



Eardisley CE Primary School

Exclusions Policy

November 2023

This policy should be read in conjunction with Eardisley CE Primary School's Behaviour Policy. This policy is based on, and should be read alongside, the DFE document, **Exclusion from maintained schools, Academies and pupil referral units in England, 2012.**

Eardisley CE Primary School has high expectations of all its pupils. We promote a Christian values-based ethos where children are courteous, polite and responsible, and so are able to learn and achieve, and thrive and flourish. We believe that good behaviour is essential for effective learning. We therefore aim to enable each child to fulfill their highest level of personal achievement through encouraging, supporting and teaching good behaviour.

Principles and Prevention

Eardisley CE Primary School recognises that disruptive behaviour can be an indication of unmet needs. We therefore make strenuous efforts at the earliest stage whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. We use individual behavioural support plans and give consideration to a multi-agency assessment that goes beyond the pupil's educational needs. We engage actively with parents to support the needs of children with behavioural difficulties and involve the class teacher, teaching assistants, the SENCO, and external professionals as appropriate.

Fixed term exclusion is a rare sanction that is used only where warranted. Permanent exclusion is an exceptional step, a last resort, in response to a serious breach, or persistent breaches, of the school's behaviour policy; where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

A student may be at risk of exclusion from school for:

- Verbal or physical assault of a student or adult;
- Persistent and repetitive disruption of lessons and other students' learning;
- Extreme misbehaviour, which is deemed outside the remit of the normal range of sanctions.

Equal Opportunities

Eardisley CE Primary School recognises that the decision to exclude a pupil must be lawful, reasonable and fair and that it has a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. We give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion, including those from minority ethnic backgrounds, those who are Looked After Children, and those who have additional educational needs. We, as far as possible, look to avoid excluding permanently any pupil with a statement of SEN or a looked after child.

Procedures – Fixed Term Exclusion

The headteacher only has the power to can exclude a pupil and this must be on disciplinary grounds. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently. A fixed period exclusion does not have to be for a continuous period. In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion.

- Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a governing body meeting is triggered.
- The behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgement for the head teacher in accordance with the school's published behaviour policy.
- The head teacher may withdraw an exclusion that has not been reviewed by the governing body.
- The Head teacher will take account of the legal duty of care when sending a pupil home following an exclusion.

Procedures – Permanent Exclusion

A decision to exclude a pupil permanently would only be taken after consideration of any contributing factors that are identified after an incident of poor behaviour has occurred. Permanent exclusion would 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.

Notification to Parents

If the head teacher excludes a pupil parents of that pupil are informed without delay of the period of the exclusion and the reasons for it. The headteacher will provide parents with the following information in writing:

- The reasons for the exclusion;
 - The period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent;
 - Parents' right to make representations about the exclusion to the governing body and how the pupil may be involved in this;
 - How any representations should be made; and
 - Where there is a legal requirement for the governing body to consider the exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.
- That for the first five school days of an exclusion (or until the start date of any alternative provision where this is earlier) parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, and that parents may be given a fixed penalty notice or prosecuted if they fail to do so.

Parents must be informed where a fixed period exclusion has been extended or converted to a permanent exclusion. In such cases the head teacher must write again to the parents explaining the reasons for the change and providing any additional information required.

Notification to the Governing Body

The head teacher will, without delay, notify the chair of governors and the local authority of:

- a permanent exclusion (including where a fixed period exclusion is made permanent);
- exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term; and
- exclusions which would result in the pupil missing a public examination or national curriculum test.

For all other exclusions the head teacher must notify the local authority and governing body once a term. Notifications must include the reasons for the exclusion and the duration of any fixed period exclusion. In addition, within 14 days of a request, governing bodies must provide to the Secretary of State and the local authority, information about any exclusions within the last 12 months.

For a permanent exclusion, if the pupil lives outside the local authority in which the school is located, the head teacher must also advise the pupil's 'home authority' of the exclusion without delay.

Provision of Education for Excluded Pupils

For a fixed period exclusion of more than five school days, the governing body must arrange suitable full-time education for any pupil of compulsory school age with due regard for safeguarding. This provision must begin no later than the sixth day of the exclusion.

The Governing Body's Duty to Consider an Appeal Against Exclusion.

The governing body has a duty to consider parents' representations about an exclusion in accordance with the guidelines set out in the DFE document, **Exclusion from maintained schools, Academies and pupil referral units in England, 2012.**

Monitoring

The Headteacher will monitor the effectiveness of the policy on a regular basis. The school keeps a variety of records of incidents of misbehaviour.. A record is also kept of any incidents that occur at break or lunchtimes on a behaviour log. The staff meet weekly to discuss behaviour strategies to meet the needs of individuals or groups.

The school keeps a record of any pupil who is suspended for a fixed-term, or who is permanently excluded.

It is the responsibility of the Governing Body to monitor the rate of fixed term exclusions and permanent exclusions, and to ensure that the School's policy is administered fairly and consistently.

The principal legislation to which this guidance relates is:

- 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; and
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007.