



Policy Document Title:	Exclusion Policy
To be read in conjunction with:	Code of Conduct, Discipline, Rewards and Sanctions Policy
Reviewed:	10/23
To be updated:	10/24

*\*This policy is available on school intranet and website [www.stvin.com](http://www.stvin.com)*

## **Introduction**

The Principal, local authorities (LAs) and Independent Appeal Panels (IAPs) must by law have regard to the DfE guidance (Exclusion from maintained schools, academies and pupil referral units in England) when making decisions on exclusions and administering the exclusion procedure. This means that, whilst the guidance does not have the force of statute, there is an expectation that it will be followed unless there is good reason to depart from it. The guidance is not exhaustive and judgments will need to take account of the circumstances of individual cases.

These procedures apply to all maintained schools and the pupils in them, (except for the requirements related to the arrangement of provision for pupils from the sixth day of their exclusion which applies only to pupils of compulsory school age). As a non maintained school, St Vincent's will show due regard to these procedures.

The DfE document remains the main source of general advice and covers all stages of the process.

## **What are the main changes?**

- Change in the provision of suitable full-time education expected for pupils excluded from schools that were involved in the Behaviour Improvement Programme. Provision need not be made until the sixth day.
- This guidance now reflects the introduction of statutory management committees in PRUs from 1 February 2008 and the implementation of the Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (England) Regulations 2008, which came into force on 1 April 2008. The regulations impose similar duties on management committees in regard to exclusions from PRUs to those which apply to the governing bodies of mainstream schools, mainly in relation to reviewing decisions to exclude pupils. There are also some changes for teachers in charge in regard to whom they have to inform about exclusions.

- Following permanent exclusion, local authorities should arrange to assess the pupil's needs. This should involve undertaking a Common Assessment Framework (CAF) process where one has not already been carried out.
- Additional details, formerly only provided in the 2007 online version, have been added on the arrangements for money to follow pupils who have been permanently excluded from school.
- Guidance on statutory provision of suitable full-time education for excluded pupils, previously published separately, has been incorporated in this guidance.

### **How St Vincent's will use this new guidance**

1. **DES Guidance.** The Principal, senior managers and governors will familiarise themselves with the DES documentation held on their website
2. **Governing Body/Discipline Committee.** The Governing Body will review certain exclusions and consider any representations about an exclusion made by the parents of an excluded pupil. The Governing Body will delegate some or all of its functions in respect of exclusions to a committee consisting of at least three governors and such a committee will be called the Learning and Environment sub committee (L&E), the Governing Body will continue to use L&E to fulfil this function and consider individual cases. The meeting of the L&E will follow guidance on the conduct of such a meeting as discussed in the DfE documentation.
3. **Exclusions Paperwork.** We will use documentation to reflect that available in the guidance document. This documentation will not only be used to inform parent/carers, but will also provide basic information to the L&E. Exclusions will be reported to the host LA.
4. **Model Letters.** The model letters will be developed from the relevant current guidance to reduce the chance of any successful legal challenge to the exclusion at a later stage.
5. **Guidelines for Parents.** The CBI is not able to provide support and advice to parents and carers. These guidelines aim to give parents the information they need and possible sources of further information/advice if needed. Parents will be directed as to where to find the appropriate. If parents have any queries they are advised to contact the Parent Partnership Officer (or equivalent) of the placing authority, for independent advice and support.
6. **Guidance on the Conduct of the PC&P and Proforma for the PC&P Statement.** Suitably detailed Minutes of what happened during the meeting, and a Statement detailing the issues considered by the Committee in reaching their decision, will be important pieces of evidence in the event of an appeal.

## **Pupils with Special Educational Needs (SEN)**

Statutory guidance on identifying, assessing and making provision for pupils with SEN, including those with behavioural, social and emotional needs, is given in the Special Educational Needs Code of Practice. St Vincent's will have regard to this guidance. The governing bodies have a duty to do their best to ensure that the necessary provision is made for any pupil who has SEN. Early identification and intervention, accurate assessment and the arrangement of appropriate provision to meet pupils' SEN usually leads to better outcomes.

