



St Mary's Church of England Primary School Exclusion Policy

*If your brother sins against you, go and tell him his fault, if he listens to you,
you have gained a brother. Matthew 18: 1-5*

Rationale

This policy and practice which informs the school's use of exclusion. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

- 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.
- To realise the aim
- of reducing the need to use exclusion as a sanction.

Introduction

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

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

Exclusion is an extreme sanction and permanent exclusion is the last resort. It is only administered by the head teacher, ratified by the Governing Body, is lawful, reasonable and fair. Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, are infringements of the School's Pupil Behaviour and Discipline Policy:

- Misuse of illegal drugs
- Misuse of other substances
- Theft
- Direct racism
- Serious physical violence against a child
- Physical violence against an adult
- Persistent refusal to comply
- Inappropriate sexual behaviour
- Damage to property
- 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.

Offences which could result in permanent exclusion, even for a first-time offence include;

- Supplying an illegal drug
- Carrying an offensive weapon
- Arson to school property

This is not an exhaustive list and there may be other situations where the headteacher makes the judgement that exclusion is an appropriate sanction. In addition, the school will consider police involvement for any offence of a criminal nature.

Lunchtime exclusions will be considered for any serious or continued breach of the School's Pupil Behaviour and Discipline Policy during lunch breaks. Again, this is an extreme solution and last resort.

Exclusion Procedures

Fixed Term Exclusions

This is limited to up to 45 days in one academic year. The length of the exclusion will be determined by the headteacher depending on the severity of the offence, though this will usually be up to 5 days.

Procedure for Fixed Term Exclusions

1. As soon as possible the child's parents/carers will be informed of the inclusion, its length and the specific reason for it. This will be communicated by letter and, where possible, by talking to the parents/carers. Parents/carers will be informed in writing that they have the right to make representations to the Governing Body. The headteacher should draw attention to the DfE Exclusions from maintained schools, Academies and pupil referral units in England : A Guide for those with legal responsibilities in relation to exclusion: along with the Coram Children's Legal Centre as sources of free and impartial information. Parents/carers will also be informed that for the first 5 school days of an exclusion, they are legally required to ensure their child is not present in a public place during the school hours without reasonable justification, and that they may be given a fixed penalty notice if they fail to do so.
2. The headteacher will inform the school's Governing Body and the LA of all exclusions which would result in the pupil excluded for more than 5 days in that term, or where the exclusion would result in the pupil missing a public examination or a national curriculum test.
3. The Governing Body will consider the reinstatement of an excluded pupil if the fixed period of exclusion will bring the total number of days to more than 15 for that term.
4. The headteacher will arrange for the excluded pupil to receive schoolwork to complete at home until he/she returns to school.
5. Following a fixed term exclusion the reintegration to school could include strategies and interventions in an IEP and regular meetings with parents/carers.
6. Parents/carers must be informed where a fixed term exclusion has been extended or converted to a permanent exclusion. In such cases the headteacher must write again to parents/carers to explain the reasons for the change and provide any additional information required.

Permanent Exclusions

Procedure for Permanent Exclusions

1. The headteacher informs the parents/ carers of the exclusion both verbally and in writing.
7. The headteacher informs the parents/ carers in writing of their rights to make representations to the Governing Body and LA. The headteacher should draw attention

to the DfE Exclusions from maintained schools, Academies and pupil referral units in England : A Guide for those with legal responsibilities in relation to exclusion: along with the Coram Children's Legal Centre as sources of free and impartial information. Parents/carers will also be informed that for the first 5 school days of an exclusion, they are legally required to ensure their child is not present in a public place during the school hours without reasonable justification, and that they may be given a fixed penalty notice if they fail to do so.

2. The headteacher, will notify in writing the Governing Body and the LA.
3. The Governing Body will convene a review committee to meet within 15 days of notification to consider the case.
4. The pupil remains on the school 's register until the review process is completed or until the parents/carers confirm that they accept the exclusion and intend to make arrangements, or if, 15 days have passed since the parents/carers were notified of the Governing Body's decision to uphold the permanent exclusion and no application has been made for an independent review panel.
5. The headteacher will arrange for the excluded pupil to receive schoolwork to complete at home and monitored for the first 5 days of the exclusion and then this responsibility is taken over by the LA.

Review Procedure

Parents can ask the Governing Body to review the child's exclusion, within 5 school days of the written notification of an exclusion. Whether the Governing Body will meet depends on the type of exclusion, and if the pupil has previously been excluded in the same school term. For:

- Fixed term exclusions of 1-5 days : the Governing Body must consider any representations made by parents/carers , but they cannot overturn the decision and they are not required to arrange to meet with parents.
- within 50 school days if requested by the parents/carers.
- Fixed term exclusions of more than 15 days in one term: the Governing Body must review the exclusion.
- Permanent exclusions: the Governing body must review the exclusion.

A review meeting (also called a Pupil Discipline Committee) will take into account the views of both parents/carers and the headteacher of the school. Parents can submit their views in writing as well as choose to attend the meeting. Parents will be given at least 7 day's notice of the date, time and place where the meeting will take place. After the /meeting the Governors will decide to do one of the following;

- Return the pupil to school earlier than the date set by the headteacher if the exclusion is fixed term
- Reinstatement the pupil if the exclusion is permanent, and give a date for their return to school
- Uphold the headteacher's decision about the type and length of the exclusion.

Parents will be notified in writing of the decision. If the governors uphold the headteacher's decision for a permanent exclusion, parents can make a further appeal to an Independent Review Panel.

This policy follows the DfE Exclusions from maintained schools, Academies and pupil referral units in England: A guide for those with legal responsibilities in relation to exclusion. Appendix 1.

A child will only be excluded from school **as a last resort**. Exclusions can occur as a result of a serious incident, persistent misbehaviour or a breach of criminal law.

APPENDIX 1

[https:// www.gov.uk/government](https://www.gov.uk/government)

Exclusion from maintained schools, Academies and pupil referral units

Headteacher **Mr Richard Moss**

Chair of Governors **Mrs Glynis Ashford**

Date **Sep 2024**

Review Date