



Exclusions Policy

The Policy and Procedures at Wigginton Primary School follows national guidance and builds on good practice. Further information and detailed guidance can be found at:

<http://www.education.gov.uk/aboutdfe/statutory/g00210521/statutory-guidance-regs-2012/guidance/heads-power-to-exclude>

Rationale

This policy deals with the 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:

- 1) The first is 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;
- 2) The second is to realise the aim of reducing the need to use exclusion as a sanction.

Introduction

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

- (a) In response to a serious breach of the school's behaviour policy.
- (b) If allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Exclusion of Pupils

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Head, the Deputy Head 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 School's Behaviour Policy:

- Verbal abuse to staff and others
- Verbal abuse to other children
- Physical abuse to/attack on staff
- Physical abuse to/attack on other children
- Indecent behaviour
- Damage to property
- Theft
- Arson.
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the student's behaviour.

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

There are two types of exclusion:

Fixed term exclusions

These are short term exclusions and pupils are given a date for return to school. Pupils can be excluded for a maximum of 45 school days in any school year.

Permanent exclusion

This is sometimes referred to as expulsion. Pupils who are permanently excluded may not return to the school, unless the governing body or independent appeal panel decides to reinstate them.

What happens if a pupil is excluded?

- Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).
- The DfE regulations allow the Headteacher to exclude a student 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 exclusions from the school and all fixed-term exclusions that would lead to a student being excluded for over 15 days in a school term or missing a public examination.
- Following exclusion, parents are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends.
- The letter will make clear:
 - the type of exclusion imposed
 - the reason for the exclusion
 - when the pupil may return to school if it is a fixed term exclusion
 - how parents/carers can appeal against the exclusion
 - how work will be provided from day 6 (or day 1 for LAC)

The headteacher will also make a formal return to the LA regarding the nature of the exclusion - see appendix A.

- Parents have a right to make representations to the Governing Body and the LA as directed in the letter.
- A Return to School restorative meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Leadership Team, and other staff where appropriate.
- During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on the school

premises, and that daytime supervision is their responsibility, as parents/guardians.

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 child concerned. Before deciding whether to exclude a child either permanently or for a fixed period the Head will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the school Behaviour Policy, Equal Opportunity and Race Equality Policies.
- Allow the child to give her/his version of events.
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

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.

Exercise of discretion

In reaching a decision, the Head will always look at each case on its own merits.

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

- a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour Policy
- b) the effect that the child remaining in the school would have on the education and welfare of other children and staff.

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

This Committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the child's past behaviours, witness statements and the strategies used by the School to support the child prior to exclusion.

Appeals

Parents can appeal against their child's exclusion in the following ways:

- For a fixed term exclusion of between 1 and 5 days, write to the Clerk to *Governors*, whose details will be in the letter from the school.
- For permanent or fixed-term exclusion of more than 5 days in one term there will be a meeting of the *Appeals Panel*.

At Wigginton Primary School, this is an ad-hoc panel of three governors that forms solely for this purpose. It is comprised of school governors (not including staff) who meet to consider the exclusion. They will take into account the views of parents and the headteacher. Parents can write to have their views considered and/or attend the meeting personally. The Clerk to Governors will give at least 7 days' notice of the date, time and place of the Appeals Panel Meeting.

As a result of this meeting, the Governing Body 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 for a fixed term
- reinstate the pupil if the exclusion is permanent, and give a date for return to school
- agree with the headteacher's decision about the type and length of the exclusion.


If the governors uphold the head teacher's decision to permanently exclude, parents can make a formal appeal to an Independent Appeal Committee, consisting of 3 or more alternative governors. If necessary, information about this committee will be provided by the Clerk of Governors.

Policy ratified: Nov 24

Teaching and Learning Curriculum Chair

Headteacher

Appendix A

<p>NOTIFICATION OF PUPIL EXCLUSION</p> <p>EMAIL FORM</p>	
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This form should be completed for each exclusion

NAME OF SCHOOL					
FORENAMES OF CHILD					
SURNAME OF CHILD					
UPN					
GENDER					
ADDRESS					
POSTCODE		D.O.B		NC YEAR	

TYPE OF EXCLUSION		FIRST DAY OF EXCLUSION	
IF LUNCH TIME, NUMBER OF ½ DAYS & DATE OF RETURN			
IF FIXED TERM, NUMBER OF DAYS & DATE OF RETURN			
DATE OF DISCIPLINE COMMITTEE *			

- If the child has been excluded for 6 – 15 school days (either in one block, or aggregated over a term), and where the parent requests it, the Discipline Committee must meet to decide the case between 5 and 50 school days of the exclusion.
- If the child has been excluded for 16 – 45 school days (either in one block, or aggregated over a term) or permanently, the Discipline Committee must meet to decide the case between 5 and 15 school days of the exclusion

PRIMARY REASON FOR EXCLUSION	
IF "OTHER" PLEASE DEFINE- (INCIDENTS WHICH ARE NOT COVERED ABOVE - THIS CATEGORY SHOULD BE USED SPARINGLY)	
AGGRAVATING CIRCUMSTANCES	
PREVIOUS EXCLUSIONS THIS SCHOOL YEAR	

DOES THE PUPIL HAVE SPECIAL EDUCATIONAL NEEDS? PLEASE SPECIFY STATUS	
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IS THE PUPIL IN PUBLIC CARE? IF SO, WHICH IS THE RESPONSIBLE AUTHORITY?	
HAS PUPIL PREVIOUSLY BEEN IN CARE WHILE AT PRESENT SCHOOL?	

Public Care means either:

- The child is accommodated by a Local Authority, and placed with a foster carer or in a children's home, or
- The child is subject of a care order (s. 31 Children Act 1989)

NAME OF PERSON COMPLETING FORM	
DATE	

PLEASE E-MAIL THIS FORM, WITH A COPY OF YOUR LETTER TO THE PUPIL'S PARENT, TO exclusions@york.gov.uk