



ALL SAINTS C of E PRIMARY SCHOOL AND NURSERY

PARSONAGE LANE, BISHOP'S STORTFORD

CM23 5BE

Headteacher

Tel: 01279 836006

Miss H.Otranen

Fax: 01279 466457

www.allsaints.herts.sch.uk

SCHOOL 212

EXCLUSIONS POLICY

Purpose

All Saints CE Primary School and Nursery is committed to providing an orderly environment where all people feel safe and happy, so that effective teaching and learning can take place. However, the Head Teacher has the power to exclude children from the school, either for a fixed term or permanently, in certain defined circumstances, and only as a last resort. This policy sets out the circumstances, the exclusion process, and the roles of the Head Teacher, the governing body, parents and the local education authority.

Reasons for exclusion

The decision to exclude a pupil should be taken only

- if there has been a serious breach of the school's behaviour policy; and
- if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

Annex 1 sets out a list of the main reasons for exclusion. Each case is unique, so the list is indicative, not exhaustive.

Exclusion should not be imposed in the heat of the moment, unless there is an immediate threat to the welfare or safety of others in the school or the pupil concerned. Before deciding whether to exclude a pupil, the Head Teacher should

- ensure that a thorough investigation has been carried out;
- consider all the evidence available to support the allegations, taking account of the school's behaviour and equal opportunities policies;
- allow and encourage the pupil to give their version of events;
- check whether the incident may have been provoked, for example by bullying, or by racial or sexual harassment;
- if necessary, consult others, but not anyone who may later have a role in reviewing the Head Teacher's decision, for example a member of the governing body;
- keep a written record of the actions taken, including any interview with the pupil concerned;
- take a decision on the balance of probabilities, while taking into account that the more serious the allegation concerned, the more convincing the evidence supporting that allegation should be.

It is important to note that exclusion is a formal, legally-defined process, with defined rights and responsibilities; there is no such thing as an informal or unofficial exclusion.

Types of exclusion

Fixed period

A decision to exclude a pupil for a fixed period should be taken only in response to breaches of the school's behaviour policy, where these are not serious enough to warrant permanent exclusion, but lesser sanctions such as detention would be insufficient. Fixed-period exclusions should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it difficult for the pupil to reintegrate into the school afterwards. Ofsted inspection evidence suggests that periods of 1-3 days should be long enough to secure the benefits of exclusion without adverse educational consequences.

The Head Teacher will let the parents know about the exclusion as soon as possible, and will follow up with a letter including information about how long the child is excluded for and why. The letter will also tell parents how they can challenge the exclusion, if they want to. If a child has been excluded for more than 5 school days in a term, or if exclusion means they will miss a public exam or national curriculum test, the parents can challenge the exclusion. For exclusions of 5 school days or less, the parents can ask the Governing Body to consider their views.

Fixed-period exclusions are limited to a total of 45 days in any one academic year for an individual pupil. If a child has been excluded for a fixed period, the school should set and mark work for the first 5 school days. If the exclusion lasts longer than 5 school days, the school must arrange full-time education from the 6th school day.

The Head Teacher will arrange an interview with the parents following any fixed-period exclusion, to assist the child's reintegration into the school and to engage the parents in promoting the improvement of his or her behaviour. The exclusion must not be extended if for any reason the parents cannot attend.

Permanent

Permanent exclusion means the child is expelled. Such a serious decision will usually be the final step in a process of dealing with a number of disciplinary offences, and pursuing a range of other strategies without success. A decision to exclude a child permanently should only be taken where the facts have been established as clearly as possible, on the balance of probabilities.

In exceptional circumstances, that is where an offence is unusually serious, the Head Teacher has the power to exclude a child permanently for a first or single offence. This might include the following:

- serious actual or threatened violence against another pupil or a member of staff;
- sexual abuse or assault;
- supplying an illegal drug; or
- carrying an offensive weapon.

As above, the Head Teacher will let the parents know as soon as possible, and will send a formal letter setting out the reasons for the exclusion and the process for challenging it. Parents can challenge a permanent exclusion with the governing body. If the governing body agrees with the exclusion, parents can then appeal to the local education authority; the governing body will tell them how to make that appeal. Parents can also make a claim to a court or tribunal if they think that their child has been discriminated against.

The local authority is responsible for arranging suitable full-time education for the child from the 6th day of a permanent exclusion.

