

# Horspath Primary School

## Exclusion Statement

*To be read in conjunction with the Positive Behaviour Policy*

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

### **Purpose of this policy**

This policy is designed to outline the school's approach to exclusion under 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.

### **Principles**

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

- Verbal or physical assault of a student or adult;
- Persistent disruption of lessons;
- Repeated and persistent refusal to follow instructions;
- Repeated and persistent refusal to work in lessons;
- Repeated and persistent rude/disrespectful behaviour;
- Swearing;
- Bringing dangerous/ inappropriate items into school (cigarettes, lighters, knives, matches);
- Damaging property or equipment;
- Racist, homophobic comments;
- Threatening or bullying behaviour;
- Stealing;
- Repeated and persistently refusing to take responsibility for their actions, blaming others or lying about the actions of others;
- Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.
- Significantly affecting the learning of other pupils
- Significantly affecting the welfare of other pupils

### **Fixed Term Exclusion**

A pupil will be excluded for a fixed number of days which are specified on the letter sent to the pupil's parent. A Fixed Term Exclusion from the school can only be authorised by the Headteacher or the Deputy Headteacher acting on their behalf. If the Headteacher or Deputy Headteacher are not available to authorise the exclusion, a decision should be deferred until the opportunity for authorisation is available. The Chair of Governors will be informed of all Fixed Term Exclusions on the same day of the production of the exclusion letter.

## **Permanent Exclusion**

In the case of a Permanent Exclusion 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. A school will usually only permanently exclude 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 permanently exclude a pupil because of ongoing issues or even for a 'one-off' incident.

### **If a child has been permanently excluded:**

- the school's governing body is required to review the headteacher's decision, parents will be invited to meet with them to explain their views on the exclusion
- if the governing body confirms the exclusion, parents can appeal to an independent appeal panel organised by the local authority - the school must explain in a letter how to lodge an appeal
- the local authority must provide full-time education from the sixth day of a permanent exclusion

### **Notification of an Exclusion**

Parents will be notified as soon as possible of the decision to exclude a student 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.

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

The school will also work to put in place a support plan for the pupil on his/her return. This will include input from staff at the school, parents, if appropriate, and any other appropriate bodies. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency i.e. the incident leads to the discovery that there is a child protection issue, the school will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following exclusion the child will be able to return to school and that further input will promote in him/her a more positive attitude and a subsequent improvement in behaviour.

### **Vulnerable learners - Students for whom guidance gives particular protection:**

- Pupils with special educational needs:
  - Guidance is that schools should avoid permanently excluding pupils with an EHCP, other than in the most exceptional circumstances. Schools should also make every effort to support students on the SEN register, including those undergoing assessment for an EHCP.
- Disabled pupils:
  - Schools have a duty under the Disability Discrimination Act 1995 not to discriminate against pupils by excluding them from school because of behaviour caused by their disability. Discrimination is seen as occurring where a disabled pupil is treated less favourably than other pupils for a reason relating to their disability, without justification. Discrimination can occur where a school fails to take reasonable steps to ensure that disabled pupils are not placed at a substantial disadvantage compared to their non-disabled peers.
- Students from racial minorities:
  - The law places specific duties on schools to ensure they do not discriminate against pupils on racial grounds. Schools should monitor and analyse exclusions by ethnicity to ensure they do not treat some groups of pupils more harshly than others. Schools are required to assess whether policies that lead to sanctions, including exclusion, have a disproportionately adverse impact on pupils from particular racial groups. If an

adverse impact is identified that cannot be justified, then the policy and practice should be reviewed.

- Children in care or involved with Social Services:
  - Exclusion of children in care or involved with social services, particularly those subject to Child Protection plans, should be an absolute last resort. Before exclusion schools, in conjunction with the Local Authority, should first consider alternative options for supporting the child.

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Last reviewed: Autumn 2020 Next review: Autumn 2022