

# Coleham Primary School



## Exclusion Policy

**Policy Date:** Autumn 2017

Coleham Primary School is an inclusive school, which seeks to encourage good attitudes to behaviour for learning and to modify poor and inappropriate behaviour by using positive methods of redress. We are concerned to safeguard all our children and recognise exclusion can increase vulnerability and isolation, exasperating a situation for an individual child. This policy seeks to balance the needs of all our children and staff while supporting and caring for individual pupils.

In most cases, an external exclusion will be the last resort after a range of measures have been tried to improve the child's behaviour. We will explore the modification of behaviour from a range of other options including:

- loss of playtime/golden time
- engaging at an early stage with parents/carers and offering early help if appropriate
- internal exclusion (asking a child to go to another class to complete their work)
- Pupil Planning Meetings with an officer from the LA to determine actions to modify behaviour as appropriate
- the engagement of outside agencies as appropriate (e.g. Woodlands Outreach services)
- interventions/assessment of the SENDCo in appropriate cases
- restorative justice, which enables the offender to redress the harm done to a victim in appropriate cases
- counselling/support from our Learning Mentors or from external agencies and targeted mental health programs e.g. managing your anger, No worries, self-esteem, which can be run in school with our learning mentors
- providing support through the Early Help forum

We follow statutory guidelines on exclusions, and the final decision to externally exclude can be made only by the Head teacher, although this may be delegated to the Deputy Head teacher in her absence. Other exclusion-related activities do not have to be undertaken by The Head teacher personally, but may be delegated. When deciding to exclude a student, the Head teacher will ensure there has been a thorough investigation and that a written record is kept of her actions and those of other staff.

**There are two main types of exclusion: Fixed Term and Permanent.**

The length of **Fixed Term Exclusion** will be decided by the Head teacher with reference to:

- the age of the student
- the behaviour record
- the nature of the offence
- the home background
- statutory test obligations

The following incidents are examples of offences which could lead to a fixed term exclusion:

- persistent disruption/defiance
- continual refusal to comply with the school rules and sanctions

- deliberate damage or vandalism
- swearing directly at a member of staff
- threatening/intimidating behaviour and/or seriously hurting an adult on purpose
- threatening/intimidating behaviour and/or seriously hurting another pupil on purpose
- persistent bullying
- bringing an offensive weapon onto the school premises
- intentional hate-related crime incident
- theft from school, a student or a member of staff
- absconding from school during the school day

The following factors will be considered before the decision to exclude:

- ensuring that the pupil is invited to state their case at all stages of the process and give their version of events
- ensuring that a thorough investigation has been carried out
- consideration of all the evidence available to support the allegations, taking account of the schools' behaviour and equal opportunities policies
- consideration of whether the incident is provoked, e.g. by bullying or by racial or sexual harassment (this will not necessarily mean an exclusion will not be given)
- gathering written statements from all involved

### **Procedures for investigating incidents**

Incidents will normally be investigated by the Phase Leader, Members of the Pastoral Care team, the Deputy Head teacher or other members of the Senior Leadership Team.

When investigating any incident, the member of staff responsible will ensure that the following protocols are adhered to:

- Statements will be taken from the children and adults involved in the incident, with adults writing down what the child(ren) have said clearly. In addition, statements will be taken from as many children or adults as the member of staff investigating the incident feels is necessary to be satisfied that they have an accurate picture of what transpired.
- Once the investigation has been completed and if an exclusion is felt to be appropriate, the Deputy Head teacher or another member of Senior Leadership Team will make a recommendation to The Head teacher.

**The standard of proof to be applied is the balance of probabilities, i.e. if it is judged that it is more probable than not that the child did what he or she is alleged to have done, the Head teacher may exclude the student.**

Where a student is excluded, the school will:

- inform parents/carers immediately
- confirm the decision, details and expectations in writing within 24 hours

- notify parents/carers of their responsibility to ensure that their child is not present in a public place in school hours during the first five days of any fixed period exclusion (parents/carers may be given a fixed penalty notice or prosecuted if they fail to do so)
- undertake to set and mark work for that student for the first five days of the exclusion
- provide full time education (off site or in a shared provision) from the sixth day of any period of fixed period exclusions of six days or longer
- advise any sanctions that may be imposed for non-attendance of the provision for the sixth day onwards
- consider how the time out of school might be used to address the student's problems
- consider what support will best help with the pupil's reintegration into the school at the end of the exclusion

### **Penalty Notice for excluded students**

During the initial period of up to five school days of any exclusion, whether fixed period or permanent, the parents of the excluded pupil must ensure that the pupil is not present in a public place during normal school hours without reasonable justification. This requirement applies whether or not the pupil is in the company of the parent. A failure to comply with this requirement is an offence. Parents can be given a fixed penalty notice or face prosecution if they fail to comply.

