



The Forest CE Federation

'Small enough to care. Large enough to inspire
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All things are possible for one who believes' Mark 9 v 23

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Exclusions policy

Reviewed: November 2020



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Exclusions Policy

Introduction

This policy is based on:

- Northampton County Council guidance on recording exclusions:

<https://www3.northamptonshire.gov.uk/councilservices/children-families-education/schools-and-education/information-for-school-staff/pupil-support-and-inclusion/attendance-and-behaviour/Pages/exclusions.aspx>

- Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion September 2017. This in turn relates to:
 - Education Act 2002, as amended by the Education Act 2011;
 - School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
 - Education and Inspections Act 2006;
 - Education Act 1996; and the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014.

It should be read in conjunction with the following policies –

- Behaviour Policy
- Attendance Policy
- Anti-bullying Policy
- Physical Intervention Policy

The legislation regarding exclusions is lengthy and complex. This policy is only a summary and it may well prove necessary to refer to the abovementioned documents in dealing with actual cases including the DfE statutory guidance 2017.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

Promoting positive behaviour and supporting pupils to succeed

The Forest CE Federation is committed to valuing diversity and to equality of opportunity. We aim to create and promote an environment in which pupils, parents and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities. Our behaviour policy seeks to ensure a fair and consistent approach to the behaviour management, 'Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education'. (Exclusion from maintained schools 2017)



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We aim to include not exclude and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.

Disruptive behaviour can be an indication of unmet needs. When we have concerns about a pupil's behaviour, we try to identify whether there are any casual factors and intervene early in order to reduce the need for a subsequent exclusion.

We constantly monitor children's behaviour to assess patterns of challenging behaviour in pupils. Where challenging behaviour emerges we will systematically intervene, drawing up an action plan with the child, parent and staff. No exclusion will be initiated without first attempting other strategies or; in the case of a single serious incident, a thorough understanding of the incident and its impact on the child and others in the school (see Behaviour Policy). We will generally regard exclusion of a pupil as a last resort after a range of measures have been tried to improve the pupil's behaviour in line with our Behaviour Policy.

For children in danger of being permanently excluded/ gaining a number of fixed term exclusions we may put into place a PSP – Personal Support Plan.

<https://www3.northamptonshire.gov.uk/councilservices/children-families-education/schools-and-education/information-for-school-staff/pupil-support-and-inclusion/Documents/Pastoral%20Support%20Programmes.pdf>

We may also investigate strategies such as a 'Managed Move' to another school during an exclusion or whilst a child is in the school and may refer pupils to services provided by the local authority and other agencies. Strategies such as internal seclusion (e.g. providing facilities apart from the main playground for use at break-times) may be used, where appropriate as alternatives to exclusion.

Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.

Why might we exclude a pupil?

The principal reasons for exclusions are:

Physical assault against pupil includes:

- Fighting
- Violent behavior
- Wounding
- Obstruction and jostling

Physical assault against adult includes:

- Violent behavior



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- Wounding
- Obstruction and jostling

Verbal abuse/threatening behaviour against pupil and/or adult includes:

- Threatened violence
- Aggressive behavior
- Swearing
- Homophobic abuse and harassment
- Verbal intimidation
- Carrying an offensive weapon with the intent to cause or threaten harm

Bullying includes:

- Verbal bullying
- Physical bullying
- Homophobic bullying
- Racist bullying

See our Anti-bullying Policy for further information.

Racist abuse (in line with the 2010 Equalities Act

<https://www.gov.uk/guidance/equality-act-2010-guidance> includes:

- Racist taunting and harassment
- Derogatory racist statements
- Swearing that can be attributed to racist characteristics
- Racist bullying
- Racist graffiti

Sexual misconduct includes:

- Sexual abuse
- Sexual assault
- Sexual harassment
- Lewd behavior
- Sexual bullying
- Sexual graffiti

Drug and alcohol related includes:

- Possession of illegal drugs



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- Inappropriate use of prescribed drugs
- Drug dealing
- Smoking
- Alcohol abuse
- Substance abuse

Damage includes:

- Damage to school or personal property belonging to any member of the school community
- Vandalism
- Arson
- Graffiti

Theft includes:

- Stealing school property
- Stealing personal property (pupil or adult)
- Stealing from local shops on a school outing
- Selling and dealing in stolen property

Persistent disruptive behaviour includes:

- Challenging behavior
- Disobedience
- Persistent violation of school rules

The behaviour of a pupil outside school can be considered grounds for an exclusion (following the 2017 guidance).

Other: includes incidents which are not covered by the categories above, but this category should be used sparingly.

Making a decision to exclude:

- Only the head teacher can exclude a pupil. In the absence of the head teacher, their view should be sought. The deputy head teacher should be consulted in the absence of the head teacher.
- As outlined in the 2017 DfE Exclusion guidance point 16, a decision to exclude will only be made:
 - In response to a serious or repeated breach of the school's behaviour and where the pupil's actions appear on the list above;
 - If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.



