Exclusion Policy

(Version 3.2)

Amendment History		
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Authorisation

Date Ratified: December 2023

Signed By: Tricia Brabham
On behalf of school governors

Signed by: James Oakley
Headteacher

Review Date: December 2025

Overview

It is the policy of Mendip Green Primary School to try to deal with all behavioural issues in an active, positive way, employing a wide range of strategies, including those specifically designed to avoid such issues reaching the point of the exclusion.

Exclusions can be a worrying, upsetting and difficult time for you and your child. Provided here is a brief overview of the process involved if your child has either been suspended or expelled from school (including being excluded from set part of the day e.g. lunch times).

The process of exclusion that all schools must follow is based on guidance ***DfE Exclusion from maintained schools, Academies and pupil referral units in England.***

The exclusion guidance affects all children, including those who may be below or above compulsory school age. However, the guidance in relation to education provision beyond the sixth day, only applies to those children who are of compulsory age school and are excluded for more than six days. This means if your child is of compulsory school age, they will continue to receive an education provision beyond the sixth day of exclusion.

Purpose

This policy is designed to briefly outline the school's approach to exclusions within the statutory framework as defined in the ***The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.*** It outlines only where the school applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the school.

1. Principles

1.1. As a school we feel it is important to promote a caring and supportive environment to enable all members of the school community to feel secure, respected and therefore promote good behaviour in others.

1.2. The development of personal qualities and social skills and the fostering of socially acceptable behaviour are an integral aspect of the school curriculum.

1.3. Exclusion is a sanction used by the school only in cases deemed as **serious breaches** of the School Behaviour Policy. A child may be at risk of an exclusion from school for:

- serious fighting
- verbal or physical assault of another child or adult;
- threatening/intimidating behaviour towards other children and/or adults;
- bullying behaviour including racism;
- foul language directed at another child or adult;
- defiance towards any authorised adult in the school;
- damaging school or others' property;
- persistent and repetitive disruption of lessons and other child's learning;

- extreme misbehavior, which is deemed outside the remit of the normal range of sanctions.

1.4. **Evidence of Poor Behaviour:** In most cases, except for the most extreme, the Headteacher will have considered the following before making a decision about an exclusion:
- Verbal or written reports from members of staff
- Discussions with the child/children concerned
- Discussions with the parent/s of the child/children concerned
- Responses to any of the following:
  - persistent loss of playtime
  - persistent incidents of low level behaviour
  - entries on CPOMS (the school's management system)

2. Types of exclusion

2.1. There are two types of exclusion: suspension and expulsion (see Appendix A)

2.2. A suspension from the school can only be authorised by the Headteacher or Deputy Headteacher acting on their behalf. If none are available to authorise the suspension a decision should be deferred until the opportunity for authorisation is available.

2.3. In the case of an expulsion this can only be authorised by the Headteacher and must only be done after consulting the Chair of Governors of the intention to impose this sanction, although the final decision rests with the Headteacher of the school.

2.4. The school seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the school.

2.5. The school regularly monitors the number of exclusions to ensure that no group of children is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

3. Notification of an exclusion

3.1 The child who has been suspended/expelled will have the reason for their exclusion explained to them by either the Headteacher or Deputy Headteacher, so that they understand the nature of their misbehavior and why it is unacceptable.

3.2 If an incident takes place at the end of the school day or after school that day, the parents of the child will be contacted and a meeting with the parents and child will be arranged for the next morning to investigate the incident and provide the child with an opportunity to discuss what took place and why before a decision to suspend is made.

3.3 The parents will be notified as soon as possible of the decision to suspend/expel and the reasons for the exclusion. The evidence leading up to the decision will be explained. This will be done on the day of the suspension/expulsion being authorised by either direct phone contact or a face-to-face meeting.

3.4 Written confirmation of the reason(s) for the suspension/expulsion will be sent to parents the

same day, outlining the reasons for the decision, the date upon which the child will be allowed back into school (in the cases of suspension), and the procedures for appeal which are open to the parents.

