

Pupil Exclusion

Date	Review Date	Coordinator	Nominated Governor
November 2020	November 2022	Clare Larkin	Joanne Egerton

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Education Act 2002
- Anti-social Behaviour Act 2003
- Education Act 2005
- Education and Inspections Act 2006
- Education (Pupil Exclusions and Appeals) (Miscellaneous Amendments) (England) Regulations 2006
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- Apprenticeships, Skills, Children and Learning Act 2009
- Education Act 2011
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

The following documentation is also related to this policy:

- Exclusion from Maintained Schools, Academies and pupil Referral Units in England (DfE)
- Special Educational Needs and Disability Code of Practice: 0 to 25 Years. Statutory Guidance for Organisations Who Work With and Support Children and Young People with Special Educational Needs and Disabilities (DfE) and (DoH)

We strongly believe in good discipline as we feel it is essential to ensure that all pupils can benefit from the educational and social opportunities that the school offers. The exclusion of 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'.

We treat all pupils fairly with all decisions to exclude will be lawful, reasonable and fair. We will not discriminate against pupils on the basis of protected characteristics. All pupils who are vulnerable to exclusion will be treated fairly.

We believe pupil exclusion is best defined as when a pupil is not allowed to attend school for either a fixed term or permanently. Pupil exclusion is a sanction that will be used only as a last resort, except when an immediate exclusion is the only appropriate action to take.

We acknowledge that a pupil will only be excluded following serious breaches of discipline or if the safety of pupils and school personnel would be harmed if the pupil remained in the school. Parents will be informed immediately in writing about a fixed period exclusion.

Before a pupil is excluded a whole range of strategies such as early intervention and pupil support plans will be implemented in order to improve the behaviour of the pupil.

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All exclusions will follow the correct procedures as outlined in 'The Department for Education guidance Exclusion from Maintained Schools, Academies and pupil Referral Units in England (2012)'. We are aware that it is illegal to unofficially or informally exclude by just sending a pupil home for disciplinary reasons. At all times the correct procedures will be followed.

We will try to ensure that other than in the most exceptional circumstances we will not exclude any pupil who has a statement for SEN, or an education, health and care plan (EHC) or is receiving SEND support.

Parents will be made aware of their rights that they can appeal against an exclusion to the Governing Body. An independent review panel will deal with all appeals.

We wish to work closely with the School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Aims

- To only use exclusion as a last resort except when an immediate exclusion is appropriate.
- To have in place early intervention systems to deal with bad behaviour.
- To maintain full-time provision for permanently excluded pupils.
- To have in place systems to reinstate excluded pupils as soon as possible.
- To establish good working relations with parents of pupils who have been excluded.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- delegated powers and responsibilities to the Head of School to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;

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- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- make effective use of relevant research and information to improve this policy;
- the responsibility of involving the School Council in:
 - determining this policy with the Governing Body;
 - discussing improvements to this policy during the school year;
 - organising surveys to gauge the thoughts of all pupils;
 - reviewing the effectiveness of this policy with the Governing Body
- nominated a link governor to:
 - visit the school regularly;
 - work closely with the Head of School and the coordinator;
 - ensure this policy and other linked policies are up to date;
 - ensure that everyone connected with the school is aware of this policy;
 - attend training related to this policy;
 - report to the Governing Body every term;
 - annually report to the Governing Body on the success and development of this policy.
- responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Head of School and Senior Leadership Team

When making the decision to exclude a pupil the Head of School will:

- Undertake a thorough investigation into the alleged incident by looking at all the evidence that is available.
- Listen to the pupil's version of what happened.
- Check whether the alleged incident was provoked by racial or sexual harassment and to take into account any breach of the school's equal opportunities policy.
- If he/she thinks it is necessary, the Head will consult with other relevant people other than those who might be later involved in reviewing this incident.
- Comply with the Equality Act.
- Look at alternatives other than exclusion such as:
 - Internal exclusion by removal to another class
 - Restorative justice
 - Mediation
 - A managed move
- Decide on the length of the exclusion;
 - Fixed or
 - Permanent
- Inform parents immediately.

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- Report the exclusion to:

The Disciplinary Committee

The Head of School and the Senior Leadership Team will:

- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality;
- make effective use of relevant research and information to improve this policy;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;
- annually report to the Governing Body on the success and development of this policy.

Role of School Personnel

School personnel will:

- comply with all aspects of this policy;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- report all incidents of serious violence, assault, sexual abuse, the use of illegal drugs, possession of offensive weapons and bullying;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community.

Role of Pupils

Pupils will:

- be aware of and comply with this policy;
- support the school Code of Conduct and guidance necessary to ensure the smooth running of the school;
- liaise with the school council;
- take part in questionnaires and surveys.

Role of Parents/Carers

Parents/carers will:

- be aware of and comply with this policy;
- be made aware of their rights of appeal against an exclusion;
- be asked to take part periodic surveys conducted by the school;
- support the school Code of Conduct and guidance necessary to ensure smooth running of the school.

Fixed Term Exclusion

In any one school year the Head is allowed to exclude a pupil for one or more fixed term periods but not exceeding 45 school days.

During this period of exclusion the school will continue to provide education for the pupil and plan for the pupil to be reinstated after the exclusion period has ended.

Once a decision has been made parents will be informed by telephone and then by letter.

We expect all members of the school community to act in a reasonable, supportive and respectful manner in ensuring the well-being of our community. Where this is compromised by the conduct of a child or parent exclusion will be considered.

