



# Exclusion Policy

Reviewed Sept 2021



Eastington Primary school is committed to valuing equality of opportunity. We aim to create and promote an environment in which pupils and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities. We have a duty of care to keep pupils safe and provide an environment where they are able to learn. We aim to include and we approach challenging behaviour in a proactive ways. However, the physical and emotional health of our children and staff is our primary concern, and we therefore accept, that in some serious situations, exclusion may be necessary.

### **Prevention**

In partnership with parents, Eastington Primary School will work to ensure that pupils understand the reasons for our expectations of appropriate behaviour and that pupils work positively within the class and playground charters and school safety rules. These are devised and shared with pupils in class, in assemblies and with parents through the home school agreement, Behaviour & Harassment Policy, Anti-Bullying Policy, E-Safety & Acceptable Use, SEND and Safeguarding Policies.

Disruptive behaviour can be a sign of unmet needs. Where the School has concerns about a pupil's behaviour it will try to identify whether there are any causal factors and intervene early in order to reduce the risk of exclusion. We use behaviour logs to assess patterns of challenging behaviour. Where patterns emerge we will systematically intervene, drawing up an action plan, risk assessment, My Plan/+ etc as needed with the child and parent. These are reviewed regularly with pupil. Teacher and parent.

### **Other services**

The School may draw on other agencies to support a pupil assessment: Educational Psychology, advisory services. Also the school may refer a child/family to a specific support service such as the school nurse, Children & Young People's service (formerly CAMHS) or voluntary sector support services.

### **Gloucestershire's Education Entitlement and Exclusion (EE&I)**

The School will work with the Gloucestershire's Education Entitlement and Exclusion (EE&I) team to ensure it is following best practice with regard to strategies to prevent exclusions, alternatives to exclusion and managed moves. This may include the PSP procedure & process developed by the EE&I Team to support a child for whom normal school-based strategies have not been effective. It is a structured 16 week intervention for pupils at risk of permanent exclusion.

### **Managed Moves**

A managed move is an agreement between two schools, a pupil and their parents. It allows a pupil at risk of exclusion to transfer to another school. In cases where the Headteacher and parent's agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parents failure to engage in strategies implemented by the school are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the Headteacher may consult with the Local Authority and propose a managed move to another school. This is not exclusion and in such cases the Headteacher may assist the parents in placing the pupil in another school. It will only be considered in the later stages where there is little or no evidence of success.

### **Exclusions**

Fixed Period Exclusions (up to 45 days per school year) or Permanent Exclusions are the

ultimate sanction of the school. The decision to invoke these most serious of disciplinary measures will not be taken lightly.

The School will take account of their statutory duties including the SEND Code of Practice when administering the exclusion process. They will, as far as possible, avoid excluding any pupil with a Education, Health & Care Plan. If such a child is at risk of permanent exclusion, an early review will be convened.

Exclusions will range in length; an exclusion may be for a short fixed term for half, one or two days, or lengthier for more serious incidents.

When a pupil is excluded for a fixed period the exclusion will be for the minimum time judged sufficient to ensure disruption to their education is minimised and that the pupil and others in the school understand that the behaviour is unacceptable.

Parents have a duty to ensure that their child is not present in a public place in school hours during an exclusion unless there is reasonable justification for this. We must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

### **Reasons for exclusion**

All decisions ***will be rational, reasonable, fair and proportionate to the action causing the exclusion***. They can be the result of a very serious incident or the repetition of serious incidents.

The Headteacher or senior leader will investigate the incident and consider all evidence, taking account of the school's policies and Gloucestershire recommended practice. The pupil will be encouraged to give his/her version of events and this will be recorded in the case of a permanent exclusion. Witness statement will also be recorded in the case of permanent exclusion. The Headteacher/SLT will check whether the incident may have been provoked, for example by bullying or racial harassment in the case of permanent exclusion.

