
**Totley All Saints
Church of England Primary School**

Exclusion of Pupils Policy



*“I have come that they may have life,
and have it to the full.”*

John 10:10

**Reviewed Summer 2021
Approved by Governors: Summer 2021
Date of next review: Summer 2023**

Exclusion of Pupils

Policy

Introduction:

At Totley All Saints, we aim to provide a caring environment where every child can thrive and is supported to achieve their unique & amazing potential as a child of God.

This policy is underpinned by the shared commitment of all members of the school community to ensure the safety and well-being of everyone in it and to maintain an appropriate education environment in which all can learn and succeed. Whilst this policy deals with the practice of exclusion, our commitment is that it will only be used as a last resort when other methods have been used to support a child in their behaviour. This policy should be read in conjunction with our Behaviour Policy.

Legal Framework:

The Department for Education (DfE) issued statutory guidance on exclusions to accompany new regulations which took effect in September 2017. These can be found via the following link:

[Exclusion from maintained schools, academies and pupil referral units in England, GOV.UK – DfE \(Adobe pdf file\)](#)

The principal legislation to which this guidance relates is:

- The Education Act 2002, as amended by the Education Act 2011;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- The Education and Inspections Act 2006; and
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007

When will a Pupil be Excluded:

Exclusion is an extreme sanction and is only ever administered by the Executive Headteacher / Head of School.

The decision to exclude a pupil will not be taken lightly and will only be taken in the following circumstances:

- (a) In response to a serious breach of the school's Behaviour Policy;
- (b) If allowing the pupil to remain in school would seriously harm the education or welfare of other persons or the pupil themselves.

Exclusion, 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 infringements of the school's Behaviour Policy:

- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Verbal abuse to staff and others
- Verbal abuse to pupils
- Bullying (including racist or homophobic bullying)
- Damage to property
- Theft
- Indecent behaviour
- Misuse or supplying of illegal drugs or other substances
- Sexual abuse or assault
- Carrying an offensive weapon
- Arson
- Any 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.

This is not an exhaustive list and there may be other situations where the Executive Headteacher / Head of School makes the judgement that exclusion is an appropriate sanction.

Consideration Before an Exclusion:

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the Executive Headteacher / Head of School will:

- Ensure that all appropriate investigations have been carried out
- Consider all of the evidence available to support the allegations taking into account school policies
- Allow the pupil to give her/his version of events
- Check whether the incident may have been provoked
- Check that all available support has been provided.

If the Executive Headteacher / Head of School is satisfied that, on the balance of probabilities, the pupil did what he or she is alleged to have done, then exclusion will be the outcome. However, due to the other forms of consequences & programmes of support that school can offer, exclusion may not be the automatic sanction put in place or may only be actioned only after other forms of consequence have been tried and even failed.

It is recognised that just as in all other aspects of learning at our school, children will be supported to help them to make the right choices and to do the right thing and this will be decided on the basis of the individual child. In some instances, the Executive Headteacher / Head of School will decide not to use the extreme sanction of an exclusion, but will decide that an Individual Support Plan should be drawn up to try avoid the sanction of an exclusion in the future. This might be accompanied by an internal exclusion or some other form of sanction (see our Behaviour Policy).

We also recognise that poor behaviour can be an indication of unmet needs. Where a pupil's behaviour is causing concern, we will try to identify whether there are any causal factors and intervene early in order to reduce the need for exclusion. In such instances, we may give consideration to a multi-agency assessment that goes beyond the pupil's educational needs.

Exclusion Procedure:

Most exclusions are of a fixed term nature and are of short duration (usually between one and five days).

The DfE regulations allow the Executive Headteacher / Head of School to exclude a pupil for one or more fixed periods not exceeding a total of 45 school days in any one school year.

A fixed-term exclusion does not have to be for a continuous period. In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion.

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. In such cases the legal requirements in relation to exclusion, such as the Executive Headteacher / Head of School's duty to notify parents, still apply. (Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a disciplinary meeting is triggered.)

Notifications:

Following exclusion, parents are contacted immediately where possible. A letter is sent by post giving details of the exclusion and the date the exclusion ends. Having made the decision and notified the parents, the Executive Headteacher / Head of School will then inform the Chair of Governors, the CEO of DSAT. In the case of an exclusion for longer than five days, the Local Authority Exclusions Officer will also be notified by submitting the appropriate form as it has a duty to provide alternative education provision from Day 6.

Parents have a right to make representations to the Governing Body, DSAT and the Local Authority as directed in the letter.

A reintegration meeting is held following the expiry of the fixed term exclusion and this will involve the Executive Headteacher / Head of School and other staff where appropriate. During this meeting, a Pastoral Support Plan (**Appendix 1**) will be drawn up, which includes a date for a formal review (**Appendix 2**). Guidance on planning successful PSPs meeting is given in **Appendix 3**.

The School will ensure that a pupil returning from an exclusion is given every opportunity for a fresh start. A Reintegration meeting proforma will be used as part of this process where the PSP will be filled in.

During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility as parents/carers.

Records relating to exclusions are stored confidentially.

Permanent Exclusion:

Permanent exclusion will only be used as a last resort, in response to a serious breach, or persistent breaches, of the school's Behaviour Policy and where allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others in the school.

