



The Federation of the Church Schools of  
Shalfleet and Freshwater & Yarmouth

*Together for a Brighter Future*

# EXCLUSIONS POLICY

<b>Approved by</b>	<b>LH</b>
<b>Portfolio</b>	<b>Attendance</b>
<b>Approved on</b>	<b>Autumn 2023</b>
<b>Review date</b>	<b>Autumn 2024</b>
<b>Review Cycle</b>	<b>1 Year</b>
<b>Policy Type</b>	<b>Non Statutory</b>

We believe that this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Education Act 2002
- Anti-social Behaviour Act 2003
- Education Act 2005
- Education and Inspections Act 2006
- Education (Pupil Exclusions and Appeals) (Miscellaneous Amendments) (England) Regulations 2006
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- Apprenticeships, Skills, Children and Learning Act 2009
- Equality Act 2010
- Education Act 2011
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

The following documentation and website are also related to this policy:

- Ofsted School Inspection Handbook (DfE 2022)
- Exclusion from Maintained Schools, Academies and pupil Referral Units in England (DfE)
- Special Educational Needs and Disability Code of Practice: 0 to 25 Years. Statutory Guidance for Organisations Who Work With and Support Children and Young People with Special Educational Needs and Disabilities (DfE) and (DoH)
- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)
- [www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion)

We strongly believe in good discipline as we feel it is essential to ensure that all pupils can benefit from the educational and social opportunities that the school offers. The exclusion of a pupil will only be 'used as a last resort in response to a serious breach or persistent breaches of the school's behaviour policy'.

We work hard not to exclude pupils, but to help to support them by constantly reviewing our behaviour management and working with them to help their behaviours. We have in place a behaviour management system that everybody is familiar with and know what they are doing

We are aware that by keeping disruptive pupils in school and providing support for them, our performance will fall. However, we believe we cannot give up on them.

We treat all pupils fairly with all decisions to exclude will be lawful, reasonable and fair. We will not discriminate against pupils on the basis of protected characteristics. All pupils who are vulnerable to exclusion will be treated fairly.

We believe that pupil exclusion is best defined as when a pupil is not allowed to attend school for either a fixed term or permanently. Pupil exclusion is a sanction that will be used only as a last resort, except when an immediate exclusion is the only appropriate action to take.

We acknowledge that a pupil will only be excluded following serious breaches of discipline or if the safety of pupils and school personnel would be harmed if the pupil remained in the school. Parents will be informed immediately in writing about a fixed period exclusion.

Before a pupil is excluded, a whole range of strategies such as early intervention and pupil support plans will be implemented in order to improve the behaviour of the pupil.

We believe that 'disruptive behaviour can be an indication of unmet needs' and we will do all that we can to identify the causes and if need be to 'give consideration to a multi-agency assessment that goes beyond the pupil's educational needs.'

All exclusions will follow the correct procedures as outlined in 'The Department for Education guidance: Exclusion from Maintained Schools, Academies and pupil Referral Units in England (2012)'. We are aware that it is illegal to unofficially or informally exclude by just sending a pupil home for disciplinary reasons. At all times the correct procedures will be followed.

We will try to ensure that other than in the most exceptional circumstances we will not exclude any pupil who has a statement for SEN, or an education, health and care plan (EHC) or is receiving SEND support.

We are aware that children with special needs are seven times more likely to be excluded than those without. It appears that many schools are failing to spot ADHD and autism which can be a contributing factor to a rise in exclusions.

We acknowledge that too few resources are being used to understand why a child might be behaving badly before the exclusion cycle begins and that schools are being put under much more pressure in terms of their outcomes and their achievement data. It is much easier to remove a disruptive pupil from a classroom and to deal with the masses than it is to focus the time on that one disruptive pupil.

We believe that permanent exclusion should be a last resort and will only be used where all other strategies for supporting the pupil have been exhausted. We work hard to ensure behavioural issues are dealt with earlier and more effectively.