3.5 In the case of an expulsion, parents will be notified by the Headteacher in a face-to-face meeting.

3.6 The Chair of Governors will be informed, and a copy of the letter to parents made available.

3.7 School staff will record the incident(s) that led to the suspension/expulsion, including triggers and key points of the investigation, on CPOMS (the school's management system).

3.8 The school administrator will upload a copy of the letter regarding the suspension/expulsion on CPOMS (the school's management system).

3.9 An expulsion will be reported to the next governing body meeting.

3.10 The school will notify the local authority about the suspension/expulsion

3.11 Work will be set for the child to complete at home during a suspension/expulsion. This will be made available to the parents on the morning following a suspension/expulsion.

4. Children returning from a suspension

All children returning from a suspension are required to attend a reintegration meeting, accompanied by a parent. This meeting will seek to establish practical ways in which a further suspension can be avoided and behaviour modified to acceptable standards in partnership between child, parent and school.

5. For expulsions:

5.1. Mendip Green will usually only expel a child as a last resort, after trying to improve the child's behaviour through other means. However, there are exceptional circumstances in which a Headteacher may decide to expel a child because of on-going issues or even for a 'one-off'' incident.

5.2. In the case of an **expulsion,** this can only be authorised by the Headteacher and **must only** be done after consulting the Chair of Governors of the intention to impose this sanction, although the **final** decision rests with the Headteacher of the school. If your child has been expelled, be aware that:

- The Headteacher will inform the parents of the decision in a face-to-face meeting. The parents will be informed of the decision and the reasons for it. The evidence leading up to the decision will be explained.
- A letter of confirmation will be sent on the same day by first-class post outlining the reasons for the decision, the procedures for appeal which are open to the parents.
- The Chair of Governors and the Hearings and Appeals Governor will be informed, and a copy of the letter to parents made available.
- The school's governing body is required to review the Headteacher's decision and you may meet with them to explain your views on the expulsion.
- The school will provide work that can be completed at home for the first five days of suspension.

- The school must provide full-time education from the sixth day of suspension.
- A special meeting of a delegated committee of the Governing body will be called within fifteen working days of the date of expulsion, of which the parents will be notified, in order to consider the decision of the Headteacher.
- All correspondence regarding an expulsion from the school will inform parents of their right to appeal to the Governing body against the decision to expel. This procedure is clearly set out in the statutory guidance.
- The person who should be contacted to initiate an appeal is the Clerk to the Governors.

6. Exclusions Committee

6.1. The Governing body delegates authority to a committee comprising at least three governors, of whom the Headteacher shall **not be one**.

6.2. The membership of the committee shall be reviewed annually at the first full meeting of the Governing body of each year.

6.3. The committee is delegated the authority, to consider:
- the report of the Headteacher in respect of the decision to expel a child
- the representations of the parents of the child (if present)
- to question those involved, if appropriate;
- to allow cross-questioning, and;
- to decide either to endorse the decision of the Headteacher, or to direct the Headteacher to reinstate the child.

7. Relationship to other school policies

The Exclusion Policy should be read in tandem with the school's Behaviour Policy as well as other relevant school policies, particularly the Special Educational Needs Policy and the Equal Opportunities Policy. It also has a close inter-relationship with the Anti-Bullying Policy and Attendance Policy.

8. Monitoring and Review

8.1. The impact of this policy will be reviewed by the governors' Curriculum and Standards Committee (or equivalent) of the Governing body and through Headteacher's Reports to Governors

8.2. The Headteacher will provide the Committee with regular monitoring reports, which will help it to evaluate the effectiveness of the policy and procedures.

8.3. The policy and procedures will be reviewed and amended in the light of such evaluation and in consultation with representatives of all key stakeholders

Appendix A

Suspension from school

- Suspensions are either a set number of days or during lunch time. During this time your child must not return to school or enter the school premises.

- You will be notified immediately of a suspension (usually by phone) and a letter **must** be sent to you within one school day of the Headteacher's decision. The letter should tell you the reasons for the suspension (it should explain clearly what has happened), the length of the suspension (in school days) and the date and time when your child must return to school.

