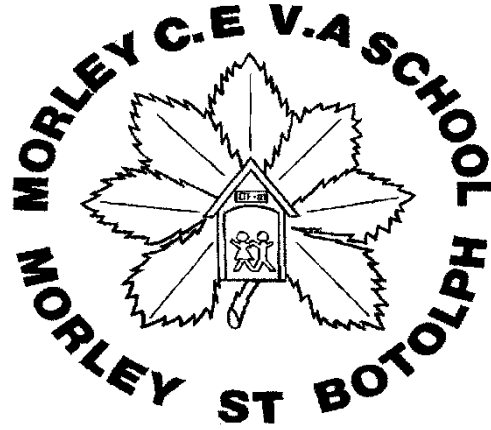


# Tacolneston & Morley CE VA Primary Schools Federation



*work together, learn together, grow together...*

## **Exclusion Policy**

All policies at Tacolneston & Morley CE VA Primary Schools Federation should be taken as part of the overall strategy of the school and implemented within the context of our Safeguarding Policy and our vision, aims and values as Church of England Schools.

**Agreed: Summer 2020**

**Head Teacher:**

**Governor:**

**Review: Summer 2021**

# Exclusion Policy

**Head Teacher: Laura Green**

**Chair of Governors: Robert Culyer**

## **Intention**

Tacolneston & Morley CE VA Primary Schools Federation is committed to providing an environment where all people can feel safe, happy, accepted and integrated. It is important that an orderly framework should exist within which effective teaching and learning can take place.

The Federation's Behaviour Policy is readily available to all pupils, parents and carers. Staff will work closely with parents, carers and pupils to optimise the chances of every pupil succeeding.

Where the Federation has ongoing concerns about a pupil's behaviour it will try to identify any causal factors and intervene early. The Federation will make every effort to ensure everything possible has been done to support the pupil.

The pupil will be part of the Federation's special needs system with their own Individual Child Centred Risk Management Plan/Behaviour Plan which will include behavioural targets. Reasonable adjustments would be made to support the pupil. The Federation will give consideration to a multi-agency assessment that goes beyond the pupil's educational needs.

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

## **Context**

Exclusions should only be for disciplinary reasons. 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:

- Disruptive behaviour in which there is a risk of injury to the child, other children and/or staff.
- 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 (e.g. swearing, carrying an offensive weapon, verbal intimidation) against a pupil or an adult.
- Bullying (Verbal, physical, homophobic, racist taunting and harassment)
- Racist Abuse
- Theft
- Sexual misconduct
- Drug and alcohol related
- Persistent disruptive behaviour

A decision to permanently exclude a pupil will only be taken:

- In response to persistent breaches of the Federation'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.

### **Exclusions Policy links to other policies**

This policy relates closely to the Federation's Behaviour Policy, Complaints Policy, Exclusion from maintained schools, Academies and pupil referral units in England (DfE 2012) and to the Equalities scheme.

The Head Teacher will:

- be responsible for ensuring this policy is implemented and for reporting to the governing body on its impact. She is the only person who can make a decision to exclude a pupil
- ensure the policy and all procedures are in line with current legal requirements and LEA 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 that staff work closely with parents and relevant specialist agencies when managing challenging behaviour (e.g. Locksley Short Stay School)
- 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 any alternative educational provision, including location, dates of attendance and so on
- if appropriate, advise the parent of the date, time and details of the reintegration interview
- ensure that suitable full-time education is arranged for excluded pupils from the sixth school day of any fixed-period exclusion
- 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
- arrange a reintegration interview with parents following the expiry of any fixed-period exclusion of a primary-aged pupil where this will assist pupils reintegration and engage parents in promoting the improvement of her or his behaviour.

The **governing body** will:

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- promote positive behaviour by celebrating the achievements of pupils and if appropriate by participating in final warning meetings to encourage pupils to make full use of the opportunities the school offers them.
- review the Head Teacher's exclusion decisions
- dismiss exclusions that do not relate to a disciplinary issue and consider complaints about other circumstances under the complaints procedure
- receive training to equip themselves to discharge their duties properly
- consider whether to establish a discipline committee. If so it will consist of at least three members. The Head Teacher may not be a member
- ensure that all exclusions meetings are clerked.

In cases of:

- permanent exclusions and fixed-period exclusions converted to permanent exclusions
- all fixed-period exclusions totalling more than 15 school days in any one term
- fixed-period exclusions totalling more than five school days in any one term, where the parent expresses a wish to make representations to the governing body
- exclusions that would result in the loss of an opportunity to take a public examination the governing body (or discipline committee) will meet to:
  - consider the circumstances in which the pupil was excluded
  - consider any representations about the exclusion made by the parent and by the LA
  - consider whether the pupil should be reinstated immediately, reinstated by a particular date or not reinstated.

**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.

The timescales and requirements about presentation of evidence as set out in the *Guide to Law for School Governors* will be followed at all times.

Pupils will be consulted when rules are being developed and will contribute to the monitoring of impact.

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.

Where the governing body has upheld a permanent exclusion, parents may make an application for an Independent Review to the local authority. The decision of the Independent review panel is binding on the parties. 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.

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.

**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.**

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

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.

**The forms can be found on this link:**

<http://www.schools.norfolk.gov.uk/Behaviour-and-safety/Exclusions-from-schools/index.htm>

**The Federation 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.

## 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 Robert Culyer** at **Tacolneston CE VA Primary School / Morley CE VA 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>).

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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