

## EXCLUSIONS STATEMENT

It is an established fact that good discipline in school is essential to ensure that all pupils receive a high quality of education at Dean Trust Ardwick. The Government supports head teachers in using exclusion as a sanction where it is warranted. The decision to exclude a pupil is never taken lightly, whether it be a fixed- term exclusion (i.e. for a limited period of time) or a permanent exclusion. It is our most serious sanction and issued to pupils for serious breach of the behaviour policy.

Pupils may be excluded for disciplinary reasons, within the school day, including lunchtimes, or after school. Pupils are clearly informed about the expectations of following the School Code of Conduct and upholding the school's reputation outside school hours. We shall never 'send pupils home' or allow a 'cool-off' period at home as an alternative to exclusion, even with parental consent; sending home for disciplinary purposes will only be as a result of an exclusion and recorded as such.

All exclusions are the result of a thorough investigation, which includes gaining accounts from all parties involved. Sometimes the evidence is clear, and at other times conclusions are less clear, in which case the Headteacher must make a decision based on the 'balance of probability'. However it must be remembered that we not a court of law, but do our utmost to ensure an accurate judgement is made. At all times we act reasonably, fairly and consistently, with careful consideration given to groups of pupils who are vulnerable to exclusion and never discriminate based on protected characteristics; we consider the context of the incident, the profile of the pupil, any contributing factors or personal circumstances.

In accordance with the Equality Act 2010, we are aware that pupils with an EHC plan are especially vulnerable to the impact an exclusion can have, and therefore we ensure to make reasonable adjustments to disciplinary procedures if needed e.g. taking into account behaviour that is a direct case of a pupil's disability; making reasonable adjustments to manage such behaviour; considering alternative and more appropriate sanctions; ensuring the disabled pupil is able to present their case in full.

We always take care to consider if there are any safeguarding concerns before we take the decision to exclude a pupil, and we are also aware that excludable behaviour may occur as a result of safeguarding issues; if excluding a pupil could put his/ her safety at risk we shall always consider alternatives to exclusion.

We do everything possible to ensure that children who are looked after are never permanently excluded and that fixed term exclusions are avoided as much as possible through working together with all parties through the Personal Education Planning (PEP) process to develop and implement flexible and workable approaches to address any difficulties.

## **What happens when a pupil is excluded**

We will let parents know about an exclusion as soon as possible after the decision has been made, and always on the same day. A senior member of staff will try to contact parents by phone and this will be followed up with a letter stating how long the pupil is excluded for and why, and the date of the reintegration meeting. The letter will also contain details of how to challenge the exclusion if parents so wish.

Exclusions can start on the same day but we take into consideration the fact that parents may not always be able to come to school to collect their child immediately.

## **Risk of prosecution if child is found in public place**

For the first 5 school days of an exclusion, parents must take responsibility to make sure their child is not in a public place during normal school hours unless there is a good reason. Failure to do so is likely to result in prosecution.

## **Types of exclusion**

There are two kinds of exclusion: fixed period (suspended) and permanent (expelled).

### *Fixed period exclusion*

A fixed period exclusion is when a pupil is temporarily removed from school. Pupils can only be removed for up to 45 school days in one school year, even if they have changed school.

Any pupil serving a fixed term exclusion will be set work, which will be marked upon return. At Dean Trust Ardwick, work is set for all exclusions, including a half day.

If the exclusion is longer than 5 school days, the school must arrange suitable full-time education from the sixth school day, most likely in another neighbouring school or Pupil Referral Unit. If alternative education is not arranged within 5 days, or parents are not happy with the education, a complaint should be made to the school following the school's complaints policy on the website. If parents remain dissatisfied with the school's response after following the complaints policy, parents can complain to the Department for Education.

In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion.

On the day the pupil is expected to return to school following the exclusion, parents should accompany their child to school for a 'reintegration' meeting with a member of the senior leadership team. The purpose of the meeting is to agree how to move forward from the exclusion to avoid recurrence. We want to give pupils every opportunity to succeed, therefore it is likely that pupils will be expected to engage in a post-exclusion support programme before full reintegration into the normal school curriculum.

Where a fixed term exclusion would bring the total number of days' exclusion to 15 or more in one term, the governors will decide whether or not to reinstate the pupil.

When a fixed term exclusion would bring the total number of days' exclusion to more than 5 days but less than 15 in a single term, governors must consider reinstating the pupil within 50 days of the start of the exclusion, if parents request.

### **Permanent exclusion**

Any pupil for whom the Headteacher is considering this action will have opportunity to present their case fully before the decision is taken to exclude. In instances of persistent breaches of the school's behaviour policy over a period of time, the decision to permanently exclude will be made after all other possible preventative strategies have been exhausted.

Permanent exclusion means a pupil is expelled. This only occurs in exceptional circumstances:

- In response to a serious breach of the school's behaviour policy.
- In response to persistent breaches of the school's behaviour policy and / or persistent disruptive behaviour, where the school has exhausted all strategies to support the pupil through other preventative means and
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or others in the school.

As with fixed term exclusions, parents will be notified as soon as possible. The Local Authority (in which the pupil resides) must arrange full-time education from the sixth school day following the exclusion. Parents will be informed about the arrangements and it is parents' responsibility to ensure their child attends the provision made. If alternative education is not arranged within 5 days, or parents are not happy with the education, a complaint should be made to the Local Authority. If parents remain dissatisfied with the Local Authority's response after following their complaints policy, parents can complain to the Department for Education.

The governing body must consider the reinstatement of an excluded pupil within 15 school days; parents and pupil will be invited to attend a meeting with the governors' pupil disciplinary panel at which the decision will be made whether to reinstate the pupil or not.

Governors must also consider reinstatement of an excluded pupil if it would result in a pupil missing a public examination.

If parents dispute the governors' decision to permanently exclude, they may request the decision to be reviewed by an Independent Review Panel (IRP), or where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent exclusion, parents can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination).

The Headteacher must remove a pupil's name from the school admissions register if:

- 15 school days have passed since the parents were notified of the governing body's decision to uphold a permanent exclusion and no application has been made for an independent review panel; or
- the parents have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review panel has been made within 15 school days, the Headteacher must wait until the review has been determined, or abandoned, before removing a pupil's name from the register.