



# BATHEASTON CEVC PRIMARY SCHOOL

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## External Exclusion Policy

**1. Purpose:** We believe in our responsibility to facilitate learning for all children, to engage them in irresistible learning opportunities so that they feel valued, challenged and supported. Whilst we will endeavour to find ways through for every child, we understand that in extreme circumstances we would need to consider externally excluding a child.

Throughout the remainder of this document the use of the term 'exclusion' refers to external exclusion and the use of the term 'parent' refers to parents, guardians and carers.

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

1.1.1 The first is to ensure the safety and well-being of all members of the school community, and to maintain a positive, safe and inspiring educational environment in which all can learn and succeed

1.1.2 The second is that the School seeks to avoid exclusions unless considered absolutely necessary.

1.2 Our school culture is defined by our values. Our Positive Behaviour Management Policy aims to find opportunities to celebrate positive behaviour as underpinned by our vision, ethos and values.

1.3 This policy applies to all children attending the School from Reception through to end of Year 6

1.4 Only the Headteacher can make the decision to exclude a pupil. It is advisable for the Headteacher to seek advice from an appropriate body (e.g. Local Authority) when considering exclusion. Where the decision to exclude has taken place the Headteacher shall inform the chair of governors within one working day.

1.5 The School recognizes that exclusion is a serious matter and has the potential to affect the pupil's life in a significant way. Decisions in respect to exclusions will not be taken lightly but only after careful consideration of the circumstances.

1.6 Pupils will only be excluded after all the relevant factors have been considered and when the Headteacher is satisfied that there is no alternative. The Headteacher will ensure that:

- 1.6.1 The process is open, fair and transparent
- 1.6.2 a thorough investigation has been carried out;
- 1.6.3 that all evidence has been considered;
- 1.6.4 where appropriate statements have been taken from witnesses;
- 1.6.5 the accused child/children have had the opportunity to give their/his / her version of events.
- 1.6.6 The nature and period of the exclusion shall be proportionate having regard to the incident and other circumstances leading up to the exclusion.

2.1 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.

2.2 A serious offence could by itself justify a pupil's exclusion. In addition to conducts detailed in Batheaston's Positive Behavioural Policy, this includes the following:

- Physical abuse towards an adult or child
- Verbal abuse/offensive language towards an adult or child
- Bullying (see behaviour policy)
- Frequent high level disruption to lessons
- Frequent high level of non-compliance
- Frequent high levels of disrespect to adults who work in the School
- Unacceptable behaviour for which intervention and support has not been successful in modifying over time
- Damage to property
- Theft
- Carrying an offensive weapon
- Arson
- Inappropriate use of technology, including mobile phones, internet
- Using social media inappropriately to cause suffering, distress brought about because of cyber-bullying

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

### **3 Procedure for Fixed Term Exclusion**

3.1 The Headteacher will pursue the process set out at 1.6 before reaching a decision to exclude. The Headteacher will decide if exclusion is appropriate and the length of the fixed term exclusion.

3.1.1 Parent/s are contacted immediately (in person or by phone) when the Headteacher makes the decision to exclude a child. If possible the parent will be invited into School to discuss the reasons for the exclusion, and a letter will be sent by post giving details of the exclusion and the start/end dates of the exclusion. This correspondence will refer to re-integration processes. The school must arrange a reintegration meeting with the parent(s) during or following the expiry of any fixed-term exclusion of a primary-aged pupil

3.1.2 School work is always provided for a child to cover the period of a fixed term exclusion.

3.1.3 On a child's return following a fixed term exclusion the parent/s is asked to accompany their child to meet with the Headteacher or a senior member of staff.

3.1.4 Where a student with Special Education Needs / Education Health Care plan is excluded, re-integration processes will be referenced in their individual education

plan (IEP). IEP's will be reviewed and adapted as appropriate to mitigated further exclusions.

3.1.5 If the fixed term exclusion, or an accumulation of exclusions exceed 5 days (within a term), a Pastoral Support Plan will be drawn up. This will be discussed and agreed with parent/s and where appropriate the child.

3.1.6 During the course of a fixed term exclusion the child is not allowed on the School premises and it is the responsibility of the parent/s to arrange daytime supervision for their child.

3.1.7 For any fixed term exclusion that exceeds 6 consecutive days the Headteacher will inform the Local Authority. If the Headteacher decides to exclude a child for more than 5 days they are responsible for the provision of suitable full-time educational provision. Educational provision from day 6 is only provided by the LA for pupils who have been permanently excluded.

3.1.8 Fixed term exclusions cannot exceed, when aggregated, a total of 45 School days in any one School year.

#### **4 Procedure for Permanent Exclusion**

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

4.1.1 The first is a final, formal step in a concerted process for dealing with unacceptable behaviour following the use of a wide range of other strategies (that may also include involvement of other professional agencies) which have been used over time without success. Permanent exclusion will only occur once all available strategies have been exhausted and will only be considered as a last resort

4.1.2 The second is where there are circumstances of extreme behaviour causing a serious risk to either the pupil concerned and/or adults and other pupils.

4.2 Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Headteacher will ensure that appropriate investigations are carried out as set out in paragraph 1.6 of this Policy. This investigation process will include consulting with the chair of governors or an alternative governor as delegated by the chair.

4.3 The parent/s will be immediately informed and where appropriate be asked to come into the School to meet with the Headteacher.

4.4 A formal letter will be sent in the post providing details of the reason for the permanent exclusion and outlining the formal procedures for permanent exclusion. A second letter will include a date for the meeting of the disciplinary committee where governors will consider, based on all available evidence, the decision made by the Headteacher to permanently exclude a pupil. This letter will be sent once a date has been agreed with the disciplinary committee. Parent/s and their representatives are invited to this meeting. The letter will include details of organisations that support and provide information for parents on exclusions and their right to appeal.

4.5 Governors consulted by the Headteacher in the permanent exclusion of a pupil cannot be part of the Governing Body Disciplinary Committee (GBDC) at which the exclusion is reviewed. The GBDC will meet no later than 15 school days from the date of the exclusion.

## **5 Independent Appeal Panel**

5.1 Where a pupil has been permanently excluded and that decision has been upheld by the Governing Body Disciplinary Committee, an automatic right of appeal to an Independent Appeal Panel arises.

5.2 The decision letter of the Governing Body Disciplinary Committee will contain the relevant information for exercising that right of appeal and the relevant timeframes for doing so.

5.3 The composition of the Independent Appeal Panel is set out in the Secretary of State's Guidance on exclusions. None of the Independent Appeal Panel will have links with the School. The School will usually delegate the task of constituting the Independent Appeal Panel and clerk to an independent clerking service.

5.4 Any Independent Appeal Panel will be impartial, constituted in accordance with the Secretary of State's Guidance on exclusions and is to have regard to that Guidance when exercising its functions

5.5 The Independent Appeal Panel's decision is final and binding on the School. A parent may seek a judicial review of the decision. A parent may not, however, appeal to the Commissioner for Local Administration (the Local Government Ombudsman) about maladministration because the Commissioner's remit is limited to considering the conduct of appeal panels constituted by Local Authorities.

## **6 Accountability**

6.1 The School is rigorous in the recording and reporting of the number of exclusions (fixed term and permanent) on a termly basis to the Governing Body and to the Local Authority.

Policy to be reviewed for March 2019