Responsibilities

The Head Teacher:

- ensuring that this policy is implemented and reporting to the governing body on its impact

- ensuring that the policy and all procedures are in line with current legal requirements
- ensuring 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
- encouraging parents to support good attendance and behaviour through home-school agreements, parents' meetings and newsletters
- taking the decision to exclude a pupil – *only* the Head Teacher (or the teacher temporarily in that role when the Head is away) can take such a decision
- in the event of an exclusion, officially informing the pupil's parents of the period of the exclusion and the reasons for it
- advising the parents how they can, if they wish, make representations to the governing body about the exclusion
- advising the parents that, for the first 5 days of the exclusion, it is their responsibility to make sure their child is not in a public place during school hours, unless there is a good reason
- in the case of a fixed-period exclusion, advising the parents of the date and time when the pupil should return to school
- advising the parents of the date, time and details of any reintegration interview
- ensuring that the child is set work for the first 5 days of a fixed-period exclusion, and that suitable full-time education is arranged from the sixth school day
- notifying within a school day both the Local Education Authority and the governing body of the details of the exclusion, including the reason for it, in the following cases:
 - 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
- arranging a reintegration interview with parents following the expiry of any fixed-period exclusion

The Governing Body:

- promoting positive behaviour by keeping in touch with parents and celebrating the achievements of pupils
 - receiving training to equip themselves to discharge their duties properly
 - periodically reviewing the Head Teacher's implementation of this policy
 - Establish an ad hoc discipline committee of at least three members which are drawn up by the Chair of the Teaching & Learning Committee. The Head Teacher may not be a member. This committee will deal with the following cases:
 - 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, or that would result in the loss of an opportunity to take a public exam or national curriculum test, where the parents express a wish to make representations to the governing body
- In these cases the discipline committee will meet to
- consider the circumstances in which the pupil was excluded
 - consider any representations about the exclusion made by the parents or by the Local Education Authority
 - consider whether the pupil should be reinstated immediately, reinstated by a particular date or not reinstated

Parents:

- promoting good behaviour and supporting the work of the school
- in the event of a fixed-period exclusion, making sure that the child does the work set by the school during the first 5 days, and that the child is not in a public place during normal school hours
- attending the reintegration interview after a fixed-period exclusion, and agreeing with the Head Teacher, where appropriate, a plan for improving the child's behaviour
- (in cases where parents decide to challenge an exclusion) making representations to the governing body
- (in cases where the governing body has upheld a permanent exclusion and the parents are still not content) appealing to the local education authority - the decision of the local authority panel is binding on all parties.

Local Education Authority

- arranging full-time education for the child from the 6th day of any permanent exclusion
- receiving and deciding on any appeals made by parents against permanent exclusions ratified by the governing body

This policy is reviewed triennially by the Headteacher.

This is an illustrative list. It must be remembered that only serious and/or sustained instances of the types of behaviour listed below may warrant exclusion.

Physical assault against pupil

may include:

- Fighting
- Violent behaviour
- Wounding
- Obstruction and jostling

Physical assault against adult

may include:

- Violent behaviour
- Wounding
- Obstruction and jostling

Verbal abuse / threatening behaviour against pupil

may include:

Threatened violence

Aggressive behaviour

Swearing

Homophobic abuse and harassment

Verbal intimidation

Carrying an offensive weapon

Verbal abuse / threatening behaviour against adult

may include:

- Threatened violence
- Aggressive behaviour
- Swearing
- Homophobic abuse and harassment
- Verbal intimidation
- Carrying an offensive weapon

Bullying

may include:

- Verbal bullying
- Physical bullying
- Homophobic bullying
- Racist bullying

Racist abuse

may include:

- Racist taunting and harassment
- Derogatory racist statements
- Swearing that can be attributed to racial characteristics
- Racist bullying
- Racist graffiti

Sexual misconduct

may include:

- Sexual abuse
- Sexual assault
- Sexual harassment
- Lewd behaviour
- Sexual bullying
- Sexual graffiti

Drug and alcohol related

may include:

- Possession of illegal drugs
- Inappropriate use of prescribed drugs
- Drug dealing
- Smoking
- Alcohol abuse
- Substance abuse

Damage

may include:

- Damage to school or personal property belonging to any member of the school community:
- Vandalism
- Arson
- Graffiti

Theft

includes:

- Stealing school property
- Stealing personal property (pupil or adult)
- Stealing from local shops on a school outing
- Selling and dealing in stolen property

Persistent disruptive behaviour

includes:

- Challenging behaviour
- Disobedience
- Persistent violation of school rules
- False allegation against staff