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## **EXCLUSION POLICY**

It is the policy of Morden Primary School to try to deal with all behavioural issues in an active, positive way, employing a wide range of strategies, including those specifically designed to avoid such issues reaching the point of exclusion. (See Behaviour Policy).

### **Purpose of this policy**

This policy is designed to briefly outline the school's approach to exclusions within the statutory framework as defined in "*The new guidance: Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion September 2017.*" It outlines only where the school applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the school.

### **Principles**

1) Exclusion is a sanction used by the school only in cases deemed as serious breaches of the School Behaviour Policy. A student may be at risk of exclusion from school for:

- Verbal or physical assault of a student or adult;
- Persistent and repetitive disruption of lessons and other students' learning;
- Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.

2) Only the Headteacher of a school can exclude a pupil 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.

3) In the case of a Permanent Exclusion, this can only be authorised by the Headteacher and must only be done after consulting the Chair of Governors of the intention to impose this sanction, although the final decision rests with the Headteacher of the school.

4) The school seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the school.

5) The school regularly monitors the number of Fixed Term Exclusions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

### **Pupils with an Education, Health Care Plan and Looked After Children**

If an excluded child has an EHCP, the LA may need to review the plan, or reassess their needs, in consultation with parents, with a view to identifying a

new placement. This does not alter the expectation that if a pupil with an EHCP is at risk of exclusion or there are concerns about their behaviour, the school will consider requesting an early annual review of an emergency interim review. In relation to Looked After Children, prior to exclusion the school will cooperate proactively with the LA's virtual school head.

### **Notification of an Exclusion**

1) Parents will be notified as soon as possible of the decision to exclude a student and the reason for the exclusion. This will be done on the day of the exclusion being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion will be sent to parents the same day. ***See Appendix A for sample letter***

2) In the case of a Permanent Exclusion parents will be notified by the Headteacher in a face-to-face meeting.

3) A student who has been excluded will have the reason for his/her exclusion explained to them by a member of staff so that they understand the nature of their misbehaviour.

4) The school will also work to put in place a programme for the pupil on his/her return. This will include input from staff at the school, parents, if appropriate, and any other appropriate bodies e.g. Attendance Service or the Local Authority. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency i.e. the incident leads to the discovery that there is a child protection issue, the school will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following an exclusion, the child will be able to return to school and that further input will promote in him/her a more positive attitude and a subsequent improvement in behaviour.

5) The Chair of Governors, LA Inclusion Officer and relevant school staff will be notified of all Fixed Term Exclusions the same day of the production of the exclusion letter, which they will receive a copy of; it will clearly outline the reasons for the exclusion.

### **Students Returning from a Fixed Term Exclusion**

1) All students returning from a Fixed Term Exclusion are required to attend a reintegration meeting, accompanied by a parent. This meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between student, parent and school. Where appropriate, the school will work with outside agencies to assess and manage risks and implement a behaviour plan.

### **Permanent Exclusions**

A school will usually only permanently exclude a child as a last resort, after trying to improve the child's behaviour through other means. However, there are exceptional circumstances in which a Headteacher may decide to permanently exclude a pupil because of ongoing issues or even for a 'one-off' incident. A decision to exclude a pupil permanently should 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.

If your child has been permanently excluded, be aware that:

- the school's governing body is required to review the Headteacher's decision and you may meet with them to explain your views on the exclusion
- if the governing body confirms the exclusion, you can have this decision reviewed by an independent appeal panel organised by the local authority
- the school must explain in a letter how to lodge an appeal
- the local authority must provide full-time education from the sixth day of a permanent exclusion

### **Appeals**

All correspondence regarding an exclusion from the school will inform parents of their right to appeal to the Governing Body against the decision to exclude. This procedure is clearly set out in the statutory guidance. The person who should be contacted to initiate an appeal is the Clerk to the Governors.

### **Relationship to other school policies**

The Exclusion Policy should be read in tandem with the school's Behaviour Policy as well as other relevant school policies, particularly the Special Needs & Inclusion Policy and the Equal Opportunities Policy. It also has a close inter-relationship with the Anti-Bullying Policy and Attendance Policy.

### **Monitoring and Review**

- 1) The impact of this policy will be reviewed by the governors' CFC Committee
- 2) The Headteacher will provide the Committee with regular monitoring reports which will help it to evaluate the effectiveness of the policy and procedures.
- 3) The policy and procedures will be reviewed and amended in the light of such evaluation and in consultation with representatives of all key stakeholders.

## **Appendix A -Model exclusion letter 1**

### **From the head teacher notifying the parent, of a fixed period exclusion of 5 school days or fewer in one term and where a public examination is not missed**

Dear **[parent/carer's name]**

I am writing to inform you of my decision to exclude **[child's name]** for a fixed period of **[period of exclusion]**. This means that **[child's name]** will not be allowed in school for this period. The exclusion **[begins/began]** on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family but the decision to exclude **[child's name]** has not been taken lightly.

**[Child's name]** has been excluded for this fixed period because **[reason for exclusion]**.

We will set work for **[name of child]** to be completed during the period of exclusion as specified in the previous paragraph. Please ensure that work set by the school is completed and returned to us promptly for marking **[detail the arrangements for this]**.

You have a duty to ensure that your child is not found in a public place during this exclusion i.e. **[specify dates]** unless there is reasonable justification for this. I must warn you that you may be prosecuted or receive a penalty notice from the local authority, if your child is found in a public place during normal school hours, on the specified dates, without reasonable justification.

You have the right to make representations to the governing body. If you wish to make representations please contact **[name of contact]** on/at **[contact details: address, telephone number, email]**, as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

If you think this exclusion has occurred as a result of discrimination then you may also make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Education Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body.

You also have the right to see a copy of **[name of child]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[name of child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact **Liz Kelly**, School Inclusion Coordinator at Merton Council, who can provide advice. She can be contacted by telephoning **020 8288 5616** or by emailing [Liz.Kelly@merton.gov.uk](mailto:Liz.Kelly@merton.gov.uk).

You may also find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **08088 020 008** or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com). A copy of the Government's guidance, '*Exclusion from maintained schools, Academies and Pupil Referral Units in*

*England'*, can be downloaded from the Department for Education's website at [www.education.gov.uk](http://www.education.gov.uk).

**[The following paragraph may be used if the head teacher chooses to hold a reintegration interview]**

You **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively specify the name of another member of staff]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school as soon as possible to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

**[Name of child]**'s exclusion expires on **[date]** and we expect **[name of child]** to be back in school on **[date]** at **[time]**.

Yours sincerely

**[Name]**

Head teacher