

Exclusion Policy

The background of the page is a light blue gradient. On the right side, there are several overlapping, wavy lines in shades of yellow, orange, and red, creating a sense of motion and depth. The lines are most prominent in the lower right quadrant and fade out towards the top right.

Exclusion Policy

This Policy should be read in conjunction with the school's Safeguarding/Child Protection Policy.

Mission statement- Growing in love, in the spirit of Christ, for the benefit of all.

Our aim as a Catholic School is to ensure all that we do is rooted in the teachings of Christ promoting the love of God.

We endeavour to inspire in our children a life-long love of learning, a confidence to express themselves and their faith and a respect for self and one another.

We encourage our children to strive for the highest standards in all that they do, secure in the knowledge that the world is at their feet.

Rationale

At St. Joseph's Catholic Primary School, a Voluntary Academy we seek to avoid exclusions wherever possible. They take place only for very serious incidents or when other strategies have been tried and have failed over time. In most cases exclusion will be the last resort after a range of measures have been tried to improve the pupil's behaviour and after a range of strategies have been put in place to address the inappropriate behaviour which may lead to exclusion.

The Head Teacher and staff will identify pupils whose behaviours place them at risk of exclusion, and seek additional provision to meet their individual needs, which could include working in partnership with other agencies.

Fixed term and permanent exclusions are used when other strategies and sanctions have not been effective over time or when there has been a single clear and serious breach of discipline.

A serious offence could by itself justify a pupil's exclusion. This may include an aspect of the following:

- Violence towards an adult or child;
- Excessive verbal abuse towards a child/children;
- Swearing at an adult;
- Racist or Religious Verbal abuse;

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- Sustained Bullying;
- Frequent high level disruption to lessons;
- Violence towards an adult or child;
- Frequent high levels of non-compliance;
- Frequent high levels of disrespect to all adults who work in school.

Each individual situation will be investigated according to need. The Head Teacher will gather evidence; seek the opinions and advice of colleagues.

Managing serious or persistent problems

- We accept that it is the behaviour that is the problem and not the child.
- The behaviour of children giving cause for concern will be assessed.
- Triggers or antecedents established.
- Individual programmes will be planned to help modify inappropriate behaviour
- Parents will be invited to discuss their child's behaviour and an individual programme drawn up. They will be kept informed of progress.

Risk assessments and Behaviour Support Plans

Risk assessments will be used to identify the risks associated with challenging behaviours, identifying the foreseeable risk, whether it is potential or actual and those likely to be affected by the risk. This assessment will also identify the likelihood of the risk occurring and the situations in which it is more likely to occur.

The risk assessment will identify pro-active intervention to prevent risk, including a plan for the pupil from the moment he/she arrives at school, until they leave at the end of the day.

It is hoped that proactive interventions to prevent risk will be successful, however, we are aware that in some circumstances, further actions may be required. In these cases, early interventions to manage risk will be implemented. These are strategies designed to address situations when routines are changed.

In the rare occasions, when behaviours escalate further, staff will take reactive interactions to respond to adverse outcomes. At these times, there will be an agreed set of actions, which will identify the actions which staff will take, when challenging behaviours have escalated. These actions may require the use of physical restraint. Physical restraint will only be used in situations when the child themselves, other children or adults are in danger of being hurt.

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Types of exclusion

Fixed Term Suspension

This is used when persistent inappropriate behaviour continues over time or if a one-off serious offence is committed.

- Violence towards an adult or child which is deliberate and/or causes serious injury
- Swearing at an adult
- Racist verbal abuse
- Sustained bullying

Parents of all pupils who are excluded on a fixed-term will be invited to a reintegration meeting, usually on the pupil's first morning back into school, so that an appropriate way forward can be agreed. A Re-integration Plan will then be put in place to support the pupil. This is reviewed with parents until it is no longer felt to be necessary or further measures are needed.

Permanent Exclusion

There are two main types of situation in which permanent exclusion may be considered.

