

Ludlow Junior School
Exclusion Policy (Pupils)
Reviewed: September 2017

To be reviewed: September 2018

The Governing Body of Ludlow Junior School acknowledges both statutory provision and intentionality within Equality; Diversity and Direct Discrimination legislation* culminating in the Equality Act 2010 (effective from 1 October 2010) in drafting and reviewing this school policy. The Governing Body actively seeks to promote policy measures to cease inequality, all forms of discrimination and enhance opportunity and well-being within every aspect of the school's business for pupils, staff, governors and community stakeholders.

*Sex Discrimination Act 1976; Race Relations Acts 1976 & 2000; Childcare Act 2006; DDA 1995 & 2005; Civil Partnership Act 2004; Gender Recognition Act 2004; Equality Acts 2006 & 7 and Statutory Instruments.

This policy has been written with due regard to 'Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units - 2008'. It should be seen in the context of our Teaching and Learning Policy and Behaviour Policy. A student may be excluded when 'there is sufficient evidence that a pupil has committed a disciplinary offence and if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. In these circumstances the pupil may be excluded from school for a fixed period or permanently'. 'In most cases permanent exclusion will be the last resort after a range of measures have been tried to improve the pupil's behaviour'. There will, however, be exceptional circumstances where, in the Headteacher's judgement, it is appropriate to permanently exclude a child for first or 'one off' offence. These might include:

- a) serious actual or threatened violence against another pupil or a member of staff;
- b) sexual abuse or assault;
- c) supplying an illegal drug; or
- d) carrying an offensive weapon.

Regulations allow the Headteacher to exclude a pupil for one or more fixed periods which, when aggregated, do not exceed a total of 45 school days in any one school year. Where a pupil is given a fixed period exclusion 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.

Exclusions are only for serious offences and these link to the DfE list of reasons for exclusion. Before deciding whether to exclude a student, either permanently or for a fixed period, the Headteacher should:

- consider all the evidence available to support the allegations
- allow and encourage the student 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
- keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the student concerned.
- Witness statements must be dated and should be signed, wherever possible

In general, Ludlow Junior School will exclude from school only in the most extreme circumstances. Fixed term exclusion indicates that a student is in real danger of being permanently excluded and in these cases the school will work with external agencies to support the pupil and parents as far as possible. At Ludlow Junior School we operate a stepped approach to exclusions. Internal exclusion and possible isolation from other pupils will be used if this is deemed to be appropriate and reasonable given the nature of any transgression against our accepted rules and expectations of pupil conduct.

For a first offence, where exclusion is believed to be necessary, the minimum appropriate number of days will be applied. However, if a student offends again, the number of days given will normally be greater than the previous exclusion - subject to consideration of conduct since the previous exclusion.

A decision to exclude a student should be taken only:

- in response to serious breaches of the school's Behaviour Policy
- if allowing the student to remain in school would seriously harm the education or
- welfare of the student or others in the school.

A decision to exclude a student permanently will usually be the final step in a process for dealing with disciplinary offences, following a wide range of other strategies. There will, however, be exceptional circumstances where, in the Headteacher's judgement, it is appropriate to permanently exclude a student for a first or one off offence. These might include:

- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault

- Supplying an illegal drug
- Carrying an offensive weapon

Length of fixed period exclusions:

The regulations allow the Headteacher to exclude a student for one or more fixed periods not exceeding forty five days in any one school year. Individual fixed period exclusions should be for the shortest time necessary.

When deciding the length of fixed term exclusions the Headteacher should consider:

- The seriousness of the offence
- Any mitigating circumstances - such as provocation and including whether the student has SEND or is a child looked after
- Previous record. We may use a cumulative approach, with a rising tariff for repeated fixed term exclusions, irrespective of the seriousness of the offence

Involving Parents:

□ Whenever the Headteacher excludes a student, the parent must be notified immediately, ideally by telephone followed up by a letter within one school day

□ The reintegration meeting with parents should be an opportunity to discuss how best the student can return to school.

□ If the school considers that parental influence could be better brought to bear in improving the behaviour of the student who has been excluded, they should consider whether it may be appropriate to offer a (voluntary) parenting contract

□ If a parent does not comply with an exclusion, the school should consider whether to contact the Education Welfare Service and seek the advice of the LA about available legal remedies

Procedures for reviewing exclusions:

Governing bodies must review all permanent exclusions from their school, and all fixed period exclusions that would result in a student being excluded for more than fifteen school days in any one term, or missing a public examination.

