

# Saltersgate Junior School

## Exclusion Policy

<b>PERSONS RESPONSIBLE FOR POLICY:</b>	<b>MRS M E OXER: HEADTEACHER</b> <b>Mrs A Webber: CHAIR OF GOVERNORS</b>
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Revision Date	Revision Version	Previous Revision Date	Previous Version	Summary of Changes
30/11/09	New Edition			New Edition
04/04/11	1	30/11/09	New Edition	Minor Changes
18/09/12	2	04/04/11		Changed to reflect statutory guidance
11/09/13	3	18/09/12	2	None
Autumn 2014	4	11/09/13	3	None
Autumn 2017	5	Autumn 2014	4	None statutory guidance unchanged

Exclusion from school, for whatever period, is not used where other sanctions are available, but may be effective for serious misdemeanors.

Exclusion procedures could be applied where there is clear evidence of the following:

- serious breaches of the school's discipline policy and **WHEN SCHOOL RULES HAVE BEEN PERSISTENTLY FLOUTED.**
- allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or others in the school.
- Before a child is excluded, **in most cases** a range of strategies will be tried
- A permanent exclusion can be given for a first offence, for example involving violence, but only when the Head teacher has had further opportunity (not in the 'heat of the moment') to consider the incident in question
- Exclusion will often be the end of a disciplinary process, preceded by other sanctions and efforts to modify behaviour. Occasionally the behaviour of a pupil may lead to an immediate response. Such action will be exceptional and generally relate to extreme behaviour, constituting a serious breach of school rules. However the Headteacher will reserve the right to exclude where the health, safety, welfare or education of others is threatened or where physical or verbal abuse is shown to staff.

The pupil will be clearly informed of the offending behaviour

Appropriate sanctions will be established to discourage reoccurrence as described in the behaviour policy (removing privileges, detention, withdrawal from group activities).

Support will be given (tailored programmes for the pupil's needs, involvement of learning support)

Parents will be notified of concerns and sanctions

If behaviour reoccurs the pupil will be informed of the ultimate sanction if behaviour does not improve

Parents will be notified and asked to make an appointment with the Headteacher

The school will follow the LA and Department for Education procedures for exclusion updated in September 2012. (See **statutory guidance on exclusion: Key points**)

Further information can be found via the following link,

<http://www.education.gov.uk/aboutdfe/statutory/g00208372/statutory-guidance-school-exclusion-2012/key-points-exclusion>

The governing body has a discipline committee with responsibility for the exclusion process. An appeal may be made up to 15 school days after the written notice of permanent exclusion has been given. Governors will follow the recommendations in Section 6 of the Education Act 1997.

## **NB**

Adhering to the school's Inclusion Policy is paramount within all curricular and extra curricular areas. Every effort will be made to ensure that any specific actions appropriate to the individual will be arranged.

### **Statutory guidance on exclusion:**

#### **Key points**

#### **Statutory guidance**

**Updated:** 10 September 2012

- Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports headteachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to serious 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.
- 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.
- Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. In this situation schools should give consideration to a multi-agency assessment that goes beyond the pupil's educational needs.
- Schools should have a strategy for reintegrating pupils that return to school following a fixed period exclusion, and for managing their future behaviour.
- All children have a right to an education. Schools should take reasonable steps to set and mark work for pupils during the first five school days of an exclusion, and alternative provision must be arranged from the sixth day. There are obvious benefits in arranging alternative provision to begin as soon as possible after an exclusion.
- Where parents (or excluded pupil, if aged 18 or over) dispute the decision of a governing body not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent exclusion, parents can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination).
- An independent review panel does not have the power to direct a governing body to reinstate an excluded pupil. However, where a panel decides that a governing body's decision is flawed when considered in the light of the principles applicable on an

application for judicial review, it can direct a governing body to reconsider its decision. If the governing body does not subsequently offer to reinstate a pupil, the panel will be expected to order that the school makes an additional payment of £4000. This payment will go to the local authority towards the costs of providing alternative provision.

- Whether or not a school recognises that a pupil has special educational needs (SEN), all parents (or pupils if aged 18 or over) have the right to request the presence of a SEN expert at an independent review panel. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion; for example, whether the school acted reasonably in relation to its legal duties when excluding the pupil.
- Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.