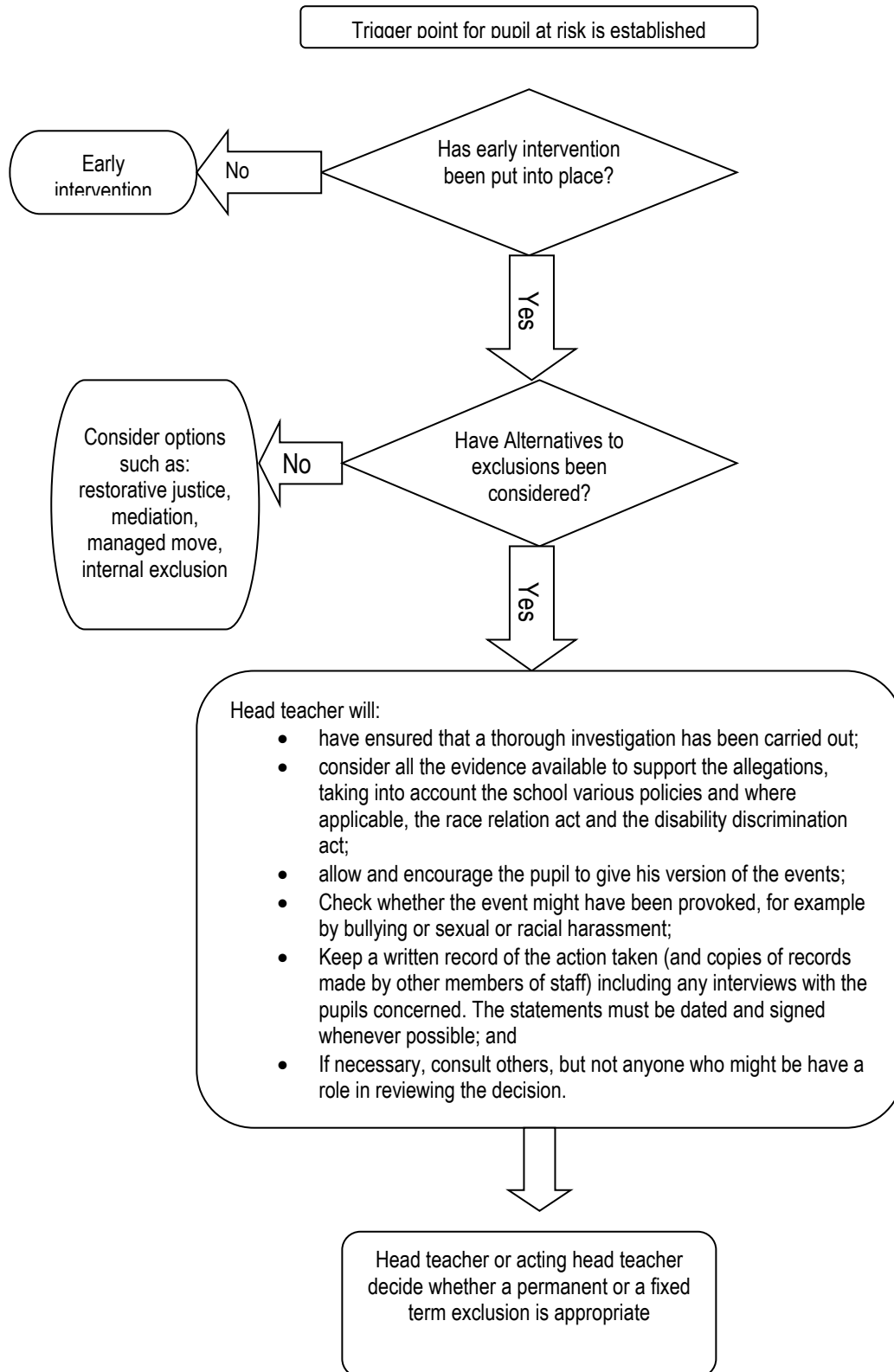
Other than in the most exceptional circumstances, St Vincent's will avoid permanently excluding pupils with statements. In most cases, the Principal will be aware that the school is having difficulty managing a pupil's behaviour well before the situation has escalated. The school will try every practicable means to maintain the pupil in school, including seeking host LA and other professional advice and support. For a pupil with a statement, where this process has been exhausted, the school will liaise with the host LA about initiating an interim annual review of the pupil's statement.