However, despite our best efforts it may be necessary to exclude a pupil to ensure the other pupils are able to learn in a safe and orderly environment and that the pupil in question needs more support than we can provide.

Parents will be made aware of their rights that they can appeal against an exclusion to the governing body. An independent review panel will deal with all appeals.

We will ensure that all excluded pupils will be 'enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.'

We have a duty to have in place a strategy for reintegrating pupils that return to school following a fixed period of exclusion, and a strategy for managing their future behaviour.

We wish to work closely with the school council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We all have a responsibility to ensure equality permeates in to all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that are connected with this policy.

## **Aims**

- To only use exclusion as a last resort except when an immediate exclusion is appropriate.
- To have in place early intervention systems to deal with bad behaviour choices.
- To maintain full-time provision for permanently excluded pupils.
- To have in place systems to reinstate excluded pupils as soon as possible.
- To establish good working relations with parents of pupils who have been excluded.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

## **Responsibility for the Policy and Procedure**

### **Role of the Governing Body**

The governing body has:

- delegated powers and responsibilities to the headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- make effective use of relevant research and information to improve this policy;
- the responsibility of involving the school council in:
  - determining this policy with the governing body;
  - discussing improvements to this policy during the school year;
  - organising surveys to gauge the thoughts of all pupils;

- reviewing the effectiveness of this policy with the governing body.
- nominated a link governor to:
  - visit the school regularly;
  - work closely with the headteacher and the coordinator;
  - ensure this policy and other linked policies are up to date;
  - ensure that everyone connected with the school is aware of this policy;
  - attend training related to this policy;
  - report to the governing body every term;
  - annually report to the governing body on the success and development of this policy.
  - review data to consider the level of pupil moves and the characteristics of pupils who have been permanently excluded to ensure the sanction is only used when necessary as a last resort
- responsibility for the effective implementation, monitoring and evaluation of this policy.

## Role of the Headteacher

The headteacher will:

- work in conjunction with the senior leadership team to ensure that all school personnel, pupils and parents are aware of and comply with this policy;
- ensure risk assessments are:
  - in place and cover all aspects of this policy;
  - accurate and suitable;
  - reviewed annually;
  - easily available for all school personnel.
- endeavour to identify the causes of a pupil's disruptive behaviour and, if need be, will consider a multi-agency assessment;
- consider the following when making the decision to exclude a pupil;
- when making the decision to exclude a pupil the headteacher will:
  - undertake a thorough investigation into the alleged incident by looking at all the evidence that is available;
  - from the outset keep a written record of all the stages of the investigation plus signed witness statements;
  - listen to the pupil's version of what happened;
  - check whether the alleged incident was provoked by racial or sexual harassment and to take into account any breach of the school's equal opportunities policy;
  - if they think it is necessary, the headteacher will consult with other relevant people other than those who might be later involved in reviewing this incident;
  - comply with the Equality Act;
  - look at alternatives other than exclusion such as:
    - internal exclusion by removal to another class;
    - restorative justice;
    - mediation;

- a managed move.
- decide on the length of the exclusion;
  - fixed or;
  - permanent.
- inform parents immediately;
- report the exclusion, on the same day, to;
  - The Disciplinary Committee.
  - The Local Authority
  - The Social Worker (if a child has one)
  - The Virtual School (if the child is looked after)
- once a fixed-term exclusion has ended, hold a reintegration meeting involving the pupil, parents/carers and the appropriate school personnel on the first day a pupil returns to school following a fixed-term exclusion;
- the reintegration meeting will plan:
  - how the pupil will manage their future behaviour;
  - what support is required;
  - how the pupil can succeed within the school;
  - how further exclusions can be avoided;
  - what both the school and the pupil can do to ensure success;
  - ensure conditions are not placed upon the pupil returning to school.
  - The Headteacher may cancel an exclusion that has not been reviewed by the governing board. This practice is sometimes known as withdrawing/rescinding a suspension or permanent exclusion. If this occurs, parents, the governing board and the local authority will be notified, and if relevant, the social worker and Virtual School.
- organise a series of safeguarding and child protection workshops to ensure parents are aware of:
  - Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges;
  - Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children;
  - the Safeguarding and Child Protection policy;
  - safeguarding procedures in place;
  - all safeguarding policies;
  - their role in safeguarding and child protection.
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality;
- make effective use of relevant research and information to improve this policy;
- provide guidance, support and training to all staff;