### **Re-integration**

After a fixed term exclusion pupils must attend a re-admission meeting with their parents and a member of the Senior Leadership Team. The terms of re-admission are discussed and agreed at such meetings and provision for continued support for the student arranged at this time.

The purpose of the re-admission interview is to assist the reintegration of the student and promote the improvement of his or her behaviour. It provides an opportunity to:

- a) emphasise the importance of parents/carers working with the school to take joint responsibility for their child's behaviour
- b) discuss how behaviour problems can be addressed
- c) explore wider issues and any circumstances that may be affecting the child's behaviour
- d) reach agreement on how the child's education should continue, how best they can be reintegrated and what measures could be put in place to prevent further unwanted behaviour; and

The parents/carers of a child who is excluded for a single or cumulative period of 6-15 days in any one term can request a meeting with Governors to review the exclusion. The Governors will meet within 15 school days of the exclusion and will decide whether or not to uphold the exclusion. If a student is excluded for more than 15 days in a term the Governors will always meet within 15 school days to review the exclusion.

Repeated offences could ultimately lead to **Permanent Exclusion**. Permanent exclusion will usually be considered as a 'last resort' action, applied only when all other methods and

strategies have failed. However, permanent exclusion could follow after certain single incidents, which are deemed to be extremely serious.

These might include:

- a) serious violence against a member of staff
- b) serious violence against another pupil
- c) carrying an offensive weapon and using it to intimidate or cause harm to others
- d) supplying or intent to supply an illegal drug.

Schools now have a power to screen and search students for weapons. We will consider whether or not to inform the police where a criminal offence may have taken place. Contacting the Young Justice Team and/or Shropshire Council Children's Services will also be considered.

We will not exclude for:

- truanting or non-attendance
- uniform or appearance
- poor academic progress
- behaviour of parents
- refusal to sign a home-school agreement

If a student is permanently excluded the school will:

- notify parents of their responsibility to ensure that their child is not present in a public place in school hours during their first five days of any permanent exclusion
- undertake to set and mark work for that student for the first five days of the exclusion
- advise parents or carers that, during the first week of the exclusion, the Local Authority will arrange to assess the pupil's needs and how to meet them; arrange a meeting with them to discuss options; and that from the sixth school day ensure that suitable full time education is provided
- arrange a meeting of Governors to review the exclusion and decide whether to uphold it

Students who are permanently excluded will remain on the school roll during the period allowed for appeals, or removed sooner if the Local Authority confirms there will be no appeal.

## **The Role of Governors – Exclusion Process and Timescale**

On exclusions of five days or less:

- governors will consider any representation from parents/carers but do not have to meet
- governors have no power to re-instate or overturn a decision (but can place findings in the pupil's record)
- if a statutory test (i.e. SATs in Year 6) will be missed – the group should convene immediately if requested (the Chair of the Local Governing Body may consider the issue alone)
- The Head teacher will report all fixed term exclusion details to Governing Body and LA once a term (name, length, reason, age, gender, ethnicity, and whether student has SEN or is in LA care)

### **Exclusions of 6 – 15 days in any one term (single event or cumulative):**

- can be considered by the governors only if parents request a meeting; governors can uphold an exclusion or reinstate the pupil (earlier or immediately)
- governors meet within 15 school days (after receiving notice of the exclusion)
- the Head teacher must invite parents to a reintegration meeting (within 6 day from the return date)

Once the 15 day limit is exceeded (in any one term) and in all permanent exclusion cases:

- the governors must meet between the 6<sup>th</sup> and 15<sup>th</sup> school day after the date of receipt of notice to consider the exclusion.

### **The Governors' Discipline Panel<sup>1</sup> meeting**

Who can attend?

- Members of the Local Governing Body (usually 3 or 5 members)

- A clerk who is preferably not a governor or a member of teaching staff
- The Head teacher and appropriate staff member
- The parents/carers and pupil
- A friend or representative of the parent/carer
- A representative of the LA (CSF)

#### Decision making

- Governors make their decision alone (only the clerk may stay once both sides have been heard)
- They make a decision based on evidence provided at the hearing and in papers supplied
- Be satisfied that the exclusion procedures have been followed and all relevant strategies have been tried (and failed)
- Have regard to the guidance
- Must inform the parent, the Head teacher and the LA of its decision in writing within one school day of the hearing

#### **Role of the Local Authority**

- Advises parents/carers of their Right of Appeal
- Invites the pupil to an Integration Panel (if the pupil is old enough) to discuss provision following exclusion

For a statemented student, suitable full time provision must be considered with what is specified on the statement.

#### **Glossary**

##### **Youth Justice Team**

A multi-agency team that deals with young offenders on orders, sets up community services and reparation plans, and attempts to prevent youth recidivism and incarceration. The team work with young people over the age of criminal responsibility (10 years) to adulthood (18 years).

##### **Shropshire Council Children's Services**

Social care for children and families provides information relating to early help and child protection, care services such as foster care, leaving care, young carers and adoption services and provides information on services for disabled children and family support.