The first is where a pupil exhibits a build up of disruptive behaviours over time and continues to display persistent and defiant behaviour in spite of sanctions and the use of other strategies. In this respect it is a final, formal step in a concerted process for dealing with the disciplinary offences and adverse behaviours.

The second is in the exceptional set of circumstances where, in the headteacher's judgement, it is appropriate to permanently exclude a student for a first or 'one off' offence, regardless of previous disciplinary history. Where the school considers that a criminal offence may have taken place, it reserves the right to inform the Police and other agencies, as appropriate.

In the event of a permanent exclusion, the Headteacher will work with the Local Authority and other agencies to ensure that suitable alternative provision is found for the pupil in question.

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Making a decision to exclude

Before deciding whether to exclude a pupil, the Headteacher will:

- Ensure that an appropriate investigation has been carried out
- Consider all the evidence available to support the allegations
- Allow the pupil to give his/her version of events
- Look at the particular circumstances of each case.

The Headteacher has to be satisfied on the balance of probabilities that the pupil was responsible for the behaviour in question.

In considering whether permanent exclusion is the most appropriate sanction, the Headteacher will consider:

- a) The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Academy's Behaviour Policy.
- b) The effect that the student remaining in the Academy would have on the education and welfare of other members of the Academy community.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations by the Governing Body when it meets to consider the Headteacher's decision to exclude.

The Governing Body will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence such as the pupil's Academy record, witness statements and the strategies used by the Academy to support the student prior to exclusion.

Informing parents/carers

Whenever a pupil is excluded the Headteacher, without delay, will notify parents/carers of the period of exclusion, the grounds for it and how they can make representations to the Governing Body.

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Behaviour outside of the Academy

Pupils who breach the school's Behaviour Policy whilst on school related activities such as trips and journeys, sports fixtures etc... will be dealt with in the same manner as if the incident had taken place in school. For incidents that take place outside the school and not during school related activities, this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole. This includes behaviour in the immediate vicinity of the school or on a journey to and from the school.

Exclusion of pupils with special educational needs (SEN), disability, race relations and looked after children

The Academy will pay due regard to the guidance on pupils with statements of SEN, looked after children and those from groups with consistently higher than average rates of exclusion.

Procedures

Fixed Term Suspension procedures

This may be for up to 45 school days in any one year.

Parents will receive a letter related to the exclusion, which should include:

- The type of exclusion
The reason for exclusion
- The length of exclusion and the date of return
An invitation to the parents to come to school to discuss the exclusion
- Details of how work will be provided

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A copy of the letter should be sent to the parents on the same day.

Nottinghamshire County Council Notification of Exclusion form should be completed online on the same day. Where the exclusion exceeds fifteen school days, a Governors' disciplinary meeting will be held.

Wherever practicable, work should be provided by the school for any child excluded for a fixed period.

Permanent Exclusion procedures

Following a serious incident, the Headteacher may decide to issue a permanent exclusion. The following actions should then take place:

- The letter will include the information that the parent(s) will be invited to attend a governors' committee meeting when a date has been arranged. The parent, Local Education Officer, Chair of Governors and Chair of Raising Achievement and Pupils Committee should be informed by first class post.
- The chair of the committee should convene a meeting to consider the exclusion and any representations made by parents within 15 days of the date of notification by the Headteacher, giving at least seven clear days written notice to governors. The meeting should be held during normal school hours wherever possible.
- The quorum for the meeting is three governors, none of whom may be the Headteacher or any individual involved in the incident leading to the exclusion.
- The Governors have a duty to consider whether to uphold the exclusion or direct reinstatement of the pupil.
With an LA representative attending the governors' committee meeting, both governors and LA hear the same representations from the parents and child.