- monitor the effectiveness of this policy by speaking with pupils, school personnel, parents and governors;
- annually report to the governing body on the success and development of this policy.
- where a pupil has a social worker or is a looked after child, the social worker and/or Virtual School should attend the Governing Board meeting to share information. Social workers can provide important information that helps the governing board understand the experiences of a pupil and their welfare and will provide an overview of what they have experienced or are experiencing in adversity or difficulties.
- this should include helping to identify how the pupil's circumstances may have influenced the circumstances of the pupil's suspension or permanent exclusion and ensuring that safeguarding needs and risks and the child's welfare are taken into account. This should include helping the governing board to understand the pupil's background and circumstances. They should also be able to advise the board on the possible contribution that the pupil's circumstances could have made to the suspension or permanent exclusion.

### **Role of School Personnel**

School personnel will:

- comply with all aspects of this policy;
- be aware of and support the pupil behaviour management policy;
- try to establish the reasons for a pupil demonstrating disruptive behaviour;
- report and deal with all incidents of discrimination;
- report all incidents of serious violence, assault, sexual abuse, the use of illegal drugs, possession of offensive weapons and bullying;
- implement the school's equalities policy and schemes;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community.

### **Role of Pupils**

Excluded pupils will:

- be 'enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding';
- work hard to conform with the reintegration plan.

Pupils will:

- be aware of and comply with this policy;
- support the school code of conduct and guidance necessary to ensure the smooth running of the school;
- liaise with the school council;
- take part in questionnaires and surveys.

### **Role of Parents/Carers**

Parents/carers will:

- be aware of and comply with this policy;
- be made aware of their rights of appeal against an exclusion;
- be asked to take part periodic surveys conducted by the school;
- support the school code of conduct and guidance necessary to ensure smooth running of the school.

### **Fixed Term Exclusion**

In any one school year, the headteacher is allowed to exclude a pupil for one or more fixed term periods but not exceeding 45 school days.

During this period of exclusion, the school will continue to provide education for the pupil and plan for the pupil to be reinstated after the exclusion period has ended.

Once a decision has been made, parents will be informed by telephone and then by letter.

### **Informing the Discipline Committee and the Local Authority**

Within one school day the headteacher will inform the discipline committee and the LA of a pupil's exclusion.

### **The Role of the Discipline Committee**

The Discipline Committee will:

- Review all exclusions.
- Consider any representations from parents.
- Take the following into account when making a decision about exclusion:
  - special educational needs;
  - disabilities;
  - gender;
  - cultural differences.

### **Liaison with Parents**

Every effort will be made to seek parental co-operation at all stages.

### **Permanent Exclusion**

A pupil may be permanently excluded if:

- All other strategies have failed.
- The offence was a serious one-off offence such as:
  - serious, actual or threatened, violence against a pupil or a member of the school personnel;
  - sexual abuse or assault;



supplying an illegal drug;  
carrying an offensive weapon;  
or any other serious offence.

## **Managed Moves and Off Site Direction**

There may be occasions where a Managed Move is considered in the pupil's best interests.

A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. Managed moves should be voluntary and agreed with all parties involved, including the parents and the admission authority of the new school. If a temporary move needs to occur to improve a pupil's behaviour, then off-site direction should be used.

Where a pupil has an EHC plan, the relevant statutory duties on the new school and local authority will apply. If the Federation is contemplating a managed move, we will contact the authority prior to the managed move. If the local authority, both schools and parents are in agreement that there should be a managed move, the local authority will need to follow the statutory procedures for amending a plan.

