

# OXTON ST SAVIOUR'S CE (AIDED) PRIMARY SCHOOL



## EXCLUSION POLICY

*Adopted: September 2013*

*Updated: January 2019*

### **Mission Statement Quotation:**

'Live in Peace with Each Other'

'Love the lord your God with all your heart, with all your soul, with all your mind and  
with all your strength'

'Love your neighbour as yourself'

This, the greatest commandment, inspires our community to grow together in Christ our Saviour, to love and serve one another, to reach out in witness to our neighbours, live in peace with one another and promote life in all its fullness.

### **Purpose of this policy**

This policy is designed to briefly outline the school's approach to exclusions within the statutory framework as defined in the *Oxton St Saviours 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.

### **Principles**

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

- Verbal or physical assault of another child or adult;
- Persistent and repetitive disruption of lessons and other children's learning;
- Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.

2) A 'Fixed Term Exclusion' from the school can only be authorised by the Head teacher or the Deputy Head teacher acting on her behalf. If the Head teacher or Deputy Head teacher are not available to authorise the exclusion a decision should be deferred until the opportunity for authorisation is available.

- 3) In the case of a 'Permanent Exclusion' this can only be authorised by the Head teacher 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 Head teacher of the school.
- 4) The school seeks to keep to an absolute minimum the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline in keeping with the teachings of the Bible within the school.
- 5) The school regularly monitors the number of Fixed Term 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 (Refer to Appendix 1).

### **Notification of an Exclusion**

- 1) Parents will be notified as soon as possible of the decision to exclude a child and the reason for the exclusion. This will be done on the day of the exclusion being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion will be sent to parents the same day.
- 2) In the case of a Permanent Exclusion parents will be notified by the Head teacher in a face-to-face meeting.
- 3) A child who has been excluded will have the reason for his/her exclusion explained to them by a member of staff so that they understand the nature of their misbehaviour.
- 4) The Chair of Governors, LA Inclusion Officer and relevant school staff will be notified of all Fixed Term Exclusions the same day of the production of the exclusion letter, which they will receive a copy of; it will clearly outline the reasons for the exclusion.

### **Children Returning from a Fixed Term Exclusion**

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

### **Appeals**

All correspondence regarding an exclusion from the school will inform parents of their right to appeal to the Governing Body against the decision to exclude. 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.

### **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 Inclusion Policy, Special Educational Needs Policy and the Equality & Diversity Policy. It also has a close inter-relationship with the Anti-Bullying Policy and Attendance Policy.

## **Monitoring and Review**

- 1) The impact of this policy will be reviewed by the governors' Health & Safety Committee.
- 2) The Head teacher will provide the Committee with regular monitoring reports which will help it to evaluate the effectiveness of the policy and procedures.
- 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 One: Guidance from DfE and NASEN regarding pupils with statements of SEN.**

### **Pupils vulnerable to effects of exclusion**

#### **Guidance from the DfE**

Paragraph 22 (on page 7) of the DfE guidance linked to above explains that pupils with statements of special educational needs (SEN) and looked-after children are especially vulnerable to the impacts of exclusion. Headteachers should, as far as possible, avoid permanently excluding these pupils.

The guidance says:

Where a school has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a pupil with a statement of SEN or a looked after child it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has a statement of SEN, schools should consider requesting an early annual review or interim/emergency review.

#### **Guidance from Nasen**

The National Association for Special Educational Needs (NASEN) offers reasons for which a school might decide to permanently exclude a pupil with SEN.

A representative explained that in these instances the circumstances are extremely specific to each child, and, as such, detailed information on why this might happen is difficult to quantify. In general, pupils with SEN are permanently excluded on the grounds of persistent disruptive behaviour that might put the pupil and others in danger.

In line with the DfE guidance, schools should be extremely wary of using vague generalisations as a reason for excluding a pupil with SEN. In all cases the school should first ensure it has explored all reasonable and possible alternatives to prevent the child from being excluded.

The school should ask itself why the child's needs are not being met sufficiently and what other provision could be put in place to manage his/her behaviour. Once these questions are answered the need for a permanent exclusion is often eliminated.

### **Making a considered decision about exclusion**

Paragraph 7 (page 5) of the DfE guidance explains that when establishing the facts in relation to an exclusion decision, the headteacher must apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'.

The guidance encourages headteachers to make a considered decision about excluding a pupil. The headteacher should:

- Where practical, give pupils an opportunity to present their case before taking the decision to exclude
- Take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that a pupil has suffered bereavement, has mental-health issues or has been subject to bullying
- Take into consideration a school's duties under the Equality Act 2010; schools must not discriminate against, harass or victimise pupils because of their sex, race, disability, religion or belief, sexual orientation, because of a pregnancy/maternity, or because of a gender reassignment.