A Statement of Case should be compiled by the school for use at the meeting containing relevant information such as:

- i. Pupil information;
- ii. Attendance/punctuality;
- iii. Special educational needs (if appropriate);
- iv. Achievements;
- v. Behaviour;
- vi. Positive personal qualities;
- vii. Previous parental contact/involvement;
- viii. Previous exclusions (if any);

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- ix. Strategies used to modify child's behaviour in the past and their effect including individual action plans;
- x. Involvement of other agencies (eg Social Services);
- xi. The circumstances leading to the exclusion (to include all supporting/relevant documentation arising from an investigation, eg reports, statements from witnesses, teachers and pupils);
- xii. Details of consideration given to other personal factors.

Each member of the committee, the Headteacher, the LA representative and the parent(s) will be sent:

- i. A letter of invitation to the committee meeting which:
 - Explains that the parent(s) representations to the LA will be made at the same time as representations to the governors.
 - Encourages the parent(s) to bring a friend or supporter with them to the governors' committee meeting, as such a person may be in a position to provide assistance.
- ii. Background information on the exclusion for consideration by the committee, parents and the LA:
 - A copy of the letter to the parent(s) informing them of the exclusion
 - A copy of the Headteacher's report;
 - A copy of the recommended procedure (see below)

These papers should be sent at least seven clear days prior to the committee meeting, although the Headteacher's report may have to follow at a later date, provided that it is received by all the participants at least 48 hours prior to the meeting.

It is recommended that the following procedure should be adopted for conduct of the committee meeting:

- 1) Governors elect a chair prior to the start of the meeting and agree the procedure to be followed during the meeting.
- 2) At the start of the meeting, the chair of the committee should introduce all parties to each other, explaining to the parent that the purpose of the meeting is to enable both the governing body and the LA to consider whether to uphold the Headteacher's decision or to direct reinstatement, and to consider the parents' representations.
- 3) The chairman of the committee meeting should also explain that if reinstatement is not agreed, the parent will have the right of appeal to an

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independent appeal committee.

The chairman of the committee should outline the procedure to be followed during the meeting.

- 4) The Headteacher should put forward the school's case
- 5) The parent(s), child and supporter may ask the Headteacher about what is in the report or about what has been said.
- 6) Members of the committee may ask the Headteacher questions.
- 7) The LA representative and any other LA staff who may be invited (eg educational psychologist) may ask the Headteacher questions.
- 8) The parent(s), child and supporter put forward their views and comments to the committee and LA representative.
- 9) The Headteacher may ask questions of the parent(s), child and supporter.
- 10) The committee may ask questions of the parent(s), child and supporter.
- 11) The LA representative may ask questions of the parent(s), child and supporter.
- 12) The chairman draws attention to points that the governors' committee will need to consider in determining their decision.
- 13) The Headteacher may request a brief adjournment to consider whether he/she wishes the child to be reinstated in the light of the representations made.
- 14) Summing up by the Headteacher.
- 15) Summing up by the parent(s) and/or supporter.
- 16) The parent(s), pupil, Headteacher and LA representative, and anyone else not a member of the committee, withdraw to enable the committee to determine, with reasons, whether to uphold the decision or to direct reinstatement.

If the Governors are satisfied after hearing the case, they then have to decide whether permanent exclusion was a reasonable response. They need to be clear about their reasons for confirming a permanent exclusion, and ensure that these reasons clearly derive from only the written and oral evidence they have heard in relation to the exclusion. All the contents of the meeting should be minuted. Parents will receive a formal letter from the secretary of the governors' committee and from the LA representative in due course, setting out their respective decisions, with reasons. The Governors must determine within 20 school days of notification of the Headteacher's decision to exclude the child, whether to uphold the decision or direct reinstatement. The parent(s) have the right of appeal within 15 school days of notification of the decision. Work should be provided by the school for any child excluded on a permanent basis wherever practicable.

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Appeals

Once an appeal has been lodged by a parent, an appeal committee should meet within 15 days of notice of appeal. Meetings of the appeals committee are not held in public. The decision of the appeal committee should be sent to the parent(s), governing body and LEA within 17 days of notice of appeal.

Reviewed: **September 2020**

Next Review: **September 2022**