There is no legal requirement for the Head Teacher to inform the Governing Body of short fixed period exclusions (ie those of up to and including five school days in total in any one term) as they occur, with the exception of such an exclusion which would result in the pupil missing a public examination. At Ludlow Junior School exclusions will be reported to the governing body as part of the executive head teacher report. The chair of governors will be informed if an

individual pupil is reaching a particular exclusion threshold e.g. 5 days, 15 days or 45 days (as described in the guidance)

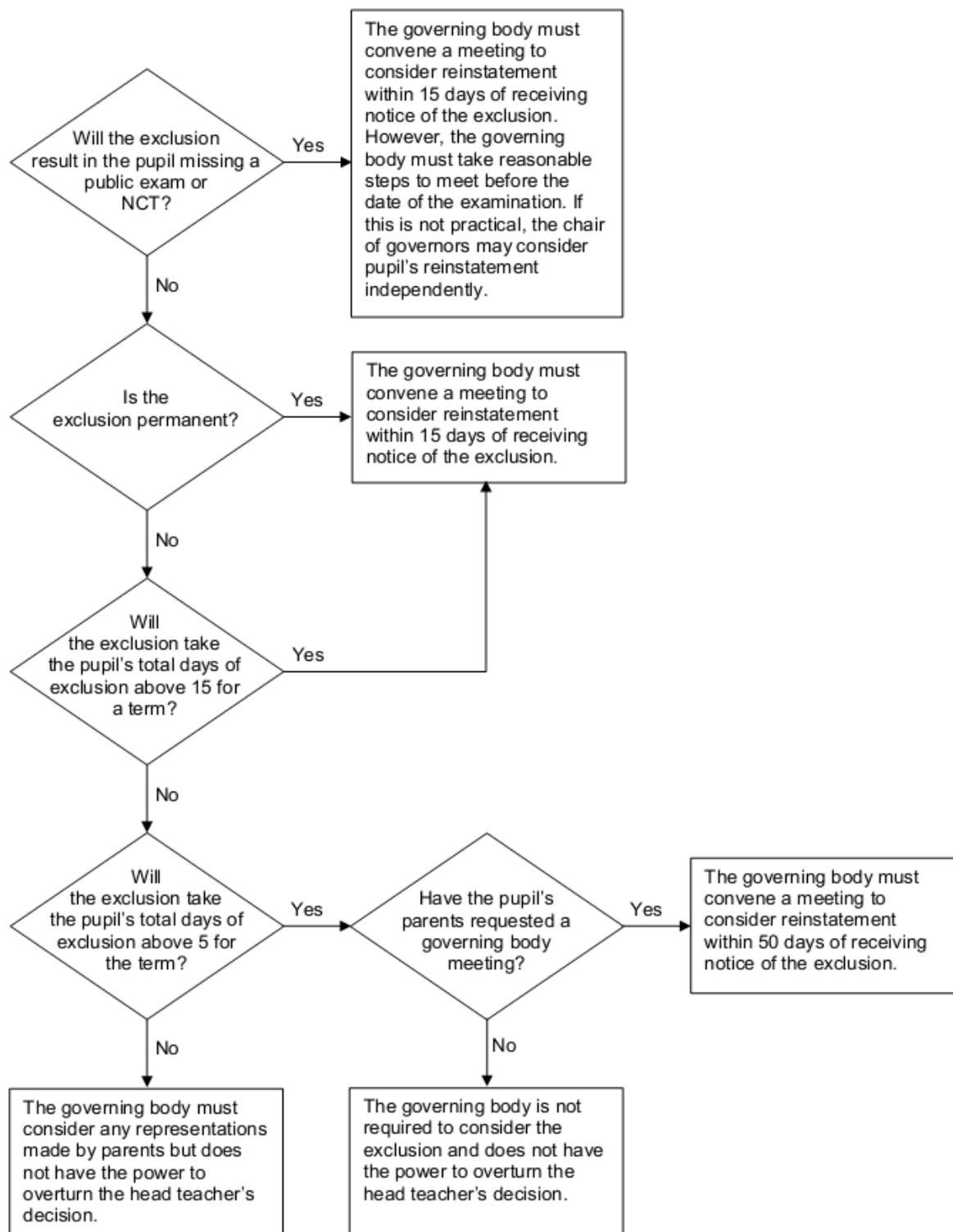
Procedure for Appeals:

Governing bodies must also review fixed period exclusions which would result in the student being excluded for more than five school days, but not more than fifteen school days in any one term, where the parent has expressed a wish to make representations. Where an exclusion takes a pupil over the 15 day threshold within any given term the governing body will convene a meeting as outlined within the guidance. Where an exclusion is permanent or results in the pupil missing a national curriculum test the governing body will convene a meeting as outlined within the guidance.

Where an independent appeal is warranted the panel will be convened as described within the guidance*.

*Exclusion from maintained schools, Academies and pupil referral units in England. A guide for those with legal responsibilities in relation to exclusion.

Annex A – A summary of the governing body’s duties to review the head teacher’s exclusion decision



The governing body may delegate its functions to consider an exclusion to a designated sub-committee. References to days mean 'school days'.