The decision to exclude a pupil from school rests with the Headteacher in consultation with the SLT.

Exclusions will normally be the result of:

- Bullying
- Theft
- Sexist, homophobic and racist behaviour
- Acts of violence against any member of the school community (including fighting or physical assaults on other pupils)
- Verbal abuse to any member of staff
- An illegal or criminal act on the school premises
- Possession of any weapon
- Acts of malicious vandalism
- An accumulation of anti social and/or disruptive behaviour which is jeopardising the effective learning and/or welfare of other pupils

Behaviour outside school can be considered grounds for exclusion where misbehaviour occurs whilst a pupil is:

- Taking part in a school organised or related activity
- Travelling to/from school

### **Procedures**

The decision to exclude and the reasons for the exclusion will be shared with parents by the telephone the same day. This decision will be explained to the pupil if they are able to engage.

It will always be followed up with a formal letter explaining the reasons for the exclusion, the length of the exclusion and any terms agreed for the pupil's return. See appendix. A copy of the exclusion letter will be held within the pupil's record.

For exclusions of more than two days, work will be set. Arrangements for collecting work will be explained to parents.

From day 6 the school is responsible for providing other education. Details such as the address, contact name, start and finish times will be included in the letter to parents.

In all cases, the School will discuss with parents a strategy to reintegrate pupils and behavior targets for pupils who return to school after a fixed period exclusion.

An exclusion form will be completed and sent to the EE&I Data Officer at Shire Hall, Gloucester. This will be on the day of the exclusion decision if possible for exclusions for more than 5 days to enable provision to be sought for the pupil. See Appendix.

All exclusions are reported termly to the full governing body.

If the length of the exclusion is more than 15 days in total in one term the **Governor Disciplinary Committee** will meet to consider the exclusion. Parents will be invited to the review meeting where they can give their views to the governing board if they wish in person/writing.

All pupils who have had an exclusion for any reason will have conditions attached to any school visits in that school year. It is not assumed they will participate. These will be discussed with parents.

Parents have a right to make representation in writing and/or in person to a specially convened Governors' Disciplinary Meeting, comprising members of the governing body with no connection to the pupil.

A copy of the letter should be sent to:

- The Chair of Eastington Primary School
- The designated EE&I officer

A note of the Governors' Disciplinary Committee decision will be placed on the pupil's record with a copy of the Head teacher's exclusion letter.

**Permanent Exclusions**

The Headteacher will inform the Local Authority and the Governing body within one day of permanently excluding a pupil.

A meeting of the **Governor Disciplinary Committee** will be convened between the 6<sup>th</sup> and 15<sup>th</sup> working school day after notice of the exclusion to parents and the parents must be invited. The purpose of the meeting is to hear any representation from parents and/or LA and to decide whether to reinstate the pupil.

Prior to the meeting, the chair of the committee will make it clear to parents when they will be informed about the decision, i.e. whether they should wait after the meeting or whether they will be informed in writing. If parents are asked to wait while the governors make their deliberations, they should be invited back into the room at the same time as the head teacher to hear the governors' decision. This decision will be also notified to parents and the LA in writing within one school working day.

The pupil will not be removed from the school's admissions register until the appeal process has been concluded or the time limit for an appeal has expired.

Special arrangements exist for Children in Care. The Headteacher will contact the EE&I Team on the day of the exclusion to inform them that the child is in care and to invoke the CiC Transfer Protocol.

### **Equal Opportunities**

The Governing Body recognise that it is unlawful to take into account anyone's gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation. Full consideration has been given to this during the formulation of this policy as it is the governors' aim that no-one at Eastinton Primary School should suffer discrimination, either directly or indirectly, or harassment on any of these grounds.

