

*Part of the Slough and East Berkshire CofE Multi Academy  
Trust*

## **Lynch Hill School Primary Academy**

### **Exclusion Policy**

**'Learning Together'**  
**We Aspire Achieve Respect;**  
**We Aim High, Work Hard, Care Deeply**



Member of Staff Responsible	Mrs L. Tomlinson
Position	Headteacher
Dated	January 2016
Date of next review	January 2021

## Exclusion Policy

### Introduction

Good discipline is essential to ensure that all pupils can benefit from the opportunities provided by education. The school's behaviour policy outlines expectations and key strategies for promoting good behaviour. The Government supports headteachers in using exclusion as a sanction where it is warranted. However, exclusion should only be used as a last resort, in response to a serious breach, or persistent breaches, of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

This policy is implemented in line with guidance from Slough Borough Council (SBC) and the Department for Education (DfE).

Key Guidance and regulations:

- Exclusion from maintained schools, Academies and pupil referral units in England - A guide for those with legal responsibilities in relation to exclusion (DfE 2012)
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Slough Borough Schools Access Officer

### Principles

- Exclusion is a sanction used by the school only in cases deemed as serious breaches of the School Behaviour Policy. A student may be at risk of exclusion from school for:
  - Verbal or physical assault of a student or adult;
  - Persistent and repetitive disruption of lessons and other students' learning;
  - Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.
- A Fixed Term Exclusion from the school can only be authorised by the Executive Headteacher or Head of School / Deputy Headteacher acting on their behalf. If none are available to authorise the exclusion a decision should be deferred until the opportunity for authorisation is available.
- In the case of a Permanent Exclusion this can only be authorised by the Executive Headteacher and must only be done after consulting the Chair of Governors of the intention to impose this sanction, although the final decision rests with the Headteacher of the school.
- The school seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the school.
- The school regularly monitors the number of Fixed Term Exclusions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

### The Decision to Exclude

Exclusions will be used sparingly and only if there are serious breaches of the schools behaviour policy or civil law; or if allowing the pupil to remain in school would be seriously detrimental to the education or welfare of the pupil or others.

Parents will be notified as soon as possible of the decision to exclude a student and the reason for the exclusion. This will be done on the day of the exclusion being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion will be sent to parents the same day.

The Headteacher holds responsibility for taking the decision to permanently exclude a pupil. However in the absence of the Head teacher the Deputy or other senior teacher in charge may exclude a pupil for a fixed period.

A school will usually only permanently exclude a child as a last resort, after trying to improve the child's behaviour through other means. However, there are exceptional circumstances in which a headteacher may decide to permanently exclude a pupil because of ongoing issues or even for a 'one-off' incident.

In the case of a Permanent Exclusion parents will be notified by the Executive Headteacher in a face-to-face meeting.

The decision to exclude a pupil must be lawful, reasonable and fair. Care is taken not to discriminate against pupils on the basis of protected characteristics, such as disability or race. Particular consideration is given to the fair treatment of pupils from groups who are vulnerable to exclusion. A student who has been excluded will have the reason for his/her exclusion explained to them by a member of staff so that they understand the nature of their misbehaviour.

Exclusion will not be used for minor offences or as a punishment for non-attendance.

Fixed Period exclusions may not exceed 45 days in any one year; generally at Lynch Hill these will be around 1-3 days in length.

Persistent poor behaviour at lunchtime may result in a fixed period exclusion which covers the lunchtime break. This is subject to the normal rights of appeal.

The local authority must provide full-time education from the sixth day of exclusion if the exclusion is permanent. If the exclusion is for a fixed term, work will be provided by the school.

### **Procedures for Exclusion**

Following the decision to exclude a pupil, the Head teacher must:

- Inform the child's parents or guardians their child has been excluded, the type and length of the exclusion and the reasons for it.
- Inform the parents in writing of their right to appeal to the Governing Body and to ask for an independent review panel to meet (see Appendix A)
- Inform the Local Authority the same day, by e-mail, of the exclusion followed up by more detailed information within the next four days.
- Provide systems for work to be set for the child to undertake at home during a fixed exclusion
- Draw attention to sources of free and impartial information, as laid out in DfE Exclusion Guidance s4.2, para 36
- Details of procedures and timescales are given in Appendix B

## **Students Returning from a Fixed Term Exclusion**

All students returning from a Fixed Term Exclusion are required to attend a reintegration meeting, accompanied by a parent. This meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between student, parent and school.

## **Procedures for permanent exclusion: Action by the Governing Body**

The Governing Body will nominate a pool of three to five governors, none of whom may be a member of staff, to serve as the Discipline Committee as the need arises. A clerk to the Discipline Committee will also be nominated. The quorum for the Committee is three members.

If the parents give notice that they wish to make representations, the governing body should arrange a meeting to discuss the exclusion as soon as is practicable according to set criteria (see table below for details). The meeting should be arranged at a time and place convenient for the parents within reason. All efforts should be made to provide an environment which avoids intimidation and excessive formality. The governing body should advise parents and pupils that they may, if they wish, have someone of their own choice to accompany them and assist them at the meeting.

The meeting should serve for the purpose of enabling the parents to have their views heard and for the parents to hear the views of the school.

The decision of the meeting and the reason for the decision should be clearly communicated to the parents without delay.

