



Exclusion policy

Approved by: LGB

Date: November 2022

Last reviewed on:

Next review due by:

November 2024

1. Aims

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our school aims to:

- Ensure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents and pupils understand the exclusions process
- Ensure that pupils in school are safe and happy
- Ensure all suspensions and permanent exclusions are carried out lawfully

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement.](#)

It is based on the following legislation, which outlines schools' powers to exclude pupils:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)
- This policy complies with our funding agreement and articles of association.

3. Definitions

- Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.
- Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.
- Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behavior.
- Parent – any person who has parental responsibility and any person who has care of the child.
- Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

4. Our school ethos

St Mary's Catholic Primary School operates a comprehensive inclusive system where all children are welcome regardless of their race, religion, culture, sex, ability or disability, social background etc.

At St. Mary's we aim to include, not exclude wherever possible. We approach all challenging behaviour in a positive, supportive way (see Behaviour Policy). We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. St Mary's recognises that exclusions from the school community, whether fixed term or permanent, are damaging to a pupil's self-esteem. They diminish the sense of belonging to the community. As such, they are used sparingly and only as part of an overall behaviour strategy which seeks to develop a culture of inclusion, ownership of and responsibility for one's own behaviour.

The school seeks to avoid permanent exclusions. These take place only for very serious incident or when all other strategies have been tried and have failed over time. Fixed term exclusions are used when other strategies and sanctions have not been effective over time or when there has been a single clear and serious breach of discipline. For example, physical assault against a pupil or an adult and persistent disruption to lessons come within this category. The physical and emotional health of our children and staff is our primary concern.

5. Reasons for exclusion:

- Serious breach of the school's rules or policies;
- Risk of harm to the education or welfare of the pupil or others in the school.

Exclusion is an extreme sanction and is only administered by the Principal. It will generally be as a result of a serious outburst of aggression or abusive behaviour towards self, others or school property. However, there are cases when a child with specific behavioural needs has had a cumulative effect on the learning of others. In order to address these needs, and to ensure that the learning of the majority is protected, the school may have no other option but to exclude. At times the Principal will decide not to use the extreme sanction of an exclusion but will decide that a Pastoral Support Plan should be drawn up to try avoid the sanction of an exclusion in the future. This might be accompanied by an internal exclusion.

6. Different types of exclusion

Fixed term (Temporary) exclusion

A fixed term exclusion will be for the shortest time necessary. Persistent or cumulative problems Exclusion for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when the school had already offered and implemented a range of support and behaviour management strategies. Advice from the Preventing Primary exclusion team in Sandwell will be sought.

Single incident Temporary exclusion

This may be used in response to a serious breach of school rules and policies or a disciplinary offence. In such cases the Principal will investigate the incident thoroughly and consider all evidence to support the allegation, taking account of the school's policies. The pupil will be encouraged to give his/her version of events and the Principal will check whether the incident may have been provoked, for example by bullying or racial harassment. If necessary the Principal will consult the Chair of the Academy Committee.

What happens about the child's education during this period?

For the first 5 days of exclusion, the school is responsible for setting and marking work for the child to complete at home. It is the parents' responsibility to ensure work is completed at home and returned to the school. It is during these first 5 days that the parent must ensure that a child is not in a public place, without reasonable justification, during school hours, or they can be prosecuted. If the exclusion is for longer than 5 days, the school should make provision for the child's full time education from the 6th school day.

Extending a fixed term exclusion

Sometimes, following further information coming to light, a fixed term exclusion can be extended. If this happens, a letter must be sent to the parents stating the reasons and stating the right to make representations to, or request a meeting with the Academy committee.

Lunchtime exclusions

A child can be excluded at lunchtimes. Lunchtime exclusion is counted as a half day exclusion. If the lunchtime exclusions are continuous, the parent can make representations to the Academy Committee or request a meeting. Lunchtime exclusions should not happen for longer than a week. Children who are entitled to free school meals should still receive their entitlement, i.e. a packed lunch.

Permanent exclusion

A permanent exclusion is a very serious decision and the Principal will consult with the Chair of the Academy before enforcing it. As with a temporary 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 of school rules and policies or a disciplinary offence such as:

- Serious actual or threatened violence against another pupil or a member of staff;
- Possession or use of an illegal drug on school premises;
- Persistent bullying;
- Persistent racial harassment;
- Sexual harassment.

7. The decision to exclude

If the Principal decides to exclude a pupil she will:

- ensure that there is sufficient recorded evidence to support the decision;
- explain the decision to the pupil;
- contact the parents, explain the decision and ask that the child be collected;
- send a letter to the parents confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion;
- the length of the exclusion and any terms or conditions agreed for the pupil's return;
 - in cases of more than a day's exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked;
- plan how to address the pupil's needs and integration back into their class on his/her return;
- plan a meeting with parents and pupil on his/her return.

8. Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from school, or, in more severe circumstances the school may contact Social Services and/or the Police to safely take the pupil off site.

Behaviour outside school

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

Pupils with special educational needs and disabled pupils

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

9. Marking attendance registers following exclusion

When a pupil is excluded temporarily, he/she should be marked as absent using Code E.

10. Managed move

In cases where the Principal and parents agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parent has treated the school or members of its staff unreasonably, the Principal may require the parents to remove the pupil at the end of a term. This is not exclusion and in such cases the Principal may assist the parents in placing the pupil in another school.

11. Removal from the school for other reasons

The Principal may send a pupil home, after consultation with that pupil's parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time.

12. Procedure for appeal

If parents wish to appeal the decision to exclude, the matter will be referred to the Academy Committee.

13. Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions and managed moves

The data will be analysed yearly, or more frequently if necessary.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.