both directly and indirectly by mental ill health.

Version History

Version	Date	Change	Author	Approved
1	March 2013	New	Mrs Spooner	
2	March 2016	Updated	Mrs Eastwood	March 2016
3	November 2016	Updated	Mrs Eastwood	November 2016

Signed