

Christ the King Catholic Primary School



Making a difference by
Inspiring a love of life and learning
We build strong foundations within
God's loving hands

Exclusion Policy

Author			
Date ratified by Full Governing Body	September 26	Chair of Governors	Angela Willam
Start Date	September 26	Headteacher	Mary Mainwaring
Review Date	September 27		

Author/Person Responsible	Head Teacher – Mary Mainwaring
Date of Ratification	September 26
Review Group	
Ratification Group	FGB
Monitored By	Safeguarding Governor
Review Frequency	Every 1 years Subject to local education authority and/or national policy change
Review Date	September 27
Previous Review Amendments/Notes	September 26
Related Policies	
Chair of Committee Signature	Mary Baskerville and Gill Brooks

Equality Impact Assessment (EIA) Part 1: EIA Screening

Policies, Procedures or Practices:	Exclusion Policy	DATE:	September 26
EIA CARRIED OUT BY	Mary Mainwaring	EIA APPROVED BY	Mary Mainwaring

Groups that may be affected:

Are there concerns that the policy could have a different impact on any of the following groups? (please tick the relevant boxes)	Existing or potential adverse impact	Existing or potential for a positive impact
Age (young people, the elderly; issues surrounding protection and welfare, recruitment, training, pay, promotion)		N/A
Disability (physical and mental disability, learning difficulties; issues surrounding access to buildings, curriculum and communication)		N/A
Gender reassignment (transsexual)		N/A
Marriage and civil partnership		N/A
Pregnancy and maternity		N/A
Racial groups (consider language, culture, ethnicity including gypsy/traveller groups and asylum seekers)		N/A
Sex (male, female)		N/A

Rationale

This policy is an appendix of Christ the King Catholic Primary School Discipline and Behaviour Policy; it deals with the policy 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 a very important aim;

To ensure the safety and well-being of all members of the School community, and to maintain an appropriate educational environment in which all can learn and succeed

Policy Statement

The School will undertake to ensure compliance with the relevant legislation with regard pupil behaviour and pupil exclusion for all pupils and to ensure best practice by extending the arrangements as far as is reasonably practicable to others who may also be affected by our activities.

Key Principles

In order to fulfil our Mission Statement, "Making a difference by Inspiring a love of life and learning We build strong foundations within God's loving hands" it is important that the highest standards of behaviour are expected of all children and adults within the school. Our behaviour and discipline policy sets out how this will be achieved and maintained and our Exclusion Policy supports this.

Key Principles on which our Behaviour and Exclusion policies are based:

- 1) Everyone has a right to be safe and treated with respect.
- 2) Everyone has a responsibility to behave appropriately.
- 3) The best way to achieve great behaviour is to provide children with stimulating, high quality learning activities.
- 4) Children need boundaries and clear, high expectations.
- 5) Catch them being good!
- 6) Praise the child publicly; correct the behaviour quietly and individually.
- 7) Adults in school should be role models of exemplary behaviour.
- 8) Positive approaches which focus on reinforcing and rewarding appropriate behaviour are more effective than those which focus on punishing unacceptable behaviour.
- 9) A consistent approach is essential for children to feel secure.
- 10) Parents are partners in the process of promoting social, emotional development and good behaviour.
- 11) Everyone involved in behaviour needs to be aware of our policy, procedures and practices.

We put into practice means through which the key principles stated above can be implemented successfully. Christ the King Catholic Primary school 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.

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 CTK should suffer discrimination, either directly or indirectly, or harassment on any of these grounds. 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. A decision to exclude a pupil, either for a fixed period or permanently is seen as a last resort by the school. The physical and emotional health of our children and staff is our primary concern, and we therefore accept, that in some rare situations, exclusion may be necessary, if all other strategies have been exhausted. The physical and emotional health of our children and staff is our primary concern. Each case will be investigated individually with the child needs taken into consideration.

The school is responsible for communicating to pupils, parents and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct. These are:

SEN Policy

Good Behaviour and Discipline Policy;

Anti-Bullying Policy;

Reasonable Force Policy.

Safeguarding Policy

No exclusion will be initiated without first exhausting other strategies or, in the case of a serious single incident, a thorough investigation.

The decision to exclude a pupil will be taken in the following circumstances;

- In response to a serious breach of the School's Behaviour and Discipline Policy
- If allowing the student to remain in School would seriously harm the education or welfare of the pupil or others in the School.

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Head, the member of the Senior Leadership Team who is acting in that role).

Exclusion, whether 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 Behaviour Policy;

- 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
- Verbal or physical abuse of other pupils or school staff
- Aggression towards other pupils leading to the possibility of physical or emotional harm
- Indecent behaviour
- This is not an exhaustive list and there may be other situations where the Headteacher /SLT makes the judgment that exclusion is an appropriate sanction.

