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RAF BENSON COMMUNITY PRIMARY SCHOOL
POLICY DOCUMENT
Pupil Exclusion Policy

Signed: <i>Signed on Original</i>		Date:	
Head Teacher			
Policy has been adopted/reviewed by Governing Body:			
Signed: <i>Signed on Original</i>		Date:	
Chair of Governors			
Committee responsible for policy review	Resources Committee	Linked Policies	Behaviour Policy Safeguarding Policy

Introduction

The school aims to promote equality in all aspects of school life and with regard to all matters embraced by this policy will comply with relevant legislation relating to equal opportunities, race relations, sex discrimination and age discrimination.

This policy to be read alongside the Behaviour Policy and the DfE guidance 'Exclusion from maintained schools, Academies and pupil referral units in England'.

The exclusion of a pupil, either for a fixed period or permanently, from RAF Benson Community Primary School will only be used as a last resort.

There is an expectation that schools will have employed a range of measures to prevent the need for exclusion:

Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. In this situation schools should give consideration to a multi-agency assessment that goes beyond the pupil's educational needs.

(DfE Guidance, September 2012 Section 2, Paragraph 3)

Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEN or disability that a pupil may have. Head teachers should also consider the use of a multi-agency assessment for pupils who demonstrate persistent disruptive behaviour. Such assessments may pick up unidentified special educational needs but the scope of the assessment could go further, for example, by seeking to identify mental health or family problems.

(DfE Guidance, September 2012 Section 3, Paragraph 18)

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

Within Oxfordshire, there are a range of services available to support pupils who are at risk of exclusion. A Social Inclusion Officer or Behaviour Support Teacher may be able to help the school identify areas of additional support available. Services available in Oxfordshire are:

- Early Intervention Hubs
- Behaviour Support Service
- Educational Psychologists
- Attendance and Engagement Officers
- Special Educational Needs
- Anti-bullying
- SENSS

Where a pupil's special educational needs are not met by appropriate learning interventions or the Local Offer, consideration should be given to an Education Health and Care Plan (EHCP). There are a range of resources available that can assist in the assessment and management of behavioural issues some of which are listed below:

- Common Assessment Framework (CAF)
- OCC positive handling policy
- Pastoral Support Plans
- Pupil/student behaviour risk assessments
- Restorative Approach
- Team Around the Child (TAC)

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

In this policy the word 'Term' pays reference to three terms in one year (Autumn, Spring or Summer)

Reasons for Exclusion

Whilst this is not an exhaustive list, reasons for exclusion include:

- A serious breach of the school's rules or policies.
- A risk of harm to the education or welfare of the pupil or others in the school.
- Physical or verbal assault against a pupil, member of staff or others in the school.
- Serious damage to school property .
- Theft.
- Weapons in school.
- Persistent disruptive behaviour.
- Persistent bullying.
- Indecent behaviour.
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the student's behaviour.

Fixed Term (Temporary) Exclusions

A fixed term exclusion will be for the shortest time necessary.

An exclusion for a period of time from half a day to 5 days for persistent or cumulative problems will be imposed only when the school has offered and implemented a range of support and management strategies. Examples of some of the strategies used are:

- Discussion with the pupil
- Support from the Pastoral Support Officer or Mobility Learning Mentor Discussions with parents
- Sanctions (consequences) in school e.g, time out in and out of class
- Checking on any possible provocation
- Internal exclusions
- Referral to outside support agencies

Exclusion will not be used for minor incidents such as academic performance or lateness.

A fixed term exclusion may be used in response to a serious breach of school rules or policies. In such case the Headteacher will investigate the incident thoroughly and consider all the evidence to support the allegation, taking account of all the school policies. The child will be encouraged to give their version of events and the Headteacher will check whether the incident may be provoked e.g. by bullying or racial harassment.

For the first 5 days of a fixed-term exclusion, the school must send homework for the pupil and arrange to have it marked. For fixed-term exclusions of more than 5 days, the school is responsible for arranging suitable alternative full-time education from the 6th day until the end of the exclusion.

Procedure for Making a Fixed Term Exclusion

- Headteacher takes the decision to exclude a pupil for a fixed period.
- Contact the parent/carer ideally by telephone to arrange the collection and supervision of the pupil. The child's welfare must always be the prime consideration.
- The Headteacher must give written notice to the parents informing them of:
 - The precise period and the reasons for the exclusion.
 - The parent's duties during the first 5 days.
 - The parent's right to make a 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 representations.
 - The arrangement to set and mark work for the pupil during the initial 5 day period.
 - If relevant the school day on which they will be provided with full time education.
 - Details of the reintegration interview.