- A child cannot be suspended from school for a period of more than 45 school days in any school year (either as a single sanction or cumulative). Once a child has reached the limit of 45 days, any subsequent suspension will result in an expulsion.

Long term suspension (i.e. more than 15 days):

- If your child has been suspended for 15 school days or more over a term, then the Governing body must meet to review the suspension within 15 school days after the suspension. The Discipline Committee can decide to uphold the Headteacher's decision or allow your child back in to school (called reinstatement). If your child would miss a public examination, the governors will try to hold the meeting before the date of the examination.

- The committee will have a clerk to record what is said and to ensure that everybody can state their case fairly.

Short term suspension:

- If your child has been suspended for between 5.5 - 15 school days in a term (adding together all the suspensions that term), the Governing body will meet within 50 school days, but only if you (the parent/carer) request to do so to review the suspension. You are entitled to attend this meeting. Even if your child has returned to school, Governors can still say if they would have upheld the suspension or not and place a statement of their views on your child's record. The school will write to you with details and the arrangements for this meeting.

- The local authority will make arrangements for off-site education from the 6th school day of a suspension.

- If your child has been suspended for up to 5 school days, the Governing body do not have to meet with you. However, you can make written representations if you wish, which must be considered within 50 days of the decision to suspend. The decision will be placed on your child's file.

There is no right to an independent review for suspensions.

- Details of your child's suspension will be entered on their school records. You have a right to see your child's school record. If you would like to do so, you will need to contact the school direct.

During the first 5 days of a suspension you must ensure that your child is not in a public place during normal school hours without good reason (This applies whether or not the parent is with the child). A failure to comply with this is an offence and you can be given a fixed penalty notice from the local authority.

Expulsion from School

- Expulsion means that your child cannot return to the school or enter the school premises. Only the Headteacher has the right to expel your child from school.

- You will be notified immediately of an expulsion (usually by phone) and a letter **must** be sent to you within one school day informing you of the decision to expel your child from school and the reasons why this happened.

- The Governing body must meet within 15 school days of a Headteacher's decision to expel a child. You will be invited to attend this meeting with a friend or legal representative, as well as sending a written statement if you wish. The school will write to you with details and the arrangements for this meeting.

After the Governor's meeting, you will receive a letter from the Clerk to Governors' stating the decision reached by the Governing body and the reasons why. If the Governing body uphold the Headteacher's decision to expel, then you have the right to have the Headteacher's decision reviewed by an Independent Review Panel (IRP).

The Clerk to the Governors' will write to you to let you know when you must lodge your review by. This is within 15 school days of being officially notified by the Governing body in writing.

- The role of the IRP, as an impartial body, is to review the decision of the Governing body. The panel, in reviewing the decision, can make one of three decisions, which are:
    - Uphold the decision of the Governing body;
    - Recommend that the Governing body reconsiders the matter, or

- If it considers that the decision of the Governing body was flawed, **when considered in the light of the principles applicable on an application for judicial review**, the IRP can quash the decision of the Governing body and direct the Governing body to reconsider the matter.

- If you do not wish to have the expulsion reviewed, your child will be taken off roll at the school from which they were expelled, the day after the *Review* period expires.

- If you decide to have the decision reviewed, your child's name cannot be removed from the school roll until after the outcome of your IRP is known or the period within which the right of review has elapsed (unless you formally waive your right to have the decision reviewed at an earlier date).

- The school has to provide education for your child for the first five school days of the exclusion. This is usually done by work being sent home to complete. The local authority will contact you in order to arrange provision from the 6th day and to discuss your child's needs to continue his/her education.

- You have the right to see your child's school records. You will need to contact the school direct if you wish to see these records.

Children with Special Educational Needs

- Schools should avoid expelling children with an Education, Health and Care Plan (EHCP). Where a child is expelled, the Headteacher should use the period between their decision to expel and the meeting of the governing body, to work with the local authority to see whether more support can be made available or whether the Plan can be changed to name a new school.