There are two main types of situation in which permanent exclusion may be considered:

- (a) The final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (including racist or homophobic bullying).
- (b) When a serious criminal act has been committed, the school would involve the police in any such offence, e.g. dealing drugs or bringing in an offensive weapon. As with fixed-term exclusions, parents will be informed in writing of the decision to exclude and their right of representation and appeal at a disciplinary committee meeting, to be arranged within fifteen school days. Work will be sent home and marked when returned for the first five days. From the sixth day of exclusion, the local authority is responsible for providing full-time alternative educational provision. Where parents dispute the decision of the school, not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent exclusion, parents can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). An independent review panel does not have the power to direct the school to reinstate an excluded pupil. However, where a panel decides that a governing body's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a governing body to reconsider its decision. If the governing body does not subsequently offer to reinstate a pupil, the panel will be expected to order that the school makes an additional payment in contribution towards the cost of providing alternative provision. Whether or not a school recognises that a pupil has special educational needs (SEN), all parents have the right to request the presence of a SEN expert at an independent review panel. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion; for example, whether the school acted reasonably in relation to its legal duties when excluding the pupil.

APPENDIX 1:**Pastoral Support Plan**

The best interests of the child must be top priority in all decisions & actions that affect children – Article 3
 Discipline in schools must respect children’s dignity & their rights - Article 28



A PSP is a school based, time-limited intervention designed to address behaviours which are having a negative impact on learning & / or social inclusion. A PSP should be considered when the range of documented school based support strategies has already been implemented consistently over a period of time & where the outcomes recorded show little progress.

Pupil Name:	Year Group:	Date/s of exclusion:	Number of fixed term exclusions previously:
Reasons for the exclusion			

What is going well at School?	
School opinion	
Pupil's opinion	
Parent / carer opinion	

What is not working well at School?	
School opinion	
Pupil's opinion	
Parent / carer opinion	

What can we do to improve the situation?	
School opinion	
Pupil's opinion	
Parent / carer opinion	

How will we know when things are better?

School opinion

Pupil's opinion

Parent / carer
opinion**How can we recognise / reward the improvements that need to be made?**

School

Parent / carer

How will we ensure consistent consequences from problematic behaviours?

School

Parent / carer

What support measures will be put in place?

School

Parent / carer

Review Meeting Date:**Staff Signature :****Role in school:****Pupil Signature:****Parent / carer signature:**

APPENDIX 2:**Pastoral Support
Plan REVIEW**

The best interests of the child must be top priority in all decisions & actions that affect children – Article 3
Discipline in schools must respect children's dignity & their rights
 - Article 28



A PSP is a school based, time-limited intervention designed to address behaviours which are having a negative impact on learning & / or social inclusion. A PSP should be considered when the range of documented school based support strategies has already been implemented consistently over a period of time & where the outcomes recorded show little progress.

Pupil Name:	Year Group:	Date/s of exclusion:	Number of fixed term exclusions previously:
Reasons for the exclusion			

What is going well at School?	
School opinion	
Pupil's opinion	
Parent / carer opinion	

Any aspects which are not working well at School?	
School opinion	
Pupil's opinion	
Parent / carer opinion	

Do any modifications of the original PSP need to be made? If so, what?	
School opinion	
Pupil's opinion	
Parent / carer opinion	

Do any further support measures need to be put in place?

School

Parent / carer

Further Notes:

Review Meeting Date:

Staff Signature :

Role in school:

Pupil Signature:

Parent / carer signature:

Successful PSP Meetings

The best interests of the child must be top priority in all decisions & actions that affect children – Article 3
Discipline in schools must respect children’s dignity & their rights - Article 28



Guidance for planning and using PSPs

Before the meeting	date initials
Explain to parents the purpose of the PSP and their role in it.	
Give parents a copy of the parent leaflet	
Offer parents a choice of dates to ensure they can attend	
Appoint an appropriate member of staff to coordinate the PSP, ideally someone who can ensure implementation of the actions	
Invite other professionals as appropriate, particularly if actively engaged with the pupil/family. NB the social worker MUST be invited if the pupil is looked-after	
During the meeting	
Avoid apportioning blame by using a solution-focused approach	
Break the targets down into small steps to increase the chances of success	
Align targets and outcomes with other documents in use with the pupil such as an IEP or CAF. The PSP should not replace the IEP	
Recognise that some of the school systems, or the approach of some staff, may need adjusting to facilitate achievement of the targets	
Make sure everyone knows what they have to do and by when	
After the meeting	
Give everyone present a copy of the completed plan	
Ensure the school communicates targets, actions, strategies and recording expectations to all staff who have contact with the pupil, including lunchtime supervisors, caretaker etc. The PSP should be a 'live' document	
Ensure that rewards and consequences agreed are used consistently at school and at home	
Monitor progress regularly and keep parents informed	
Consider an interim annual review for a pupil with a statement, particularly towards the end of PSP, since changes to the statement may be needed dependent on outcomes	
Consider incorporating the PSP into the personal education plan for a Looked-After Child	
Use the PSP as a positive intervention not a paper exercise to gather evidence for an exclusion or managed move	
At the review meeting	
Celebrate success	
Change the targets and/or support strategies if they are not working	
Set a date for further review	
Plan for completing the PSP and next steps	