Equality

Under the Equality Act 2010 schools must not discriminate against, harass, or victimise pupils because of their: sex, race, disability, religion or belief, sexual orientation, because of a pregnancy/maternity, or because of a gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices. (DfE §8)

The Equality Act requires schools to have due regard for the need to:

- eliminate discrimination and other conduct prohibited under the Equality Act,
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and-foster good relations across all characteristics – between people who share a protected characteristic and people who do not. (DfE §9)

These duties need to be taken into account when deciding whether to exclude a pupil. Schools must ensure that their policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. Provisions within the Equality Act 2010 allow schools to take positive action to deal with particular disadvantages affecting one group, where this can be shown to be a proportionate way of dealing with such issues. (DfE §10)

Head teachers and governing bodies must take account of their statutory duties in relation to special educational needs when administering the exclusion process. This includes having regard to the SEN Code of Practice. (DfE §11)

This school has a right to direct a pupil off-site for education to improve his or her behaviour. A pupil can also transfer to another school as part of a managed move where this occurs with the consent of the parties involved, including the parents. (DfE §14)

Exclusion procedure

- Most exclusions are of a fixed term nature and are of short duration.
- The DCSF regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.
- The Governors have established arrangements to review promptly all permanent

exclusions from the School and all fixed term exclusions that would lead to a child being excluded for over 15 days in a school term.

- The Governors have established arrangements to review fixed term exclusions which would lead to a child being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.
- Following exclusion parents are contacted immediately where possible. A letter will be given (as soon as possible) explaining the details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body and the LA as directed in the letter.
 - A return to School meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Management Team and other staff where appropriate.
 - 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.
 - Work may be provided by the class teacher where appropriate.

What happens about the child's education during this period?

For the first 5 days of exclusion, the school is responsible for setting and marking work for the child to complete at home, where appropriate. It is the parents' responsibility to ensure work is completed at home and returned to the school. It is during these first 5 days that the parent must ensure that a child is not in a public place, without reasonable justification, during school hours, or they can be prosecuted. If the exclusion is for longer than 5 days, the school should make provision for the child's full time education from the 6th school day.

Temporary exclusion

A temporary exclusion should be for the shortest time necessary. Ofsted evidence suggests that 1-3 days is usually enough to secure benefits without adverse educational consequences.

Persistent or cumulative problems

Exclusion for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when the school had already offered and implemented a range of support and management strategies including the use of outside agencies.

Persistent or Cumulative Problems Exclusion for a period of time for persistent or cumulative problems would be imposed only when the school has already offered and implemented a range of support and management strategies. These could include:

For example:

- Discussion with the pupil.
- Mentoring (pupil mentoring).
- Discussions with parents.
- Target setting.

- Checking on any possible provocation.
- Detention (missed playtimes).
- Mediation.
- Internal exclusion.
- Referral to Behaviour Support Team (LA).
- Pastoral Support Programme
- Referral to Educational Psychologist
- Investigation of possible SEN through a range of agencies

Examples of Temporary Exclusion:

1. If he/she is disruptive and has not responded to the normal school sanctions. (refer to the Good Behaviour Policy)
2. Where there is conduct prejudicial to good order and discipline.
3. Where a child's behaviour is preventing other children from learning.
4. On health and safety grounds where the child's behaviour is a danger to himself/herself and/or others.
5. For racist behaviour.
6. For a verbal or physical, mental attack made upon a member of staff or another child.

Single incident

Temporary exclusion may be used in response to a serious breach of school rules and policies or a disciplinary offence. In such cases the Headteacher will investigate the incident thoroughly and consider all evidence to support the allegation, taking account of the school's policies. The pupil will be encouraged to give his/her version of events and the Headteacher will check whether the incident may have been provoked, for example by bullying or racial harassment. If necessary the Headteacher will consult the Chair of the Governing Body, Deputy Headteacher and SLT. This will be through an internal exclusion.

Permanent Exclusion

The decision to exclude a child permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

1. The 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).
2. When a serious criminal act has been committed, the school will involve the police in any such offence.

For example:

1. If he/she is persistently disruptive and has not responded to the normal school sanctions,
2. Where there is conduct that is persistently prejudicial to good order and discipline,
3. Where a child's behaviour is persistently preventing other children from learning,

4. On health and safety grounds where the child's behaviour is a danger to himself/herself and/or others,
5. For persistent racist behaviour,
6. If an extreme physical attack were made upon a member of staff or another child.
7. When all possible options have been tried and it is felt that the child's needs can no longer be provided for.

Lunch time Exclusion

If a child's behaviour at lunch-times is extreme and there are frequent aggressive/violent incidents then it may be necessary to exclude the child from school during the lunch-time period. Parents will then be requested to collect their child at the beginning of the lunch-time and return them to school at the end of lunch-time. Those children entitled to a free school meal will be given a packed lunch to take home. Exclusion at lunch-time may be temporary in the first instance or permanent, depending on the situation and co-operation of those involved.

