

Windmill Hill Primary School

Policy Document

EXCLUSIONS POLICY

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	Governors' meeting / minute number	FGB 9	
	Staff member responsible	J Grantham	
	Governor responsible	R Gillott	
	Statutory / school policy	Statutory	
	Review period / date	Annual	
	Chair of Governor's signature	R Gillott	
	Headteacher's signature	J Grantham	

Policy Statement

At Windmill Hill Primary School we encourage good behaviour through a series of systems including clear rewards and sanctions as detailed in our behaviour policy and procedures document. There will, however be occasions where, despite the systems of support for behaviour, children's behaviour is unacceptable and presents a threat to learning or safety. On any such occasion some form of exclusion will be considered.

Exclusions may take the form of internal exclusion from class; temporary exclusion from school and, as a last resort, permanent exclusion.

At Windmill Hill Primary School we will only consider exclusion as a last resort. Exclusion will be used in response to a serious breach, or persistent breaches, of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

When making a decision to exclude school will consider and act within the guidance set out in '***Exclusion from maintained schools, Academies and pupil referral units in England -A guide for those with legal responsibilities in relation to exclusion***'.

Only the head teacher can make the decision to exclude a child and this must be on disciplinary grounds. 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. A fixed period 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.

Children 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 head teacher's duty to notify parents, still apply. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a governing body meeting is triggered.

Internal Procedures

Informing of the decision to exclude

Whenever a head teacher excludes a child they must, without delay, notify parents of the period of the exclusion and the reasons for it.

They must also, without delay, provide parents with the following information in writing:

- the reasons for the exclusion;

- the period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations about the exclusion to the governing body and how the pupil may be involved in this;
- how any representations should be made; and
- where there is a legal requirement for the governing body to consider the exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.
- that for the first five school days of an exclusion (or until the start date of any alternative provision where this is earlier) parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, and that parents may be given a fixed penalty notice or prosecuted if they fail to do so.

The head teacher will, without delay, notify the governing body and the local authority of:

- a permanent exclusion (including where a fixed period exclusion is made permanent);
- exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term; and
- exclusions which would result in the pupil missing a public examination or national curriculum test.

For all other exclusions the head teacher will notify the local authority and governing body once a term.

Notifications must include the reasons for the exclusion and the duration of any fixed period exclusion

During the excluded period

Exclusion of 5 days or less.

During a period of exclusion of 5 days or less, we will set work for the child to complete at home. The child will be required to return this work for marking once the exclusion is over.

Exclusion of more than 5 days

Alternative provision will be arranged for any child excluded for more than 5 days. In order to establish this provision school will liaise with the exclusions team at Sheffield City Council.

Reintegration

Following any period of fixed term exclusion we will hold a reintegration meeting with the child and their parents / carers. The meeting will reflect on the behaviour leading to exclusion and ways in which this behaviour can be supported / avoided in the future. This may include completing a Positive Handling Plan if aggressive behaviour was the reason for exclusion.

Permanent Exclusion

A decision to exclude a pupil permanently will only be taken:

- in response to a serious breach, or persistent breaches, of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

Where parents dispute the decision of a governing body 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 a governing body 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 of £4,000. This payment will go to the local authority towards the costs 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.