



## St Chad's CE School – Exclusions Policy

'A Future with Hope' Jeremiah 29:11

St Chad's C of E Primary and Nursery School Policy	
<b>Title of Policy:</b>	Exclusions Policy
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<b>Written by/Author: (Job Title and name)</b>	Catherine Speed and Clare Hood Headteacher/ Senco Reviewed by Fiona Davis & Clare Hunter
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**For surely, I know the plans I have for you, says the Lord, plans for your welfare and not for harm, to give you a future with hope. Jeremiah 29:11**

### Vision and Values at St Chad's CE Primary and Nursery School

Our Christian Values are at the heart of our school and create a loving environment that promotes the care and nurture of the whole community. Our school vision is at the core of this policy: *With God's guidance and love for us, we provide a Christian family ethos, where everyone matters and all are encouraged to reach their full potential. In a welcoming, inclusive and nurturing environment, we lead everyone to a future with hope.*

Our core values underpin this policy and are reflected in all our work and relationships in school: Truthfulness, Hope, Thankfulness, Forgiveness, Courage, and Justice. These values support our pupils and underpin our approach to behaviour management.

Our School is committed to creating an environment where exemplary behaviour is at the heart of productive learning. Everyone is expected to maintain the highest standards of personal conduct, to accept responsibility for their behaviour and encourage others to do the same. As members of our community, we adhere to the values of being: 'Respectful, Ready, and Safe.'

This policy has been written with reference to the DFE guidance "Exclusion from maintained schools, academies and pupil referral units in England; Statutory. Guidance for those with legal responsibilities in relation to exclusion" 2017. For further information please follow this link. This policy should be read in conjunction with that guidance and used for reference should further clarity be required particularly around roles and responsibilities. <https://www.gov.uk/government/publications/school-exclusion>



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## RATIONALE

The safety and well-being of all members of the school community is paramount. We believe staff and children are entitled to a place of “safety and protection” (Psalm 51;2); a safe and secure environment in which to learn and succeed. A child will be excluded St Chad's CE School only as a last resort as a result of violence, unacceptable breaches of the behaviour policy or of the criminal law.

Amongst other disciplinary sanctions, the school recognises that suspension and exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the school's Behaviour Policy. Suspending or excluding a pupil may also be required in instances where allowing the pupil to remain in school would be damaging to the education and welfare of themselves or others; in all cases, suspending or excluding pupils should only be used as a means of last resort.

A “**suspension**” is defined as the temporary removal of a pupil from the school for behaviour management purposes. A pupil may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year. A suspension does not have to be for a continuous period.

An “**exclusion**” is defined as the permanent removal of a pupil from the school, in response to a serious breach or persistent breaches of the school's Behaviour Policy and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or staff in the school.

Exclusion is an extreme sanction and only the Headteacher (see footnote 1) has the authority to exclude a child. Exclusions, whether for a fixed term or permanent, may be used for any of the following, all of which constitute examples of unacceptable conduct, and are breaches of the school's Behaviour Policy:

- Persistent refusal to carry out reasonable instructions issued by a member of the school staff
- Verbal abuse directed at staff, professionals working within school or other pupils
- Serious physical abuse/assault of staff, professionals working within school or other pupils
- Actual or threatened violence against staff, professionals working within school or other pupils
- Inappropriate behaviour of a sexual nature
- Theft
- Possession or misuse of drugs or other illegal/dangerous substances
- Racial abuse
- 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

*1 Exclusion is a disciplinary sanction, which can only be exercised by the Headteacher and only in response to serious breaches of the school's policy on behaviour or of the criminal law.*

This list is not exhaustive and there may be other circumstances that could arise when the Headteacher makes the judgement it would be appropriate to exclude a child in school.

Where SEND or SEMH issues are identified, an individual behaviour plan will be created using the graduated response outlined in the school's Behaviour Policy. If the pupil continues to endanger the physical or emotional wellbeing of other pupils or staff, despite exhausting the graduated response process, then suspension or exclusion may be considered. In accordance with the Equality Act 2010,



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# St Chad's CE School – Exclusions Policy

'A Future with Hope' Jeremiah 29:11

under no circumstances will a pupil with identified SEND or SEMH issues be suspended or excluded before the graduated response process has been completed.