At the Federation a managed move will be offered as part of a planned intervention. We will evidence the appropriate initial intervention which has been carried out, including, where relevant, multi-agency support, or any statutory assessments were done or explored prior to a managed move.

The managed move will be preceded by information sharing between the Federation and the new school, including data on prior and current attainment, academic potential, a risk assessment and advice on effective risk management strategies. It is also important for the new school to ensure that the pupil is provided with an effective integration strategy.

If a parent believes that they are being pressured into a managed move or is unhappy with a managed move, they can take up the issue through the school's formal complaints procedure with the governing board and, where appropriate, the local authority.

Ofsted will consider any evidence found of a parent being pressured into a managed move that has resulted in off-rolling and is likely to judge a school as inadequate on the basis of such evidence.

### **Off-site direction**

At the Federation, on occasions, off-site direction may be used to support a child in improving their behaviour.

Where interventions or targeted support have not been successful in improving a pupil's behaviour, off-site direction should be used to arrange time-limited placements at an AP or another mainstream school.

During the off-site direction to another school, pupils must be dual registered. Code B should be used for any off-site educational activity, if the provision is an approved educational activity that does not involve the pupil being registered at any other school.

At the Federation, when possible, in-school interventions or targeted support from AP schools should be used to meet a pupil's individual needs and circumstances – whether behavioural or special educational.

Depending on the individual needs and circumstances of the pupil, off-site direction into AP can be full-time or a combination of part-time support in AP and continued mainstream education. A proposed maximum period of time will be discussed and agreed upon as part of the planning phase for an off-site direction. As part of planning, alternative options should be considered once the time limit has been reached, including a managed move on a permanent basis upon review of the time-limited placement.

The governing board must comply with the Education (Educational Provision for Improving Behaviour) Regulations and must show regard to the Alternative Provision: Statutory guidance for local authorities. The statutory guidance covers objectives and timeframes with appropriate monitoring of progress. For maintained schools, the governing board must ensure that parents are notified in writing and provided with information about the placement as soon as practicable after the direction has been made and no later than two school days before the relevant day.

Parents (or pupils aged 18 or over) and, where the pupil has an EHC plan, the local authority can request, in writing, that the governing board hold a review meeting. When this happens, governing boards must comply with the request as soon as reasonably practicable, unless there has already been a review meeting in the previous 10 weeks.

The length of time a pupil spends in another mainstream school or AP and the reintegration plan will be kept under review by the governing body, who must hold review meetings at such intervals as they, having regard to the needs of the pupil, consider appropriate, for as long as the requirement remains in effect. Not later than six days before the date of any review meeting, a governing body must give a written invitation to parents and the local authority if the pupil has an EHC plan to attend the review meeting, or to submit in writing before the date of the meeting their views as to whether off-site direction should continue to have effect. The governing body must ensure, insofar as is practicable, that any review meeting is convened on a date, and at a time, that is suitable for the parent.

The governing body will keep the placement under review for as long as the requirement remains in effect and must decide following each review meeting as to whether the requirement should continue to have effect and, if so, for what period of time.

The meeting should include arrangements for reviews, including how often the placement will be reviewed, when the first review will be and who should be involved in the reviews.

For example, review meetings should take place between the school, parents, the pupil, and other agencies e.g., a pupil's social worker, Child and Adolescent Mental Health Services (CAMHS), Multi-Agency Safeguarding Hubs (MASH) and Youth Justice Teams, and the local authority (if a pupil has an EHC plan) to establish agreed monitoring points to discuss the pupil's ongoing behaviour. These reviews should be recorded in writing and be frequent enough to provide assurance that the off-site direction is achieving its objectives via monitoring points.

The governing body will give written notification of their decision as to whether the requirement to continue the placement should continue and if so, for what period of time including the reasons for it to the parent no later than six days after the date of the review meeting.

