



Ryhall Church of England Academy

part of a Multi Academy Trust

Peterborough Diocese Education Trust



POLICY STATEMENT

EXCLUSION POLICY & PROCEDURES

Formulation date:	Oct 2014
Responsibility:	Headteacher
Reviewed:	January 2021
Date approved by Governors:	8 th February 2021
Next Review Date:	January 2023

Associated Documentation:

- Behaviour Policy
- [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)
- [DFE, Exclusion from maintained schools, academies and pupil referral units in England, September 2017](#)
- [DFE, Changes to the school exclusion process during the coronavirus \(COVID-19\) outbreak, updated 5.10.2020](#)

Summary

This policy deals with the legislation and practice which informs the school's use of exclusion. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

1. to ensure the safety and well-being of all members of the school community, and to maintain an appropriate education environment in which all can learn and succeed;
2. to realise the aim of reducing the need to use exclusion as a sanction.

Statutory

1. Introduction

1.1. The decision to exclude a pupil will 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 him/herself in the school.

1.2. Exclusion is an extreme sanction and is only administered by the Headteacher. 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:

- Verbal abuse to staff
- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Intentional damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Theft
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson
- 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.

1.3. This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction. Any act that brings the school into disrepute or shows a deliberate challenge to the authority of the school or its staff may lead to an exclusion.

1.4. The behaviour of a pupil outside school can be considered grounds for exclusion.

1.5. At times, the Headteacher will decide not to use the extreme sanction of an exclusion but will decide that a Pastoral Support Plan or a Behaviour Contract should be drawn up to try avoid the sanction of an exclusion in the future. This might be accompanied by an internal exclusion.

2. Investigation

2.1. Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Headteacher will:

- Ensure appropriate investigations have been carried out, which includes allowing the pupil to give her/his version of events.
- Explore the wider context, taking into consideration how much the incident may have been provoked (for example by bullying or by racial or sexual harassment).
- Consider all the evidence available to support the allegations taking into account the Behaviour Policy, Equal Opportunity and Race Equality Policies

- 2.2. The facts of the case are investigated by someone other than the person who will have to make the decision whether to exclude or not. This is usually the teacher, SENDCo or a Senior Leader/Teacher. The Headteacher usually makes that decision so will not take part in the investigation.
- 2.3. If the Headteacher is satisfied that on the balance of probabilities the pupil did what he/she is alleged to have done, then exclusion will be the outcome.

3. The Decision

- 3.1. After a decision has been made on the facts the Headteacher makes a decision on whether a student should be excluded and for how long. The number of days depends upon:
 - the severity of the behaviour
 - the child's previous behaviour record
 - the need to deter others
- 3.2. Where a child has behaved in a way that shows that they are unable to behave properly in school without support, an exclusion may be imposed that keeps the child out of school until additional support can be arranged. Exclusions will not be negotiated.
- 3.3. Whilst a pupil is excluded they have no right to be on school premises and are committing a trespass if they enter on them at any time, for any purpose.

4. Exclusion procedure

- 4.1. Most exclusions are of a fixed term nature and are of short duration (usually between one and five days).
- 4.2. The DfE regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding a total of 45 school days in any one school year.
- 4.3. Exclusions may also be for parts of a school day e.g. lunchtimes.
- 4.4. Following exclusion parents are contacted immediately where possible. The law requires that the school should make reasonable efforts to inform parents as soon as possible of an exclusion. This will be done by telephone by the Headteacher (or she will deputise in the case of her absence). A letter will also be sent by post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Academy Governance Committee (AGC) and the Multi Academy Trust (PDET) as directed in the letter.
- 4.5. Whilst a child is excluded it is the duty of the school to provide work. For an exclusion of up to two days the child should engage in activities already set for home e.g. spellings, reading, times tables or handwriting practice.
- 4.6. For exclusions of three to five days, the school will collect work from the class teacher and make arrangements for the work to either be posted home or collected by the Parents/Carers. Parents/Carers are responsible for ensuring that the child completes the work set, and that it is returned to school at the post-exclusion meeting.

- 4.7. 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/guardians. It is the responsibility of the Parent/Carer to ensure their child is not found in a public place during normal school hours on the specified days of exclusion. Parents who fail to comply with this duty without reasonable justification is committing an offence and may be given a fixed penalty notice or be prosecuted.
- 4.8. The school is responsible for ensuring that full-time education is provided from the sixth school day of a fixed period exclusion. This will not be on the school site and may be at a neighbouring school.
- 4.9. A return to school (post-exclusion) meeting will be held following the expiry of the fixed term exclusion and this will involve the Headteacher and other staff where appropriate. The purpose of the post-exclusion meeting is for the child to accept responsibility, showing remorse for their actions and making assurances to the Headteacher that there will not be a repeat of the behaviour. If this is not forthcoming the child and Parent/Carer may be asked to return for a subsequent meeting, when these assurances can be made. During this meeting a Pastoral Support Plan or Behaviour Contract will be drawn up, which will include a review date.
- 4.10. Records relating to exclusions will be stored confidentially.

5. Permanent Exclusion

- 5.1. The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:
- The first is a 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 (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.
 - The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence.
- 5.2. A permanent exclusion can only be authorised by the Headteacher and should only be done after consulting with the Chair of Governors and the CEO of PDET.
- 5.3. The Headteacher will, without delay, notify the AGC, the Multi Academy Trust and the Local Authority of any decision for permanent exclusion.

6. Monitoring and Review

- 6.1. Details of exclusions are reported to the AGC six times a year in an anonymised format.