## EXCLUSION PROCEDURE

At St Chad's CE School the decision to exclude a child will be lawful, reasonable and fair. Every effort will be taken to ensure early intervention be used to address the underlying causes of any inappropriate behaviour before an exclusion is considered.

If a child is to be excluded, parents will be notified immediately by telephone and by letter as soon as possible without delay. The parent/carer will be informed:

- If the exclusion is permanent
- If the exclusion is fixed term, the precise period of the exclusion
- The reasons for the exclusion
- The parent's right to make representations to the Governing Body, and how the pupil can be involved in this;
- Who to contact about making such representations
- Of the arrangements made by the school for the pupil to continue their education during the first five days of the exclusion, including setting and marking of work. (It is the parents' responsibility to ensure that work provided is completed by the pupil and returned to school)
- Of the school days (or school day from) which the pupil will be provided with alternative suitable education.

Exclusions can start on the same day but school will work in partnership with parents to collect their child as we appreciate that this may not be able to happen immediately.

During the first five days of a period of exclusion (whether fixed term or permanent), the parents must ensure that the child is not present in a public place during school hours, unless there is reasonable justification.

For a Suspension (fixed-period exclusion), of more than five school days, the Governing Body must arrange suitable full-time education for any pupil of compulsory school age (for example, home tutoring, a pupil referral unit or online studies). This provision must begin no later than the sixth day of the exclusion. This duty is set out in section 100 of the Education and Inspections Act 2006.

For permanent exclusions, the Local Authority must arrange suitable full-time education for the pupil, again of compulsory school age, to begin no later than the sixth day of the exclusion. This duty is set out in section 19 of the Education Act 1996.

## Returning from a fixed-term exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a pupil returns from a fixed-term exclusion:

- Agreeing a behaviour contract
- Additional support plan that may limit the time a child has to spend with their peers so that their ability to behave in a safe way is established.



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## St Chad's CE School – Exclusions Policy

'A Future with Hope' Jeremiah 29:11

### CHALLENGING AN EXCLUSION

Parents have the right to ask the Governing Body to consider their representations about an exclusion. This will depend on the length and nature of the exclusion. The Governing Body will consider the reinstatement of an excluded child within 15 school days of receiving the notice of exclusion if:

- The exclusion is permanent
- It is a fixed period exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in term; or
- The exclusion means the child will miss a public exam or national curriculum test

Where the exclusion means that a child will miss a national curriculum test there is a further requirement for a Governing Body to consider exclusion before the date of the examination or test. If this is not possible, the Chair of the Governing Body may consider the exclusion independently and decide whether to reinstate the pupil. These are the only circumstances in which the chair can review an exclusion decision alone. In such cases parents still have the right to make representations to the Governing Body and must be made aware of this right. If the exclusion is for 5 days or fewer, parents can request that the Local Governors hear their views, but they can't overturn the Headteacher decision. When invited to meet the Governing Body, parents / carers will be allowed to make representations along with the Headteacher.

The Governing Body will:

- Ask for any written evidence in advance of the meeting (including witness statements and other relevant information held by the school, such as those relating to Special Educational Needs)
- Ensure any written evidence and information has been circulated, including a list of those who will be present, to all parties at least five days in advance of the meeting.
- Allow parents / carers to be accompanied by a friend or representative
- Identify steps they will take to encourage the excluded pupil to attend the meeting, where appropriate, to talk on their own behalf or by other means if they are not attending

The Local Governing Body will consider the interests and circumstances of the excluded child, along with the circumstances in which the child was excluded. When making any decisions they will also have regard to the interest of the other pupils and staff working at the school. The Local Governing Body will look at the facts in relation to the exclusions and reach a decision on whether to reinstate the pupil by considering is the decision to exclude lawful, reasonable, proportionate, procedurally fair, taking into account the Headteacher's legal duties.

The Local Governing Body can then either:

- Uphold an exclusion:
- or
- Direct reinstatement of the pupil immediately or on a particular date.

