

Together Everyone Achieves More

Wreningham School is committed to Safeguarding  
And Promoting the Welfare of children

THE CHURCH  
OF ENGLAND  
Diocese of Norwich



## Wreningham V.C. Primary school

**1 Corinthians 12:12, "There is one body but it has many parts.  
But all its many parts make up one body."**

### **Exclusion of Pupils Policy**

All policies at Wreningham VC Primary School should be taken as part of the overall strategy of the school and implemented within the context of our vision, aims and values as a Church of England School

#### **Policy Consultation & Review**

This policy will be reviewed in full by the Governing Body every year. It is due for review Spring term 2022.

**Head Teacher:** Mr RP Jones

**Raising Standards Committee**

**Chair of Governing Body:** Mr. Steve Kittle

#### **Rationale**

This policy is designed to outline the school's approach to fixed-term and permanent exclusions within the statutory framework as defined in the *School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012*.

#### **School Aims**

The school is committed to providing an environment where all children can feel safe, happy, accepted and integrated. Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education.

#### **Introduction**

A fixed term exclusion from the school can only be authorised by the Headteacher or the Senior Teacher acting on delegated authority. In the case of a permanent exclusion this can only be authorised by the Headteacher.

Fixed-term or permanent exclusion will be used as the only remaining option. It will be used as a last resort. The school will follow the guidance set out in its exclusion policy/LA guidelines.

Behaviour that could prompt a fixed term exclusion is listed. The exact circumstances that trigger such an exclusion will be specific to each incident and every eventuality is not listed:

(a) In response to a serious breach of the school's Behaviour Policy

(b) If allowing the pupil to remain in school would seriously harm the education or welfare of other persons or the pupil him/herself in the school.

- Disruptive behaviour in which there is a risk of injury to the child, other children and/or staff (and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour).
- Physical assault against a pupil (e.g. fighting, violent behaviour, wounding, obstruction and jostling) or an adult (e.g. threatened violence, wounding, obstruction and jostling).
- Aggressive behaviour in which property is damaged.
- A total refusal to comply with school discipline and repeated verbal abuse/threatening behaviour against a pupil or an adult (e.g. swearing, carrying an offensive weapon, verbal intimidation, bringing drugs into school).
- Bullying (Verbal, physical, homophobic, racist taunting and harassment)
- Racist Abuse
- Theft
- Sexual misconduct
- Drug and alcohol related
- Persistent disruptive behaviour

The school seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the school.

Disruptive behaviour can be an indication of unmet needs. Where the school has ongoing concerns about a pupil's behaviour it will try to identify any causal factors and intervene early to ensure the appropriate provision is in place to support any SEN or disability that a pupil may have. The school will make every effort to ensure everything possible has been done to support the pupil. In this way, any pupil in risk of exclusion because of ongoing behaviour concerns will be part of the school's special needs system with their own Individual Risk Management Plan/Behaviour Plan which will include behavioural targets. Reasonable adjustments would be made to support the pupil. The school will consider a multi-agency assessment that goes beyond the pupil's educational needs.

Most exclusions are of a fixed term nature and are of short duration. The DfE regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year. Before this point is reached the Headteacher will have held discussions with the other local schools through placement panels regarding alternative placements and a managed move.

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 beginning immediately after the end of the fixed term exclusion.

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. The legal requirements in relation to such exclusions, such as notifying parents, still apply. Lunchtime exclusions are counted as half a school day.

A decision to permanently exclude a pupil will only be used as a last resort in response to:

- A serious breach or persistent breaches of the school's behaviour policy; and
- Behaviour 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. It is unlawful to exclude or to increase the severity of an exclusion for a non-disciplinary reason. For example, it would be unlawful to exclude a pupil on the basis of have additional needs or a disability that the school feels it is unable to meet.

Parents will be encouraged to support good attendance and behaviour through home-school agreements, parents' meetings and newsletters. Parents will be aware that the school has an equal opportunities policy and will be consulted when monitoring the impact of the policy on different groups by race, gender and disability.

In discharging their duties the Headteacher and Governors will have regard to DfE guidance "Exclusion from maintained schools, Academies and pupil referral units in England" which came into force on 1st September 2012 and any subsequent DfE updates to this guidance.

### **The principal legislation to which this policy 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;
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007.