A model letter for this process can be found in Appendix 1.

The Headteacher must inform the Governing Body and Social Inclusion Officer if a pupil is excluded for more than 15 days in any one term.

Children can be excluded for 1 or more fixed periods, which when aggregated do not exceed 45 school days in any one school year.

The school has a duty to arrange full time education from and including day 6 of the exclusion (see model letter in Appendix 3) and the school has a duty to provide full time education for a looked after child from day 1.

A reintegration interview (Welcome Back Meeting) will be arranged with the Headteacher or a senior member of staff and the parent and child on the school premises. If the parent fails to attend, the school must keep a record of the failure as this could be taken into account at court in deciding whether to impose a parenting order.

Parents have the right to make a representation to the Governing Body for any fixed term exclusion.

Sending children home from school during lunchtime will also be considered a temporary exclusion. This applies even if the child needs a 'cooling off' period following an incident in school during the morning session.

The procedure for this is the same as above and there is a model letter to parents from the LA in Appendix 2.

Permanent Exclusions

A permanent exclusion is a very serious decision and the Headteacher will investigate thoroughly before this decision is made. As with a fixed term exclusion, it will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach to school rules and policies such as:

- Serious actual or threatened violence against another pupil or a member of staff.
- Carrying an offensive weapon.
- Persistent bullying.
- Racial harassment.

Procedure for Making a Permanent Exclusion

- Headteacher takes the decision to exclude a pupil permanently.
- Contact the parent/carer immediately ideally by telephone.
- The Headteacher must give written notice to the parents informing them of specific information found in the LA guidance.
- The Headteacher must inform the governing body and LA within 1 day LA on the appropriate form (found on OCC Schools website).
- The school has a duty to arrange full time education from and including day 6 of the exclusion.
- The school has a duty to provide full time education for a looked after child from day 1.
- On receiving notice of the exclusion, the Governing Body must convene a meeting between the 6th and the 15th school day to review the exclusion. They must invite the parent, the Headteacher and an LA Social Inclusion Officer. Papers including written statements must be circulated at least 5 days before the meeting.
- The Governing Body may ask for advice from the LA officer, but must make the decision alone, asking other parties to withdraw. The clerk may remain.
- The Governing Body must inform the parent, Headteacher and LA officer of their decision in writing within 1 day of the hearing stating reasons.
- LA to contact parent within 3 working days indicating the latest date by which a review can be lodged.
- The child to be removed from the register only when the review process is complete.

Behaviour Outside School

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

For behaviour outside school, not on school business, the Headteacher may exclude a pupil if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupils as a whole, or if it is deemed to be damaging to the reputation of the school.

Pupils with Special Educational Needs and a Disability

The school must take account of any special educational needs when considering whether or not to exclude a pupil. We have a duty under the Disability Discrimination Act 1995 as amended not to discriminate against disabled pupils by excluding them from school for behaviour related to their disability. The Headteacher will make reasonable steps to ensure that the school responds to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

Reasonable steps could include:

- Differentiation in the school's behaviour policy
- Developing strategies to prevent the pupil's behaviour
- Requesting external support for the child
- Staff training

Temporary Reduced Timetable

In some cases, we may consider it appropriate to the needs of a particular child to offer a reduced timetable for a limited period. In these instances, paramount consideration is given to safeguarding the child and a thorough risk assessment is carried out. Any reduced timetable is planned within a pastoral support plan (PSP), is time-limited with a clear plan to increase attendance back to full time, involves professionals working with the child/family, and parents have given their full consent.

A proforma for a temporary reduced timetable can be found in Appendix 4. This must be completed, signed and then sent to the LA.

The documents below should be read when considering a reduced timetable.

The 'Oxfordshire Guidance for Schools on Reduced Timetables' can be found at this link:

<http://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/socialinclusion/GuidanceforSchoolsonReducedTimetables.pdf>

And the Ofsted 'Pupils Missing Out on Education' can be found at this link:

<http://www.ofsted.gov.uk/resources/pupils-missing-out-education>

Marking Attendance Registers Following Exclusion

When a pupil is excluded, he/she should be marked absent using Code E. Where alternative provision is made, and pupils attend it, they will be marked using either code B (education off site) or code D (dual registration)

Appendix 1

Model Letter 1 - Fixed period exclusion of less than 6 days in one term

FROM HEADTEACHER

Where a public examination will be missed, please insert the following text into the letter at

**

'As a public examination will be missed, the Governing Body/Academy Trust will try to consider the exclusion before that date or the Chair of Governing Body/Academy Trust may exceptionally consider the exclusion and decide whether or not to reinstate [pupil's name] or allow return for the duration of the examination.'