## **Appeals**

All correspondence regarding an exclusion from the school will inform parents of their right to appeal to the Governing Body against the decision to exclude. This procedure is clearly set out in the statutory guidance. The person who should be contacted to initiate an appeal is the Clerk to the Governors.

## **Relationship to other school policies**

The Exclusion Policy should be read in tandem with the school's Behaviour Policy as well as other relevant school policies, particularly the Inclusion Policy, Special Educational Needs Policy and the Equality & Diversity Policy. It also has a close inter-relationship with the Anti-Bullying Policy and Attendance Policy.

## **Appendix A – example notification letter**

**From Headteacher (or Teacher in charge of an Education Centre) notifying parent of a fixed period exclusion of under 6 days in one term, and where a public examination is not missed.**

Dear [parent name]

**[child name and DOB]**

I am writing to inform you of my decision to exclude [child name] for a fixed period of [no. of days] days. This means that s/he will not be allowed in school for this period. The exclusion is with immediate effect.

[child name] has been excluded for this fixed period for [reason for exclusion] which is totally unacceptable.

You have the right to make representations to the Governing Body. If you wish to make representations please contact The Clerk to the Governors C/O Lynch Hill School, as soon as possible.

You have the right to see a copy of [child name] school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of these records. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

The school will set work for [child name] during the period of exclusion. Please ensure that the work set is completed and returned promptly for marking.

You may wish to contact our Family Support Advisor on 01753 524170 who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) – an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 0207 704 9822 or at [www.ace-ed.org.uk](http://www.ace-ed.org.uk). More advice can be sought from [Insert name of Schools Access Officer], Schools Access Officer, Slough Borough Council, [Insert phone number of Local Office]

The Coram Children's Legal Centre aims to provide free legal advice and information to parents on state education matters. Phone: 0808 802 0008. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January. <http://www.childrenslegalcentre.com>

Department for Education statutory guidance on exclusions 'Exclusions from maintained schools, Academies and pupil referral units in England' 2012.  
<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion/g00210521/statutory-guidance-regs-2012>

We expect [child name] to be back in school on [date]. It would be helpful for us to meet to discuss this exclusion on his return to school at [time and date]. Please could you contact me to confirm you will attend this meeting.

Yours sincerely

Mrs G Coffey OBE  
Executive Headteacher

c.c      Family Support Advisor  
            D Laflin – Chair of Governors

**Exclusions: procedures and timescales at a glance**

<b>Long fixed period exclusions 16-45 days in any one term, block or accumulated</b>
<ul style="list-style-type: none"> <li>• The school shall make available, suitable full time education from day 6.</li> <li>• Notification to parent/carer, GDC/MC, &amp; LA immediately.</li> <li>• GDC/MC to meet between 6 and 15 school days after the date of the receipt by the GDC/MC of exclusion.</li> <li>• Parents may make representation to the GDC/MC orally and/or in written form.</li> <li>• LA must be consulted in order to assess whether LA statement and/or attendance at the GDC is appropriate.</li> <li>• Full paperwork should be provided by the school to all the parties prior to the meeting (see Section D).</li> <li>• LA may provide a written statement to all parties where applicable</li> <li>• The exclusion must be used to plan for the child and a PSP should be put into place if not already initiated.</li> <li>• GDC/MC has the power to uphold, reinstate or mitigate the length of the exclusion (although time served will remain as served and a note will be placed on the pupil file).</li> <li>• A copy of the GDC decision letter should be sent to the LA</li> <li>• There are no rights of Independent Appeal although appeals could be made to the First Tier Tribunal where disability discrimination is alleged to have taken place (see DCSF Guidance para 68-72).</li> <li>• The headteacher must arrange a reintegration interview (applies to all schools)</li> </ul>

**GDC = Governors' Discipline Committee**

**MC = Management Committee**

### Exclusions: procedures and timescales at a glance

<b>Permanent exclusion</b>
<ul style="list-style-type: none"> <li>• The LA shall make available, suitable full time education from day 6.</li> <li>• Notification to parent/carer, GDC/MC, &amp; LA immediately.</li> <li>• DISCIPLINE COM'TEE to meet between 6 and 15 school days from the date of receipt by the DISCIPLINE COM'TEE of a notice of exclusion.</li> <li>• Parents may make representation to the DISCIPLINE COM'TEE orally and/or in written form.</li> <li>• The LA must be invited to the meeting at a time convenient to all parties.</li> <li>• Full paperwork should be provided by the school to all the parties <b>5 days</b> prior to the meeting (see Section D).</li> <li>• LA will provide a written statement to all parties.</li> <li>• DISCIPLINE COM'TEE has the power to uphold, or reinstate the pupil immediately or by a particular date. They should write to parents and LA informing them of their decision within one school day.</li> <li>• If reinstated, the exclusion remains on the pupil record as a matter of fact, but the reinstatement is added to the record.</li> <li>• Parents have the right to make an appeal to an Independent Appeals Panel (IAP) even if they do not attend the DISCIPLINE COM'TEE meeting and/or if they do not wish their child to be reinstated to the excluding school. They must do this within 15 school days after the receipt of notification of the GDC decision to uphold the permanent exclusion.</li> <li>• IAPs will also hear appeals against permanent exclusion where disability discrimination is alleged to have taken place (see DCSF Guidance para 68-72. The decision of the IAP is binding on all parties.</li> <li>• See the Introduction for "relevant date" and "when a pupil comes off roll". Schools will be notified by the LA.</li> </ul>

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