The decision to exclude

If the Headteacher decides to exclude a pupil he/she will:

- ensure that there is sufficient recorded evidence to support the decision;
- explain the decision to the pupil;
- contact the parents, explain the decision and ask that the child be collected;
- hand a letter to the parents confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion; (if this is possible by hand or in the post)
- the length of the exclusion and any terms or conditions agreed for the pupil's return;
- in cases of more than a day's exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked;
- plan how to address the pupil's needs and integration back into their class on his/her return;
- plan a meeting with parents and pupil on his/her return.

When is exclusion not appropriate?

Exclusion should not be used or extended for non-disciplinary reasons such as:

- truancy or lateness
- minor incidents such as failing to do homework
- simply because the school feels a student has additional needs or a disability it is unable to meet (DfE §12)
- poor academic performance, except where pupils repeatedly disobey academic instructions (DfE §12)

- breaches of school rules on uniform and appearance, except where such breaches are so persistent they constitute open defiance of school punishing pupils for the behaviour of their parents, for example where parents refuse or are unable to attend a meeting (DfE §12)
- the failure of a pupil to meet specific conditions before they are reinstated. (DfE §12)

Even if there is parental agreement with the exclusion, exclusion for these reasons remains unlawful.

Vulnerable learners – students for whom guidance gives particular protection (DfE §20-24)

Statutory guidance identifies a number of groups of pupils for whom the exclusion rate is consistently higher than average. This includes: pupils with SEN, pupils eligible for Free School Meals, looked after children, and pupils from certain ethnic groups. The groups with the highest national rates of exclusion are: Gypsy/Roma, Travellers of Irish Heritage, and Black Caribbean communities.

Statutory guidance stresses the importance of early intervention in addressing underlying causes of all disruptive behaviour. For students with SEN or a disability the intervention should include an assessment of whether appropriate provision is in place. Head teachers are advised to also consider the use of a multi- agency approach for all pupils who demonstrate persistent disruptive behaviour.

For pupils in the groups identified above, in addition to early intervention, Headteachers should consider what extra support might be needed to identify and address their needs in order to reduce their risk of exclusion.

The stipulations of the Equality Act 2010, covered above, detail the factors, and duties, for which schools should have due regard. As stated, schools must ensure their 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 affecting on group, where this can be shown to be a proportionate way of dealing with such issues. (DfE §10)

Such guidance clearly has particular relevance for the following:

Pupils with special educational needs.

Guidance is that schools should as far as possible avoid permanently excluding statemented (EHCP) students. Where a school has concerns about a pupil with additional needs or a statement of SEN, it should engage proactively with parents in supporting behaviour. A school should also consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has a statement / EHCP schools should consider requesting an early annual review or interim/emergency review.

Looked after children. As far as possible, schools should avoid permanently excluding looked after children. Where a school does have concerns about the behaviour of a looked after child, it should co-operate proactively with foster carers or children's home workers and the local authority that looks after the child. It should also consider what additional support or alternative placement may be required. (DfE §22-24)

Disabled pupils. Schools have a statutory duty under the Equality Act 2010 not to discriminate against pupils on the basis of protected characteristics, such as disability. For disabled children this includes a duty to make reasonable adjustments to policies and practices.

Pupils from racial minorities. Schools have a statutory duty under the Equality Act 2010 not to discriminate against pupils on the basis of protected characteristics, such as race. Provisions within the Equality Act 2010 allow schools to take. Schools should monitor and analyse exclusions by ethnicity to ensure they do not treat some groups of pupils more harshly than others. Schools are required to assess whether policies that lead to sanctions, including exclusion, have a disproportionately adverse impact on pupils from particular racial groups. If an adverse impact is identified that cannot be justified, then the policy and practice should be reviewed.

Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from school, or, in more severe circumstances the school may contact Social Services and/or the Police to safely take the pupil off site.

Behaviour outside school

Pupils' behaviour outside school on school business e.g. on school trips, at sports fixtures, is subject to the school's behaviour policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in school.

Pupils with special educational needs and disabled pupils

The school must take account of any special educational needs when considering whether or not to exclude a pupil. We have a legal duty under the Disability Discrimination Act 2005 as amended not to discriminate against disabled pupils by excluding them from school for behaviour related to their disability. The Headteacher should ensure that reasonable steps have been taken by the school to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

Marking attendance registers following exclusion

When a pupil is excluded temporarily, he/she should be marked as absent the appropriate code on SIMS. "E"

Managed move

In cases where the Headteacher and parents 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 parent has treated the school or members of its staff unreasonably the Headteacher may require the parents to remove the pupil at the end of a term. This is not exclusion and in such cases the Headteacher may assist the parents in placing the pupil in another school.

Removal from the school for other reasons

The Headteacher may send a pupil home, after consultation with that pupil's parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time.

General factors the School considers before making a decision to exclude

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the School or the student 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
- Consider all the evidence available to support the allegations taking into account the school policies
- Allow the student to give her/his version of events
- Check whether the incident may have been provoked. If the Head is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion will be the outcome.

Procedure for appeal

If parents wish to appeal the decision to exclude, the matter will be referred to the Governing Body and handled through LA appeal procedure.