Dear **[Parents 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 **[he/she]** will not be allowed in school for this period. The exclusion begins 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)**.

[Use this paragraph only where there is consideration of permanent exclusion]

In view of the nature of the incident, I feel that it is necessary to conduct further investigation before deciding whether it is appropriate to exclude **[Child's Name]** permanently.

[Use this paragraph for pupils of compulsory school age]

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

We will set work for **[Name of child]** during the **[..... days]** of the exclusion **[detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to present your case about this decision to exclude **[Name of child]** to the school's governing body. If you wish to do so please contact **[Name of Contact]** on/at **[Contact Details-Address, Phone Number, email]** as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any existing evidence presented by yourself and may place a copy of their findings on your child's school record.

**

You should also be aware that if you think this 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 First-tier Tribunal (Special Educational Needs and Disability). The address to which appeals should be sent is First-tier Tribunal (Special Educational Needs and Disability), Mowden Hall,

Staindrop Road, Darlington, DL3 9BG (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>) or the County Court in the case of other forms of discrimination. Making a claim would not affect your right present your case to the governing body. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

You also have the right to see and have 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 the local authority's Social Inclusion Team if you have any questions about the exclusion procedures at social.inclusion@oxfordshire.gov.uk.

You may also find it useful to contact: 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 at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

[Insert reference to Local Sources of independent advice if known].

The statutory exclusions guidance 'Exclusion from maintained schools, Academies and pupil referral units in England 2012' can be found at:

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

[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]
Headteacher

Appendix 2

Model Letter 1a - Lunchtime half-day exclusion totalling a fixed period exclusion of less than 6 days per term.

FROM HEADTEACHER

*** Delete as appropriate

Dear **[Parents Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** during lunchtimes for **[number of days]** days from **[date]** to **[date]**. **[Child's Name]** can return for lunchtime as from **[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**).

This exclusion covers the lunch period only from **[time]** to **[time]** and you are asked to please make arrangements for your child's supervision away from school during this period.

*** As **[Child's Name]** is eligible to receive a free school meal, I have made arrangements for **him/her** to be provided with a packed lunch for the period of the exclusion.

Each lunchtime exclusion will count as a half-day exclusion and will be added to your child's record of exclusions.

The total number of days of exclusion from this period of lunchtime exclusion is **[number of days]**.

[Use this paragraph for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[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 challenge this decision before the **[Governing Body/Academy Trust]**. If you wish make representations please contact **[Name of Contact]** on/at **[Contact Details- Address, Phone Number, email]** as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any submissions 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 this 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 First-tier Tribunal (Special Educational Needs and Disability). The address to which appeals should be sent is First-tier Tribunal (Special Educational Needs and Disability), Mowden Hall, Staindrop Road, Darlington, DL3 9BG. (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>) or the County Court in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded. Making a claim would not affect your right to make representations to the governing body.

You also have the right to see and have 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 the local authority's Social Inclusion Team if you have any questions about the exclusion procedures at social.inclusion@oxfordshire.gov.uk.

You may also find it useful to contact: 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 at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

[Insert reference to Local Sources of independent advice if known].

The statutory exclusions guidance 'Exclusion from maintained schools, Academies and pupil referral units in England 2012' can be found at:

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

[Child's Name] exclusion expires on **[Date]** and we expect **[Child's Name]** to be back at lunchtimes on **[Date]** at **[Time]**.

Yours sincerely

[Name]
Head teacher

Appendix 3

Model Letter 2 - Fixed term exclusion of 6-15 days OR where cumulative exclusions in the same term fall within this range

FROM HEADTEACHER

Where a public examination will be missed, please insert the following text into the letter at

**

'As a public examination will be missed, the [Governing Body/Academy Trust] will try to consider the exclusion before that date or the Chair of [Governing Body/Academy Trust] may exceptionally consider the exclusion and decide whether or not to reinstate (pupil's name) or allow return for the duration of the examination.'