(DfE guidance document - Exclusion from maintained schools, academies and pupil referral units in England - Statutory guidance, September 2017.)

### **Roles/Responsibilities**

#### **The Head Teacher:**

- be responsible for ensuring this policy is implemented and for reporting to the governing body on its impact.
- ensure the policy and all procedures are in line with current legal requirements and LA guidelines
- ensure that all staff receive appropriate support, advice and training in managing pupil behaviour in order to minimise the risk of needing to exclude a pupil
- ensure staff work closely with parents and relevant specialist agencies when managing challenging behaviour

#### **Class teacher:**

- Keep appropriate records of incidents that may lead to the decision to exclude.
- Send work home for the duration of the exclusion and mark any work returned.
- Use the time of the exclusion to review provision e.g.: seating arrangements, differentiation, behaviour support.
- Ensure the child returning from an exclusion is given every opportunity for a fresh start.

#### **Governors:**

- Will review the use of exclusion in Wreningham Primary School regularly.
- The Governing Body will establish a nominated governor and when the need arises an Independent Review Panel.
- Attend Exclusion hearings as required.
- Receive training to equip themselves to discharge their duties properly
- Ensure that all exclusions meetings are clerked.
- The Governing Body must establish a Pupil Discipline Committee (PDC) for the purpose of reviewing certain types of exclusions and to hear representations from parents. It should consist of at least three members. The Head Teacher may not be a member.

### **When to arrange a PDC review hearing**

The PDC is required to meet to consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion in the following circumstances:

- the exclusion is permanent;
- a fixed period exclusion that brings the pupil's total number of days of exclusion to more than 15 in one term; or
- the exclusion would result in a pupil missing a public exam.

For exclusions of more than 5 days but less than 15 governors must convene a meeting to review decision within 50 days of receiving notice of the exclusion, if requested to do so by parent.

For exclusions of 5 days or less in one term the governors must consider any representations made by a parent but are not required to arrange a meeting.

### **Exclusion Procedure**

- In the event of an exclusion, notify the parent without delay ideally by telephone, followed by a letter officially informing the pupil's parent of the period of the exclusion, or that the exclusion is permanent, by letter and give the reasons for the exclusion
- Advise the parent that he or she may make representations about the exclusion to the governing body, and how and to whom their representations may be made
- Advise the parent of the days on which he or she will be responsible for ensuring the pupil is not found in a public place
- If applicable, advise the parent of the latest date by which the governing body must meet to consider the circumstances of the exclusion of more than five days in one term either where the parent has requested a meeting or where the exclusion would result in the pupil missing a public examination
- In the case of a fixed-term exclusion, advise the parent of the date and time when the pupil should return to school
- Advise the parent of the date, time and details of the reintegration interview (return to school meeting). This will be held following the expiry of the fixed term exclusion and will involve the Head Teacher and the Senior Teacher/SENCO and other staff where appropriate.
- Advise the parent of any alternative educational provision, including location, dates of attendance and so on
- Ensure that suitable full-time education is arranged for excluded pupils from the sixth school day of any fixed-period exclusion (amended regulations clarify that a governing board's duty to arrange education from the sixth day of a fixed-period exclusion is triggered by consecutive fixed-period exclusions totalling more than five days)
- Notify within a school day both the LA (i.e. the school's maintaining authority) and the governing body of the details of the exclusion, including the reason for it in the case of:
  - permanent exclusions and fixed-period exclusions which are converted to permanent exclusions
  - fixed-period exclusions totalling more than five school days in any one term
  - any exclusion that would result in the loss of an opportunity to take a public examination

### **Pupils Returning from a Fixed Term Exclusion**

All pupils returning from a Fixed Term Exclusion are required to attend a reintegration meeting accompanied by a parent. The meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between pupil, parent and school.

Where a reintegration meeting is arranged following a fixed term the parents' presence is crucial. A parent's failure to attend may be a factor taken into account by a court when considering whether to impose a parenting order, if one is applied for at some future time.

### **Appeals**

All correspondence regarding an exclusion from the school will inform parents of their right to appeal to the Governing Body against the decision to exclude. This procedure is clearly set out in the statutory guidance.

The person who should be contacted to initiate an appeal is the Chair of Governors.

## **Permanent Exclusion**

-A Permanent Exclusion is the final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This could include:

-persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying).