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- Exclusions will normally only follow a series of incidents of negative behaviour, all of which have been dealt with in accordance with the school's policies, and where our positive behaviour expectations have been promoted with adaptations made (where possible).
- Whilst exclusions will normally be a 'last resort', the head teacher may exclude a child after a first or 'one-off' offence in certain circumstances such as serious violence, sexual assault, supplying drugs or carrying an offensive weapon.
- Exclusions will not be imposed in the heat of the moment unless there is an immediate and extreme threat to the safety of others. In all cases, an exclusion will follow a thorough investigation based on a wide range of evidence from all parties, including the offender (where possible). When establishing the facts in relation to an exclusion decision the head teacher 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'. This means that the head teacher should accept that something happened if it is more likely that it happened than that it did not happen.
- Any decision at Stoke Bruerne, Tiffield, Whittlebury & Gayton Primary Schools including exclusion must be made in line with the principles of administrative law, i.e. that it is lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention on Human Rights and the Equality Act 2010); rational, reasonable, fair and proportionate.
- Under the Equality Act 2010 (the Equality Act), we do not discriminate against, harass or victimise pupils because of sex, race, disability, religion or belief, sexual orientation, or gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices and the provision of auxiliary aids.
- In carrying out their functions the public sector equality duty means that we have due regard to the need to:
 - Eliminate discrimination, harassment, victimization and other conduct that is prohibited by the Equality Act
 - Advance equality of opportunity between people who share a protected characteristic and people who do not, and
 - Foster good relations between people who share a protected characteristic and people who do not share it.
- We also ensure that our policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. Provisions within the Equality Act allow schools to take positive action to deal with particular disadvantages, needs or low participation affecting one group, where this can be shown to be a proportionate way of dealing with such issues.

Exclusions and additional needs

We strive to engage proactively with parents in supporting the behaviour of pupils with additional needs. In relation to looked after children, we cooperate proactively with foster carers or children's home workers, the local authority that looks after the child and the local authority's virtual school head.

Where we have concerns about the behaviour, or risk of exclusion of a child with additional needs, a pupil with an EHC plan or a looked after child in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This



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involves assessing the suitability of provision for a pupil's SEN. Where a pupil has an EHC plan, we would consider requesting an early annual review or interim/emergency review.

Types of exclusion

Fixed period

- Although there is no statutory guidance a typical exclusion will be for a fixed period of 1-3 days. Exclusions may not be given for an unspecified period.
- Whenever the head teacher excludes a pupil they will, without delay inform parents. Ideally this will be by telephone and followed up by a letter within one school day. The letter will follow the format set out in Northamptonshire County Council guidance. If the parent cannot be contacted, exclusion will start on school premises (but outside the classroom) under the supervision of a member of the senior leadership team.
- The head teacher will log the exclusion in SIMS. The head teacher must also, as a statutory requirement notify the local authority and governing board once per term of any other exclusions not already notified.
- The school retains responsibility for educating a pupil during a fixed term exclusion and work should be sent home with the pupil, or sent to the parent's email address.
- The head teacher will arrange a reintegration meeting with the pupil, parents, class teacher and other relevant colleagues at the end of the fixed period exclusion. This will provide a useful forum to discuss how best the pupil can return to school, and how to prevent future problems. However, the period of exclusion cannot be extended if parents choose not to attend or issues are left unresolved at the end of the meeting.
- Should the parents so request, the governors' curriculum committee will meet with them to discuss the exclusion.
- If parents refuse to comply with an exclusion by sending their child to school etc, and the school's efforts to resolve the issue are unsuccessful, the head teacher will refer the matter to the local authority.
- A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently. We will monitor termly the number of exclusions given. These will be reported to the governing body and to the LA each term.

Lunchtime exclusion

- Pupils whose behaviour at lunchtime is disruptive may be excluded from school for the duration of the mid-day break. This is a fixed period exclusion subject to the same conditions as any other, and is deemed to be equivalent to half a school day. Therefore, lunchtime exclusions cannot be for an indefinite period.
- The head teacher will inform parents, the chair of the school governors and the LA of the exclusion in the same way as described above. In addition, within 14 days of a request a governing board must provide to the Secretary of State and (in the case of maintained schools and PRU's) the local authority information about exclusions within the last 12 months.
- As above parents may request a meeting with the governors' curriculum committee. Arrangements must be made for children being excluded at lunchtime to receive their free school meal if they are entitled to one.



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- Although there is no specific set guidance in the 2017 DfE Exclusion guidance as a school we try to limit exclusion to 1-5 school days unless exceptional circumstances prevail. In the longer term, strategies other than exclusion will be used to prevent repetition of unacceptable behaviour.

After an exclusion

On return to the school setting, the child and family meet with the head Teacher for a reintegration meeting before going back into class. This is normally on the morning of return but may be considered at another time prior to the agreed return date.

The purpose of this meeting is to establish our school behaviour expectations and the Forest CE Federations values and how these are in place for the smooth running, safety and learning for all children in our federation.

The child is given a 'fresh start' moving on from previous behaviour from this point on.

Bound or Numbered Book

The school uses a numbered page bound book to record incidents of physical handling or restraint (in line with our Physical Intervention Policy). This is used by the head teacher with incident reports to the parent and carer immediately.

Permanent exclusion

- Permanent exclusion will only follow a lengthy procedure of pupil support (including a pastoral support programme as described in the NCC guidance), organizational adaptations and fixed period exclusions all of which will have failed to produce a satisfactory change in behaviour.
- The head teacher will inform parents, the chair of the school governors and the LA of the exclusion in accordance with the latest guidance on the NCC website.
- The permanent exclusion will be logged using 'OneOnline' (as described in the on-line guidance from NCC).
- The governors' disciplinary committee will meet with parents to discuss the permanent exclusion. The local authority will be responsible for providing suitable alternative education for the pupil from the 6th day of the exclusion onwards. (The excluding school is responsible for providing education for the first 5 days).