Dear [Parents 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 on [date] and ends on [date]. Your child should return to school 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).

[Use this paragraph only where there is consideration of permanent exclusion]

In view of the nature of the incident, I feel that it is necessary to conduct further investigation before deciding whether it is appropriate to exclude [Child's Name] permanently.

[Use this paragraph for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, that is on [specify dates]. It will be for you to show that there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification.

We will set work for [Name of Child] during the [first 5] school days of his [or her] exclusion [specify the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

(Delete the following paragraph if this exclusion is less than 6 days)

From the [6th school day of the pupil's exclusion [specify date] until the expiry of his exclusion we will provide suitable full-time education. On [date] he should attend [give name and address of the alternative provider if not the home school] at [specify the time – this may not be identical to the start time of the home school] and report to [staff member's name]. (If applicable – say something about transport arrangements from home to the alternative provider). If not known, say the arrangements for suitable full time education will be notified by a further letter.

You have the right to request a meeting of the **[governing body/Academy Trust]** to whom representations and my decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the **[governing body/Academy Trust]** must meet if you request it to do so. The latest date by which the **[governing body/Academy Trust]** must meet, if you request a meeting is **[insert date – no later than 50 school days after the date on which the governing body were notified of this exclusion]**. If you do wish to challenge the decision to exclude before the **[governing body/Academy Trust]** and wish to be accompanied by a friend or representative please contact **[Name of Contact]** on/at **[Contact Details – Address, Phone Number, email]**, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

**

You should also be aware that if you think this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you may make a claim to First-tier Tribunal (Special Educational Needs and Disability). The address to which appeals should be sent is First-tier Tribunal (Special Educational Needs and Disability), Mowden Hall, Staindrop Road, Darlington, DL3 9BG. (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>) or the County Court in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded. Making a claim would not affect your right to make representations to the governing body.

You also have the right to see and have 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 the local authority's Social Inclusion team if you have any questions about the exclusion procedures at social.inclusion@oxfordshire.gov.uk.

You may also find it useful to contact: 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 at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

[Insert reference to Local Sources of independent advice if known].

The statutory exclusions guidance 'Exclusion from maintained schools, Academies and pupil referral units in England 2012' can be found at:

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

[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

Cc Social Inclusion Team, (social.inclusion@oxfordshire.gov.uk)

Appendix 4

Reduced Timetable Proforma

This can only proceed with parents' signed consent to both the plan and proforma

Pupil Name		NCY	
School		DOB	
SEN Status		LAC (Y/N)	

Plan under which reduced timetable is monitored/reviewed (e.g. CAF, PEP, PSP, IBP, IEP)		Date of meeting when plan for reduced timetable discussed	
--	--	--	--

Plan attached (please tick)	YES		NO		If No, why?	
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Reason for Reduced Timetable (please tick)	1. Part of in school support package	
	2. Medical Reasons (supported by medical professionals)	
	3. Reintegration	
	4. Other	
If 'Other', state reason		

Weekly Timetable - Number of Teaching Hours Allocated – Week 1

Please state number of hours teaching time per morning/afternoon session each day	AM	Monday	Tuesday	Wednesday	Thursday	Friday
	PM					

Weekly Timetable - Number of Teaching Hours Allocated – Week 2
(for schools operating a 2 week timetable or where timetable changes)

<i>Please state number of hours teaching time per morning/afternoon session each day</i>		Monday	Tuesday	Wednesday	Thursday	Friday
	AM					
PM						
Please state the total number of hours teaching time per week (<i>Attendance Code C should be used for times pupil not expected in school/alternative provision</i>)						

This form should be sent in each time the allocated teaching hours change following review	
Reduced Timetable Start Date	
Review Date of Reduced Timetable	
Date pupil will return to Full Time Provision	

Parental Agreement: I/We hereby confirm my/our consent to the reduced timetable as outlined in the attached plan and the information given above.	
Parent's signature: <i>(Original must be signed)</i>	
Name of school contact and telephone number:	

Please send a signed scan copy or photocopy of this Proforma and the Plan to us via email with the Pupil's name and date of birth in the subject to: pupilsmissingout@oxfordshire.gov.uk, or by fax to: 01865 783379, or by post to: **Pupils Missing Out, Social Inclusion Team, County Hall, 3rd Floor, New Road, Oxford, OX1 1ND.** **Please do not send originals. It is important you retain the original signed copy for your records.**