Where a child is permanently excluded, the Principal should use the period between his or her initial decision and the meeting of the governing body to work with the host LEA to see whether more support can be made available or whether the statement can be changed to name a new school. If either of these options is possible, the head teacher should normally withdraw the exclusion.

It is extremely important that parents of children with SEN who are excluded from school receive advice on the options available for their child's future education. St Vincent's will advise parents that advice and information on SEN is available through their local SEN Parent Partnership. The Parent Partnership should also be able to provide details of voluntary agencies that offer support to parents, including those that can offer advice concerning exclusions.

There follows a series of flow charts that describe the process in relation to exclusion.

## Appendix 1 Flowchart for good practice before considering exclusion



## Appendix 2: Flowchart for fixed term exclusion

**Decision:** Head teacher, acting head teacher, or teacher in charge of a PRU takes the decision to exclude a pupil for a fixed period.

**Contact parent:** The head teacher should ensure that a parent/carer has been contacted immediately, ideally by telephone and is available, if appropriate, to arrange collection and supervision of the pupil. The child's welfare must always be the prime consideration

**Lunchtime exclusion:** Pupils who are disruptive during the lunch time may be excluded just for the duration of the lunch time. Lunchtime exclusion will count as half a day for statistical purpose and for parents to make representation but are not counted in the school's 6<sup>th</sup> day duty to provide full-time

**Exclusion during morning session:** the exclusion takes effect from the afternoon session, notice must be given to the parent before the start of the afternoon session.

**Exclusion during afternoon session:** - if the exclusion takes effect from the next school day. Notice to the parent must be given before the start of that school day.  
- If the exclusion takes place from that afternoon, the notice must be given at the end of the afternoon session

**Written notice:** The head teacher must give a written notice to the parents informing them of:

- the precise period and the reasons of the exclusion;
- the parent's duties during the first five days;
- the parents right to make representation to the Governing body and how the pupil may be involved in this;
- The person the parent should contact if they wish to make such representation;
- The arrangement made by the school to set and mark work for the pupil during the initial 5 days of the exclusion;
- if relevant, the school day on which the pupil will be provided with full-time education; and
- if relevant details of a reintegration interview.

The head must inform the Governing Body if a pupil is being excluded for more than 15 days in any one term. Pupil's can be excluded for one or more fixed periods, which when aggregated, do not exceed 45 school days in any one school year.

### **Educational provision during the exclusion:**

- The school has a duty to arrange suitable full-time educational provision from and including the 6<sup>th</sup> consecutive day of the exclusion.
- Where a Looked After Child is excluded provision should be in place from the 1<sup>st</sup> day of exclusion.
- Schools in the former BIP still receiving additional funding should make provision from the first day of exclusion.

### **Reintegration interview:**

The head teacher or a senior member of staff should arrange and conduct a reintegration interview with a parent and the pupil at the end of the exclusion at a date and time convenient for the parent on the school premises.

The notice for a reintegration interview must be given no later than 6 school days before the date of the interview (it can be combined with the notice of the exclusion).

