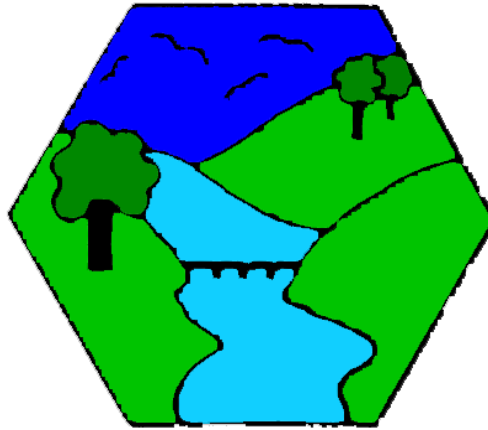


Exclusion of Pupils Policy



Last Review Date: May 2023

Ratified By Governors Date: May 2023

Next Review Date: May 2024

Equal opportunities lie at the heart of all that we do at By Brook Valley Primary CE School. We are committed to ensuring that every member of the school community is given the same chance as any other to access the services and support of the school.

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

This policy is designed to meet the needs of all pupils. The policy is designed to be child-centered and to make sure as far as is possible that pupils understand what is happening in their lives, why, and what options are available to them.

Roots to grow, wings to fly
"They will soar on wings like eagles" Isaiah 40:31

Our Vision

Roots to grow, wings to fly

“They will soar on wings like eagles.” Isaiah 40:31

At By Brook Valley we are committed to creating a positive, safe and caring Christian environment, where all members of the school and wider community will be respected and valued.

We support one another to put down strong roots within our distinctively Christian culture, growing from our core values of hope, honesty, forgiveness and friendship. In this way, we will each be the very best we can be.

This policy should be read and understood from this perspective.

Equality Impact Assessment (EIA) Part 1: EIA Screening

Policies, Procedures or Practices	Exclusion of Pupils	Date	April 2023
EIA CARRIED OUT BY:	F&E	EIA APPROVED BY:	FGB 11/05/23

Groups that may be affected:

Are there any concerns that the policy could have a different impact on any of the following groups? (please tick the relevant boxes)	Existing or potential adverse impact	Existing or potential for positive impact
Age (young people, the elderly: issues surrounding protection and welfare, recruitment, training, pay, promotion)		
Disability (physical and mental disability, learning difficulties; issues surrounding access to buildings, curriculum and communication).		Special arrangements in place for children with specific needs
Gender Reassignment (transsexual)		
Marriage and civil partnership		
Pregnancy and maternity		
Racial Groups (consider: language, culture, ethnicity including gypsy/traveller groups and asylum seekers)	Potential disadvantage for traveller groups	
Religion or belief (practices of worship, religious or cultural observance, including non-belief)		

Gender (male, female)		
Sexual orientation (gay, lesbian, bisexual; actual or perceived)		
Any adverse impacts are explored in a Full Impact Assessment		

This policy has been written in line with the DfE Statutory guidance for those with legal responsibilities in relation to exclusion updated September 2022 and should be read in conjunction with this.

Rationale

This policy deals with the policy and practice which informs the School's use of exclusion. It is underpinned by the shared commitment of all members of the school community to achieve the following aims:

1. To ensure the safety and well-being of all members of the school community and maintain an appropriate education environment in which we can all learn and succeed.
2. To aim to reduce the need to use exclusion as a sanction.

Introduction

The decision to exclude a pupil will be taken in the following circumstances:-

1. In response to a serious breach of the School's Behaviour Policy
2. If allowing a pupil to remain in school would seriously harm the education or welfare of the pupils or others in the school.

Exclusion is an extreme sanction and this must be on disciplinary grounds. It will only be administered by the Headteacher or, if the Head is absent, by the Deputy Head.

The Head teacher will take into account their legal duty of care when sending a pupil home following an exclusion.

Exclusion, whether fixed term or permanent, may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the School's Behaviour Management Policy:

- Verbal abuse to pupils, staff or others
- Physical abuse to/attacks on staff
- Physical abuse to / attacks on pupils
- Indecent behaviour
- Deliberate damage to property
- Misuse (in the reasonable opinion of the Headteacher) of drugs and/or other substances
- Theft

- Serious actual or threatened violence against another pupil or member of staff
- Sexual abuse or assault
- Possessing and/or supplying drugs and/or other substances
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which the school sanctions and other interventions have not been successful in modifying the pupil's behaviour (e.g. persistent bullying, racism)

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is the appropriate sanction.