-When a serious criminal act has been committed, the school will involve the police in any such offence e.g.: dealing drugs or bringing in an offensive weapon.

The school will exclude a pupil permanently on one incident if it is of a significant and serious nature.

As with fixed term exclusions, parents will be informed in writing of the decision to exclude and their right of representation and appeal at a disciplinary committee meeting, to be arranged within 15 school days.

-Work will be sent home and marked when returned for the first 5 days.

-From day 6 the local authority is responsible for providing full time alternative educational provision, usually through the Locksley Short Stay School: <https://www.sssf.org.uk/the-locksley-school/>

-Where parents dispute the decision of the Governors 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 the Governors to reinstate an excluded pupil.

If the parent considers that there was maladministration by the review panel, he or she may make a complaint to the Local Government Ombudsman or the Secretary of State.

**The school governors have agreed that a pupil excluded for the fourth time in one year will be permanently excluded. This process would be considered in the light of any child that has recognised SEN or disability.**

A file in the Head Teacher room will include a copy of the Exclusion Notification Form, a copy of the parent's letter and a report from teacher/teacher assistant on the incident.

### **General factors the School considers before making a decision to exclude:**

Before deciding whether to exclude a pupil either permanently or for a fixed period the Headteacher will;

- Ensure appropriate investigations have been carried out,
- Consider all the evidence available to support the allegations taking into account the school policies,
- Allow the pupil to give her/his version of events,
- Check whether the incident may have been provoked.
- Check that all available support has been provided eg: Pastoral Support Plan, Family Support Plan.

If the Headteacher is satisfied that on the balance of probabilities the pupil did what he or she is alleged to have done, exclusion will be the outcome. Having made the decision and notified the parents the Headteacher then informs the Chair of Governors and the Local Authority Exclusions **Officer by email on [exclusions@norfolk.gov.uk](mailto:exclusions@norfolk.gov.uk)**

## **Equality**

All children will be treated equally and fairly throughout the implementation of this policy. The Headteacher /Inclusion Manager will monitor behaviour/ incident logs and ensure that

any apparent inequality of incidents is entirely attributed to the behaviours of those children e.g.: if more boys/SEND/minority ethnic groups are represented in the records.

### **The school Arrangements for monitoring and evaluation**

The governing body will evaluate the impact of this policy through receiving data analysed by year group, gender and ethnicity on the number and range of fixed-term and permanent exclusions each term together with the reasons. It will encourage debate about the relevance and effectiveness of the school's behaviour management strategies, including the involvement of pupils and parents in forming policy.

### **Review**

The policy will be reviewed every year

### **Links to Other Policies**

- Anti-Bullying Policy
- Safeguarding Policy
- Harassment & Discrimination Policy including Racial Abuse
- Behaviour Policy
- Pupil Restraint Policy
- Home School Agreement
- Attendance Policy

## Exclusion Model letter - Example Model letter

Dear **[Parent's name]**

I am writing to inform you of my decision to exclude **[pupil's name]** for a fixed period of **[specify period]**. This means that he/she will not be allowed in school for this period. The exclusion begins/began on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[pupil's name]** has not been taken lightly. **[Pupil's name]** has been excluded for this fixed period because **[reason for exclusion this can be more than one reason]**.

### **[For pupils of compulsory school age]**

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for **[pupil's name]** to be completed on the days specified in the previous paragraph as school days during the period of his/her exclusion when you must ensure that he/she is not present in a public place without reasonable justification. **[detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the governing body/management committee. If you wish to make representations please contact **Mr Jon Gent at Wreningham VC Primary School**, as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>).

### **[This paragraph can be used if school/PRU/academy chooses to hold a reintegration interview.]**

You and **[pupil's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school to discuss how best we can support your child.

Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>. You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on <http://www.childrenslegalcentre.com>

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>).

Advice on the exclusions process can also be obtained from the Education Inclusion Service, Children's Services, telephone number 01603 303333 email [exclusions@norfolk.gov.uk](mailto:exclusions@norfolk.gov.uk) or the

Norfolk SEND Partnership on 01603 704070 email [sendpartnership.iass@norfolk.gov.uk](mailto:sendpartnership.iass@norfolk.gov.uk) (for pupils with special educational needs)

**[Pupil's Name]**'s exclusion expires on **[date]** and we expect **[pupil's name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

**[Name]**  
Head teacher