To support a pupil with reintegration into their referring school, the focus of intervention whilst off-site should remain on ensuring that a pupil continues to receive a broad and balanced curriculum whilst any inappropriate behaviours which require intervention are being addressed. If a pupil with a disability or SEN has been moved off-site, the duties under the Equality Act 2010 and the Children and Families Act 2014 continue to apply (for example, to make reasonable adjustments or to put support in place to meet SEN).

The length of time a pupil spends in another mainstream school or AP will depend on what best supports the pupil's needs and potential improvement in behaviour.

The governing body will take into account the views of any persons (the relevant person, the provider, the head teacher, a representative of the governing body; and where the pupil has a statement of special educational needs, a representative of the local authority maintaining the statement referred to in regulation) who have attended the review meeting or have submitted their views in writing.

## **Reporting**

Annually, the headteacher will report the following to the governing body the:

- number of exclusions;
- type of exclusions;
- outcome of each exclusion;
- rates of exclusion from different groups such as SEND, free school meals, looked after children and ethnic groups.

## **Raising Awareness of this Policy**

We will raise awareness of this policy via:

- School handbook/prospectus;
- School website;
- Staff handbook;
- Meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops;
- Headteacher reports to the governing body;

## **Training**

We:

- have in place appropriate training for this policy that is undertaken by a registered training provider that covers:
 

<input type="checkbox"/> All aspects of this policy.	<input type="checkbox"/> Home-School Agreement.
<input type="checkbox"/> Pupil Behaviour and Discipline.	<input type="checkbox"/> Attendance and Truancy.
<input type="checkbox"/> Safeguarding and Child Protection.	<input type="checkbox"/> Special Educational Needs and Disabilities.
<input type="checkbox"/> Complaints.	<input type="checkbox"/> Equal opportunities.
<input type="checkbox"/> Parental Responsibility.	<input type="checkbox"/> Inclusion.
  
- ensure the content of all training is correct, delivered well and engages staff as we believe that the more engaging training is, the better the outcomes that we need to measure;

### **Equality Impact Assessment**

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

### **Race Disparity Audit**

We acknowledge the findings of the Race Disparity Audit that clearly shows how people of different ethnicities are treated across the public services of health, education, employment and the criminal justice system.

The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

### **Monitoring the Implementation and Effectiveness of the Policy**

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the governing body for further discussion and endorsement.

### **Linked Policies**

- |                          |                                      |
|--------------------------|--------------------------------------|
| ▪ Attendance.            | ▪ Complaints.                        |
| ▪ Home-School Agreement. | ▪ Safeguarding and Child Protection. |
| ▪ Behaviour.             |                                      |
| ▪ Inclusion.             |                                      |

We believe that this school policy:

- is an essential part of the school;
- supports staff in managing certain situations;
- forms an important framework that will ensure consistency in applying values and principles throughout the establishment;
- provides guidance, consistency, accountability, efficiency, and clarity on how the school operates;
- provides a roadmap for day-to-day operations;
- ensures compliance with laws and regulations, gives guidance for decision-making, and streamlining internal processes;
- is designed to influence and determine all major decisions, actions and all activities taking place within the boundaries set by them;
- stems from the school's vision and objectives which are formed in strategic management meetings.

### **March 2022**

We are aware that Ofsted have updated their school inspection handbook. We have in place awareness training for all school personnel and governors that covers the contents of the handbook.

During an inspection the lead inspector will:

- evaluate the effectiveness of fixed-term and internal exclusions, including the rates, patterns and reasons for exclusion and whether any pupils are repeatedly excluded;
- investigate whether a strategy is in place for reintegrating a pupil who returns to school following a fixed-term exclusion and for managing their behaviour;
- consider how well the school is recognising and acting to address any patterns that exist because disruptive behaviour or sudden changes in behaviour can be an indication of unmet needs or a change in another aspect of a young person's life;
- consider whether the school is developing the use of alternative strategies to exclusion and taking account of any safeguarding risks to pupils who may be excluded;
- recognise when schools are doing all they can to support pupils at risk of exclusion including attempts to engage with local support services.