The behaviour of a pupil outside school can be considered grounds for an exclusion.

Exclusion of pupils with disproportionately high rates of exclusion (DfE guidance 2022 section 52)

The Head teacher will consider early intervention to identify and address the needs of pupils from this group in order to reduce their risk of exclusion. The school will seek support from education services, other professionals and/or engaging with members of the pupil's family

Exclusion of pupils with Education, Health and Care plans (EHC plans) and looked after children (DfE guidance 2022 section 53-61)

The head teacher and governing board must comply with the statutory duties in relation to SEN when administering the exclusion process. This includes having regards to the SEND Code of Practice.

The head teacher will, as far as possible, avoid permanently excluding any pupil with an EHC plan or a looked after child.

The school will engage proactively with parents in supporting pupils with additional needs.

Where the school has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a pupil with an EHC plan or a looked after child, it will, in partnership with others, consider what additional support or alternative placement may be required.

The Head teacher's duty to inform parties about an exclusion

Whenever the head teacher excludes a pupil they must, without delay, notify parents of the period of the exclusion and the reason(s) for it. The parent will be asked to collect their child immediately. A letter is sent, in the post, giving details of the exclusion. Parents have the right to make representation to the governors and details of how to do this will be included in the letter. *(DfE guidance 2022 part 5)*

The head teacher must, without delay, notify the governing board and the local authority *(DfE guidance 2022 part 5)*

Fixed Term Exclusion Procedure

Most exclusions are of a fixed term nature and are short in duration (1-3 days). The DfE regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in a single academic school year. A fixed- period exclusion does not have to be for a continuous period. A fixed- term exclusion can also be for just parts of a school day. For example, if a pupil's behaviour at lunchtime, they may be excluded from the school premises for the duration of the lunchtime period.

A return to school meeting will be held following the expiry of the fixed term exclusion and this will involve the Head teacher and/ or the Deputy Head teacher and other staff where appropriate.

If the fixed term exclusion is greater than five days or an accumulation of exclusions exceeds five days, a Pastoral Support Plan will be drawn up. This needs to be agreed between the school, pupil and parents.

During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, and that the day time supervision is their responsibility as parents/guardians.

Permanent Exclusions

The decision to exclude a pupil permanently is a serious one. A decision to exclude a pupil permanently should only be taken:

- 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 school

This would include persistent and defiant misbehaviour including bullying (including racist or homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.

Permanent exclusion is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been implemented without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort.

1. Where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil 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 and/or other substance
 - Carrying an offensive weapon (Prevention of Crime Act 1953 – “any article made or adapted for causing injury to a person; or intended by the person having it with him for such use by him”).
 - Arson

The school will consider police involvement for any of the above offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline, safety and well-being of the school.

2. We believe that God’s grace and forgiveness are infinite, and in line with our Christian culture and ethos in the right to make a fresh start the school will support the pupil and his/her family in applying for a place in another school through the Fair Access Protocol.

General Factors the school considers before making a decision to exclude

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed term the Head will:

- Ensure appropriate investigations are carried out
- Consider all the evidence available to support the allegations taking into account the Behaviour Policy and Single Equalities Policy.
- Allow the pupil to give his/her version of events
- Check whether the incident may have been provoked eg by bullying, racial or sexual harassment.

If the Head is satisfied that on balance of probabilities the pupil did what he/she is alleged to have done, exclusion will be the outcome.

The role of the Governing body. The Governing body will take into account their duties outlined in the *DfE guidance 2022*

Monitoring

The Foundation and Ethos Governors committee will monitor this policy annually through reviewing the number of exclusions and checking that the policy and procedures have been accurately followed when exclusion has been deemed necessary.

Owner	JC
Governing Committee	Foundation & Ethos
Statutory Policy	Yes (behaviour)
Approved on	11.05.23
Date of next review	May 2024
Adoption by Academy Board required	Yes
Date adopted by Academy Board	11.05.23