

## **Begbrook Primary Academy Exclusions Policy**

### **Rationale**

This policy is an appendix of Begbrook Primary Academy Behaviour Policy; it deals with the policy and practice which informs the schools use of exclusion. It is underpinned by the shared commitment of all members of the school community to achieve a very important aim;

**To ensure the safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed**

### **Introduction**

The decision to exclude a pupil will be taken in the following circumstances;

- *In response to a serious breach of the school's Behaviour Policy*
- *If allowing the student to remain in school would seriously harm the education or welfare of the pupil or others in the school.*

*(DfE guidance September 2012)*

Exclusion is an extreme sanction and is only administered by the Head teacher (or, in the absence of the Head, the member of the Senior Leadership Team who is acting in that role).

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct and are infringements of the Behaviour Policy;

- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.
- Verbal or physical abuse of other pupils or school staff
- Aggression towards other pupils leading to the possibility of physical or emotional harm
- Indecent behaviour
- Racist abuse
- Sexual abuse
- Theft or damage to school property

This is not an exhaustive list and there may be other situations where the Head teacher makes the judgment that exclusion is an appropriate sanction.

### **General factors the School considers before making a decision to exclude**

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the student concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Head teacher will;

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the school policies
- Allow the student to give her/his version of events
- Check whether the incident may have been provoked.
- Take into account a pupils SEN needs

### **Exclusion procedure**

Most exclusions are of a fixed term nature and are of short duration

The DfE regulations allow the Head teacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year

The Governors have established arrangements to review promptly all permanent and fixed term exclusions.

The Governors have established arrangements to review fixed term exclusions which would lead to a student being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations

### **Fixed Term exclusions**

Following exclusion parents are contacted immediately where possible and must be given the following information in writing (either directly given to the parents or by post to their last known address)

- the reason for the exclusion
- the period of the exclusion and whether it is fixed term or permanent
- parent's rights to make representations about the exclusion to the governing council and how the pupil may be involved with this
- how any representations should be made
- where there is a legal requirement for the governing council to consider the exclusions that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.
- The letter must also include relevant free and impartial sources of information. Coram Children's legal centre [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com) and a link to statutory guidance <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

The exclusion may be internal within school, to another local CLF primary school or external to the family home. The academy will take into account the seriousness of the event, the needs of the child and any previous incidents before making a decision.

Parents have a right to make representations to the Governing council as directed in the letter.

A return to School meeting will be held following the expiry of the fixed term exclusion and this will involve the head teacher and other staff where appropriate. During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the School premises, and that daytime supervision is their responsibility, as parents/guardians.

### **Permanent Exclusion**

The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

1. The final, formal step in a concerted process for dealing with disciplinary offences following the use of a **wide range of other strategies, which have been used without success**. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying).
2. When a **serious criminal act** has been committed, the school will involve the police in any such offence.

All permanent exclusions will be reviewed by the CLF exec principal.

### **Length of exclusion**

For fixed term exclusions of 5 days or less the school will set suitable work for the child to complete at home.

For fixed term exclusions of more than 5 days the school must arrange for full time education to continue in another educational setting.

For permanent exclusions the local authority must arrange full time education for the pupil to begin no later than the sixth day of the exclusion.

### **Head teachers duties**

The head teacher must inform the governing council and the local authority if the exclusion is permanent, more than five days or if it results in the pupil missing an examination.

For all other exclusions the head teacher must notify the governing body and local authority once a term.

### **The Academy Trusts Duties**

- the trust must arrange an independent review panel in the case of an appeal against a governing council's decision not to reinstate a permanently excluded

- see section 8 of *Exclusion from Academies in England* for further information.

If the Head is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion will be the outcome.

This policy was agreed by the following persons:

Duncan Cruickshank (Principal)

Rachel Symons (Councillor for Pupil Voice)

January 2017