The Governing Body must notify the parents, Headteacher and the local authority of their decision, and the reasons for their decision, in writing without delay. The reasons for the decision should be in sufficient detail to enable all parties to understand why the decision was made. In the case of a



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## St Chad's CE School – Exclusions Policy

'A Future with Hope' Jeremiah 29:11

permanent exclusion, where Local Governors did not overturn the exclusion, the Local Governing Body must write to the parents and include the following information

- The fact that the exclusion is permanent
- Notice of the parents' right to ask for the decision to be reviewed by an independent review panel and the following:
  - o The date by which the application for a review must be made
  - o The name and address to whom the application for a review (and any written evidence) should be submitted:
  - o That the application should set out the grounds on which it is made and that, where appropriate, this should include reference to how the pupils' special educational needs are considered to be relevant to the exclusion
  - o That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel and that parents may also bring a friend to the review.
  - o That, in addition to the right to apply for an Independent Review Panel, if parents believe that the exclusion has occurred as a result of discrimination then they may make a claim under the Equality Act 2010 to the First-Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination.

### THE RESPONSIBILITIES OF THE HEADTEACHER

It is the responsibility of the Headteacher to:

- Ensure the policy is implemented consistently and fairly.
- Make the decision to exclude having checked all evidence.
- Communicate promptly with parents, informing them of the decision to exclude immediately by telephone and within 24 hours by letter.
- Send details of the exclusion to the Chair of the Governing Body, and the Local Authority.
- Delegate responsibility for sending work home/marking of work.
- Monitor the implementation of the policy and regularly report to Governors.
- Consider any contributing factors that are identified after an incident of poor behaviour has occurred, e.g. if a pupil has suffered bereavement, experienced bullying or has a mental health issue.
- Consider the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour.
- Review the effectiveness of suspensions and exclusions as sanctions, e.g. if a pupil has received multiple suspensions or is approaching the legal limit for suspensions in an academic year.
- Consider what extra support may be needed to identify and address the needs of individual pupils, particularly those with SEND, those eligible for FSM, LAC

### THE RESPONSIBILITIES OF THE CLASS TEACHER

It is the responsibility of the Class teacher to:

- Keep appropriate records of incidents that may lead to the decision to exclude.
- Send work home for the duration of the exclusion and mark any work returned.
- Use the time of the exclusion to review provision e.g. seating arrangements, differentiation, and behaviour support.
- Ensure the child returning from an exclusion is given every opportunity for a fresh start.



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# St Chad's CE School – Exclusions Policy

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## THE RESPONSIBILITIES OF THE GOVERNING BODY

It is the responsibility of the Governors to:

- Review the policy in the light of monitoring.
- Attend Exclusion hearings as required.
- Provide information to the Secretary of State and LA about any suspensions and exclusions within the last 12 months
- Where a suspension or exclusion would result in a pupil missing a public examination or test, consider the suspension or exclusion before this date.
- Consider whether it would be appropriate for a pupil to be permitted onto the school premises to sit the public examination or test.
- Using data to evaluate the school's practices regarding intervention, suspension and exclusion.

## THE LOCAL AUTHORITY

The LA is responsible for:

- Having due regard to the relevant statutory guidance when carrying out its duties in relation to the education of LAC.
- Arranging suitable full-time education for any pupil of compulsory school age excluded permanently, in coordination with the school.
- Reviewing and reassessing pupils' needs in consultation with their parents where they have an EHC plan and are excluded permanently, with a view to identifying a new placement.
- Arranging for an independent review panel hearing to review the decision of the governing board not to reinstate a permanently excluded pupil where required.
- Arranging the hearing without delay at a time, date and venue convenient for all parties.
- Ensuring the independent review panel consists of three or five members as appropriate, which represent the required categories.
- Ensuring all panel members and the clerk have received training within the two years prior to the date of the review.
- If requested by parents, appointing a SEND expert to attend the panel and covering the associated costs of this appointment.

## EQUALITY

All children will be treated equally and fairly throughout the implementation of this policy. The Headteacher will monitor incident logs and ensure that any apparent inequality of incidents is entirely attributed to the behaviours of those children



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