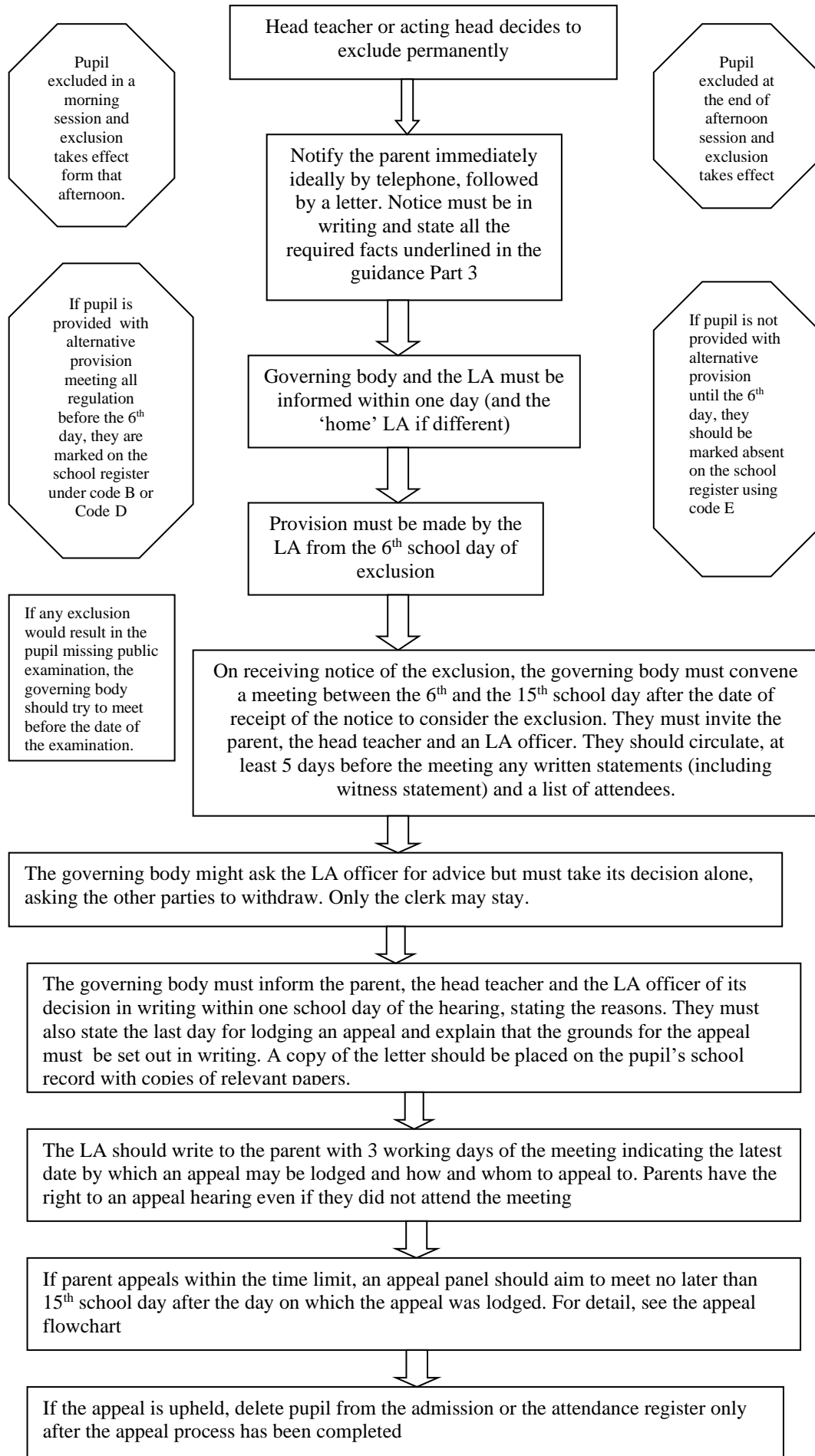
If the parent fails to attend, the school must keep a record of the failure as well as any explanation given as it can be one factor taken into account in the Magistrates' Court when deciding whether to impose a parenting order.

Primary: School **must** offer a reintegration interview after any exclusion

Secondary: School **must** offer a reintegration interview for an exclusion of 6 or more school days.

If the school or the LA considers that parental influence could be better brought to bear in the behaviour of the pupil, a parenting contract may be offered. If the parent fails to engage with the school or LA in attempting to improve the child's behaviour, the school or LA may consider applying to the Magistrate's Court to compel the parent to comply with certain requirements. See related guidance.

### Appendix 3: Flowchart for permanent



**exclusion**

## Appendix 4: Flowchart for exclusion appeals

