

Elmsett C. of E. V.C.P. School



Exclusions Policy

**Adopted by the Governing Body at the full
committee meeting held on
12th November 2012**

Signed:

Terry Smyth, Chair of Governors



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Exclusions Policy

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1. Introduction

The Governors have agreed to follow the Suffolk County Council Policy on Exclusions, namely:

Only the Headteacher can exclude a pupil for a "fixed" period or "permanently". The agreed procedure for each situation is as follows:

2. Fixed Term Exclusion

A Headteacher may decide to exclude a pupil for a fixed term as a result of a breach of the School Rules or the School's Code of Conduct. Examples may include:

- Persistently poor behaviour in and/or out of class
- An accumulation of disruptive incidents such as insolence to staff
- Unacceptable language
- Intimidation of other pupils
- Disruption of lessons

In particular the Headteacher will consider the background to a pupil's behaviour, including previous sanctions where, for example, a specific incident does not in itself merit a fixed term exclusion.

Procedure

1. The Headteacher decides to exclude.
2. The Headteacher informs the parents promptly (by telephone if possible) of exclusion, its length and specific reason for it. These details will be set out in a letter to the parents which will also provide full details of all the relevant circumstances and information on rights of appeal.
3. The Headteacher will inform the Chair of the Governing Body (or the Vice-Chairman in his/her absence) of the exclusion and the reason for it. The Governing Body as a whole will be informed of the exclusion at its next meeting.
4. The Headteacher will inform the Local Education Authority of the exclusion by first class post/email.
5. Should the exclusion last for more than 5 days, then either the Governing Body or the LEA can direct reinstatement.

3. Permanent Exclusion

The Headteacher may decide to exclude a pupil permanently following a series of fixed term exclusions or as a result of a single, very serious incident or breach of the School Rules or Code of Conduct. Examples, which are not intended to be exhaustive, may include:

- Physical violence against a member of staff
- Physical violence against another pupil
- Bullying
- Theft
- Involvement in the use, possession or sale of illegal substances (eg. Alcohol, drugs, glue etc).

Permanent exclusion will only be used as a last resort, when all other reasonable steps have been taken, and when allowing the pupil to remain in the school would be seriously detrimental to the education or welfare of the pupil or of others.

Procedure

1. The Headteacher decides to exclude.
2. The Headteacher informs the parents promptly (by telephone if possible) of exclusion and the specific reason for it. These details will be set out in a letter to the parents which will also provide full details of relevant previous sanctions and fixed period exclusions, right of access by parents to school curricular records on the pupils and, by request, other educational records and the parents' right to make representations to the Governing Body and the LEA.
3. The Headteacher will inform the Chair of the Governing Body (or the Vice-Chairman in his/her absence) of the exclusion and the reason for it. The Governing Body as a whole will be informed of the exclusion at its next meeting.
4. The Headteacher will inform the LEA of the exclusion by first class post/email.
5. The Governing Body has a power to reinstate a permanently excluded pupil, or confirm the exclusion.
6. A meeting of the Governing Body Hearing Committee will be convened within 15 days of the exclusion to consider the matter, and the pupils' parents will be able to make representations either orally or in writing to the

committee if they so wish. The Area Education Manager, or his/.her representative, will be invited to attend. The meeting must be minuted by an independent clerk. This service is available from the LEA.

7. The LEA can either uphold the exclusion or order reinstatement. The LEA must decide which of these options it will pursue within 20 days of the exclusion. The Governing Body will do this through the Hearings Committee decision (see point 6).

8. The Hearings Committee and the Lea must inform the pupil's parents within 20 days if they decline to order reinstatement, and provide parents with information about the right of appeal to the Appeal Panel of the Governing Body. The parents should lodge their appeal with the County Solicitor within 15 days of notification of the decision to exclude. The Appeals Panel will hear the appeal within 15 days of receiving the parents' Notice of Appeal.

9. Following the confirmation and/or appeals procedure, a case conference will be called by the LEA to consider the future of the pupil. The school and parents will be invited to attend.

4. Constitution of the Hearings Committee

A Hearings Committee consisting of 4 Governors will be appointed annually. 3 members of the Committee will be called by the Chair of Governors to act as a committee to consider:

- a. appeals/representation against fixed exclusions, or
- b. cases of permanent exclusion.

In the event of 3 members of the committee being unavailable, the Chairman will have the power to appoint an alternative Governor to the Committee for the single case.

5. Constitution of the Appeals Panel

An Appeals Panel of Governors will be appointed annually from which 3 members will be called by the Chairman of the Governors to consider appeals against a decision of the Hearing Committee. If agreed by Governors, at the next meeting (march 2007), the Appeals Panel of governors would be made up of 3 members of Governors from the Appeals Panel from Kersey and Whatfield Governing Bodies (must be members from 2 schools).

6. Monitoring

The head teacher 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 suspensions and exclusions, and to ensure that the school policy is administered fairly and consistently.