

Virginia Primary School

Exclusion Policy



Our Vision

We want Virginia Primary School to be a community of happy, confident, motivated lifelong learners. We want our children to be successful citizens who value themselves and each other. Therefore, we are continually striving to ensure that we nurture, challenge and enable each and every one to be the very best they can be in all areas of school life.

Rationale

We believe that our core values support effective learning and teaching and therefore promote positive behaviour in our school. We have developed a consistent approach to addressing unwanted and challenging behaviour. This has been very effective in supporting children and their families. We recognise that exclusion is an extreme sanction and one which we hope we will not need to use. However, there may be occasions when it is necessary to exclude a child because:

- There has been a very serious incident that breaches the school behaviour policy
- There have been a number of recorded incidents that have increased in severity despite all usual consequences and sanctions outlined in the schools behaviour policy.
- There has been a serious actual or threatened violence against another pupil or member of staff
- Allowing a pupil to stay in school would seriously harm the education or welfare of the pupil or others in the school.

It is important to note that where a pupil is sent home for disciplinary reasons for part of a school day, as a 'cooling off' period, this must still be formally recorded as exclusion. Exclusions should always be reported to the governing body.

Deciding On Exclusion

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the head teacher will:

- ensure that a thorough investigation has been carried out
- consider all the evidence available to support the allegations, taking account of the school's behaviour and equal opportunities policies
- allow and encourage the pupil to give their version of events
- check whether the incident may have been provoked, for example by bullying, or by racial or sexual harassment
- if necessary, consult others, but not anyone who may later have a role in reviewing the head teachers decision, for example a member of the governing body
- keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the pupil concerned. Witness statements must be dated and should be signed, wherever possible.

Exclusion Procedure

The government are in the process of reviewing the guidelines relating to exclusion. For the time being, the school is adopting the policy and procedure outlined by the DfE (Department for Education) which is as follows:

- Only the head teacher (or acting head in her absence) can take the decision to exclude a child.
- Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).
- The DfE regulations allow the head teacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.
- Following the decision to exclude a pupil, the parent/carer is informed immediately and asked to come into school. If this is not possible, the child will remain with the head teacher or senior leader until the end of the day. The parent/carer will meet with the head at this time so that the reasons and procedure can be explained.
- A letter of this meeting is given to the parent and a copy kept on file (template appendix 1)
- Parent/carer has the right to make representations to the governing body/local authority as outlined in the letter.
- A return to school meeting will be held following the expiry of the fixed term exclusion and this will involve the head teacher and other staff as appropriate.
- For the duration of the fixed term exclusion, the child will be given home learning to complete. This will be set by the class teacher.
- If the fixed term exclusion is greater than five days or an accumulation of exclusions exceed five days, a Pastoral Support Plan will be drawn up. This needs to be agreed with the school, pupil and parents.
- Where a pupil is given a fixed period exclusion of duration of six school days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day of the exclusion: this does not apply to pupils of non compulsory school age.

Permanent Exclusion

A decision to exclude a child **permanently** is a serious one and should only be taken where the basic facts have been clearly established on the balance of probabilities. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the child and should normally be used as a last resort.

Further guidance and details can be found at:

www.education.gov.uk/schools/pupilsupport/behaviour/exclusion

Policy date: January 2012

Policy review: As and when national framework/law changes

Appendix 1: Letter Template

Dear _____,

I am writing to inform you of my decision to exclude _____ for a fixed period of _____. This means that s/he will not be allowed in school for this period. The exclusion begins today, _____ and s/he can return to school on _____.

I realise that this exclusion is upsetting for you and your family, but the decision to exclude _____ has not been taken lightly. _____ has been excluded for this fixed period because _____.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on _____ 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.

We will set work for _____ to be completed on the days specified in the previous paragraph as school days during the period of his exclusion.

You have the right to make representations about this decision to the governing body. If you wish to make representations please contact Malcolm Daves through the school office, 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.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>).

You and _____ are requested to attend a reintegration interview with me at school on _____. If that is not convenient, please contact the school 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.

You also have the right to see a copy of _____ school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of _____ school record. I will be happy to supply you with a copy if you request it.

You may also find it useful to contact the the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

We expect _____ to be back in school on _____.

Yours sincerely,

Kate Gooding
Headteacher