Documents used to create this Policy:

- **Exclusion from Maintained Schools, Academies and Pupil Referral Units in England (2012), DfE**
- **Exclusion from Maintained Schools, Academies & Pupil Referral Units – A guide and information for Headteachers in Gloucestershire, Gloucestershire County Council, Sep 2015**
- **Equality Act 2010**

### **Review period:**

This policy will be reviewed every 3 years. In addition it will be reviewed by Governors following any permanent exclusion or where exclusions have totalled above 15 days in a term or in light of National/County advice.

### **Linked Policies:**

- Behaviour & Harassment
- Anti Bullying
- E Learning & Acceptable Use
- SEND
- Safeguarding



## APPENDIX 1

### Sample letter for fixed period exclusion of 5 days or less (but not more than 15 days exclusion in total for the present term\*)

Dear (Name of Parent or Guardian)

(Child's name) (Date of birth)

I have today made the decision to exclude your son/daughter, (child's name), for a fixed period of (specify period) days.

.

This decision has not been taken lightly. As you know, we have tried a number of preventative strategies in an attempt to avoid exclusion that have included **(describe the support provided)**.

However, today the following incident occurred...

The account should be clear and factual, avoiding subjective or judgemental language  
e.g. ...

During this exclusion, work will be set and marked by the school. Please make arrangements to collect this from reception and return the completed work to school for marking.

Your child should return to school on (date) at (time) **(insert details of your school's re-admittance strategy here)**.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion (specify dates) unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If this is the case, it will be for you to show reasonable justification as to why your child was in a public place.

#### Contacts

*If you want advice about exclusions you can contact:*

**Strategic Lead - Education Performance & Inclusion**, Gloucestershire County Council Tel: 01452 427360

Yours sincerely

Headteacher

Copy to: EP& I Strategic Lead  
Chair of Governors

## APPENDIX 2

### Sample letter for fixed period exclusion between 5 ½ days and fifteen days (but not more than 15 days exclusion in total for the present term\*)

Dear (Name of Parent or Guardian)

(Child's name) (Date of birth)

I have today made the decision to exclude your son/daughter, (child's name), for a fixed period of (specify period) days.

This decision has not been taken lightly. As you know, we have tried a number of preventative strategies in an attempt to avoid exclusion that have included **(describe the support provided)**.

However, today the following incident occurred...

The account should be clear and factual, avoiding subjective or judgemental language e.g. ...
--

For the first five school days of the exclusion we will set work for (child's name) and would ask you to ensure this work is completed and returned promptly to school for marking. Please make arrangements to collect this from reception. From the sixth school day of the exclusion onwards - i.e. from **(specify the date)**

#### ***Schools are responsible for making their own arrangements for day 6 provision***

[Inset details here including the address, contact name, start and finish times of full-time education, including the times for morning and afternoon sessions where relevant (where it can reasonably be found out within the timescale)]

Your child should return to school on **(date) at (time) (insert details of your school's re-admittance strategy here)**.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion (specify dates) unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to request a meeting of the school's discipline committee to whom you may make representations and to do this you should contact (name and address of the clerk to the governing board).

#### **Contacts**

*If you want advice about exclusions you can contact:*

- **Strategic Lead - Education Performance & Inclusion, Gloucestershire County Council** Tel: 01452 427360

Yours sincerely

Headteacher

Copy to: EP&I Strategic Lead  
Chair of Governors

## APPENDIX 3

### Sample letter for any exclusion whereby the total number of days excluded in this term\* exceeds fifteen days

Dear (Name of Parent or Guardian)

(Child's name) (Date of birth)

I have today made the decision to exclude your son/daughter, (child's name), for a fixed period of (specify period) days.

This decision has not been taken lightly. As you know, we have tried a number of preventative strategies in an attempt to avoid exclusion that have included **(describe the support provided)**.

However, today the following incident occurred...

The account should be clear and factual, avoiding subjective or judgemental language

...