The Dunham Trust will apply its behaviour policies in a consistent, rigorous and non-discriminatory way and all areas of application of these policies will be monitored routinely. The following forms of exclusion are available as an ultimate sanction

- On-site Exclusion – removal from usual activities but not from the school site, such an exclusion will last up to a full day. An internal exclusion may be the initial part of a fixed term exclusion while the school awaits the collection of the child by parents.
- Fixed Term Exclusion – the child is removed from school for set period of time at the discretion of the school.
- Permanent Exclusion – the child is removed from the school roll. This will be preceded by a fixed term exclusion to ensure proper investigation and consideration of events.

Parents are also subject to the above conditions, relating to fixed term and permanent exclusion, where the welfare other members of the school community is threatened by the conduct of a parent. Sanctions applied to a parent may include

- On site - Access to the site and school events is only permitted under certain conditions.
- Fixed Term - Barring the parent from the site and school events for a fixed period
- Permanent – Permanent barring from the school site. Removal of children from the school roll

The school will communicate with the police where it is deemed necessary for the welfare of the community.

The power to exclude a pupil can only be exercised by the Executive Principal or the Head of School. If the Head excludes a pupil, the parents are informed immediately, giving reasons for the exclusion. The Head/Executive Principal will discuss all exclusions with a member of the governance of The Dunham Trust. A member of the governance committee will monitor exclusions and ensure that the school policy is administered fairly and consistently.

Exclusion may be the result of repeated failure to abide by the school's expectations of good conduct, or to respect for its aims and ethos. However, exclusion may also result from a single serious incident, which may include the following:

- Threatened or committed violence or abusive language against other members of the school community
- Distribution of illegal drugs
- Bringing into school objects which may cause harm to other members of the community or pornographic literature or images.

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- Stealing from the school, a member of staff or a fellow pupil
- Malicious or disruptive behaviour, including open defiance of authority
- Engaging in sustained bullying of other pupils
- Making allegations against a member of the school community which are confirmed to be malicious
- Malicious use of social media

Learning Set

When a pupil is excluded for more than one day, work should be set by the school within a reasonable time-scale and this should be returned to the school when the exclusion is over. If a child is excluded at the end of a school day, then it may not be possible to arrange for work to be set until the following morning.

A pupil can be excluded for up to 10 continuous days on a fixed term basis. On the 6th continuous day, the school is responsible for providing education for the pupil, which could be at another local school, the pupil referral unit or by providing home education.

Every pupil has a right to confidentiality during the consideration of a possible exclusion; an investigation will be undertaken in the strictest confidence and the details only disclosed to those who need to know. This does not preclude the conclusion of an investigation being made public to the school community on completion of an investigation, if the person being investigated has been found to be culpable. If the School decides (after completing the investigation or as a result of new evidence and further investigation) that it is necessary to extend a fixed term temporary exclusion or to convert it into a permanent exclusion, the Head will write again to the parent with the reasons for this decision.

Where exclusion has taken place the parents will be notified immediately, followed by a letter. This will detail the following:

- Length of exclusion and whether it is temporary or permanent.
- Reasons for the exclusion.
- Parents' right to make representation to the Head. If they are not satisfied with the Head's decision, stage 3 of the school's complaints procedure (the panel hearing) will be used as a template for an appeal against a permanent exclusion. During an appeal process, an exclusion will remain in place, except at the discretion of the Head.
- The child will be given work to do at home for the first five days of a fixed- term exclusion.

Managed Move

In cases where the Head of School and parents agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parents failure to engage in strategies implemented by the school are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the Head of School may consult with the Local Authority and propose a managed move to another school. This is not exclusion and in such cases the Head of School may assist the parents in placing the pupil in another school.

Informing the Discipline Committee and the Local Authority

Within one school day the Head of School will inform the Discipline Committee and the Local Authority of a pupil's exclusion.

The Role of the Discipline Committee

The Discipline Committee will:

- Review all exclusions.
- Consider any representations from parents.
- Take the following into account when making a decision about exclusion:-
 - special educational needs
 - disabilities
 - gender
 - cultural differences

Liaison with Parents

Every effort will be made to seek parental co-operation at all stages.

Permanent Exclusion

A pupil may be permanently excluded if:

- All other strategies have failed.
- The offence was a serious one-off offence such as:
 - serious, actual or threatened, violence against a pupil or a member of the school personnel;
 - sexual abuse or assault;
 - supplying an illegal drug;
 - carrying an offensive weapon;
 - or any other serious offence

Reporting

Annually the Head of School will report the following to the Governing Body the:

- number of exclusions
- type of exclusions
- outcome of each exclusion
- rates of exclusion from different groups such as SEND, free school meals, looked after children and ethnic groups.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the school website
- the Staff Handbook
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- school events
- meetings with school personnel
- communications with home such as weekly newsletters and of end of half term newsletters
- reports such annual report to parents and Head of School reports to the Governing Body
- information displays in the main school entrance

Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:
 - All aspects of this policy
 - Behaviour Regulation
 - Supervision of Pupils
 - Pastoral Care
 - Safeguarding and Child Protection
 - Complaints
 - Parental Responsibility
 - Home-School Agreement
 - Attendance and Truancy
 - Special Educational Needs and Disabilities
 - Equal opportunities
 - Inclusion
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Lime Tree Primary Academy

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed every 24 months or when the need arises by the coordinator, the Head of School and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

Head of School:	Mrs. Clare Larkin	Date:	November 2020
Chair of Governing Body:	Mr. Dan Jagger	Date:	November 2020