For the first five school days of the exclusion we will set work for (child's name) and would ask you to ensure this work is completed and returned promptly to school for marking. Please make arrangements to collect this from reception. From the sixth school day of the exclusion onwards - i.e. from **(specify the date)**

#### ***Schools are responsible for making their own arrangements for day 6 provision***

[Inset details here including the address, contact name, start and finish times of full-time education, including the times for morning and afternoon sessions where relevant (where it can reasonably be found out within the timescale)]

Your child should return to school on **(date) at (time) (insert details of your school's re-admittance strategy here)**.

You have a duty to ensure that your pupil is not present in a public place in school hours during this exclusion (specify dates) unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to give your views to the schools' governing board in writing and to do this you should contact (name and address of the clerk to the governing board)

As the length of the exclusion is more than 15 days in total in one term the governing board must meet to consider the exclusion. You will be invited to the review meeting where you can give your views to the governing board if you wish. The latest date on which the governing board can meet is **(insert date here – no later than 15 school days from the date that the governing board is notified)**.

If you wish to make representations to the governing board you can do so in writing or you can attend to speak to the governors in person. You can, if you wish, be accompanied by a friend or representative. Please advise **(name of contact) on/at (contact details – address, phone number, email)** as soon as possible, if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **(name of contact)** if it would be helpful for you to have an interpreter present at the meeting.

You will, whether you choose to make representations or not, be notified by the clerk to the governing board of the time, date and location of the meeting.

## Contacts

If you want advice about exclusions you can contact:

- **Strategic Lead - Education Performance & Inclusion**, Gloucestershire  
County Council Tel: 01452 427360

Yours sincerely

Headteacher

Copy to: EP&I Strategic Lead  
Chair of Governors

## APPENDIX 4

### Sample letter for a permanent exclusion

Dear (Name of Parent or Guardian)

(Child's name) (Date of birth)

I regret to inform you of my decision to permanently exclude (child's name) with effect from (date). This means that (child's name) will not be allowed in this school unless he/she is reinstated by the governing board.

I realise that this exclusion may be upsetting to you and your family, but the decision to permanently exclude **(child's name)** has not been taken lightly. **(Child's name)** has been excluded because:

**The reason for the exclusion should be given in plain English and should be explicit. The headteacher should make it clear that s/he has investigated the incident fully, has checked whether the incident was provoked by racial or sexual harassment and allowed the pupil to give their version of events.**

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion **(specify dates)** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

For the first five school days of the exclusion we will set work for **(child's name)** and would ask you to ensure this work is completed and returned promptly to school for marking. Please make arrangements to collect this from reception.

#### ***If pupil lives in Gloucestershire***

From the sixth school day of the exclusion onwards — i.e. from (specify the date) Gloucestershire Local Authority will provide suitable full-time education. The Alternative Provision School will contact you by letter detailing the arrangements.

#### ***If pupil lives in a different Local Authority:***

I have also today informed (name of officer) at (name of Local Authority) of your child's exclusion and they will be in touch with you about arrangements for his/her education from the sixth school day of exclusion. You can contact them at (give contact details)

As this is a permanent exclusion the governing board must meet to consider it. The governing board have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may ask for the decision to be reviewed an Independent Review Panel. The latest date by which the governing board can meet is **(specify date – the 15<sup>th</sup> school day after the date on which the governing board was notified of the exclusion)**.

If you wish to make representations to the governing board you can do so in writing or you can attend to speak to the governors in person. You can, if you wish, be accompanied by a friend or representative. Please advise **(name of contact) on/at (contact details – address, phone number, email)** as soon as possible, if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **(name of contact)** if it would be helpful for you to have an interpreter present at the meeting.

You will, whether you choose to make representations or not, be notified by the clerk to the governing board of the time, date and location of the meeting.

### **Contacts**

*If you want advice about exclusions you can contact:*

- **Strategic Lead - Education Performance & Inclusion, Gloucestershire**  
County Council Tel: 01452 427360

Yours sincerely

Headteacher

Copy to: EP&I Strategic Lead  
Chair of Governors



