



**St Bonaventure's Catholic Primary School  
Egerton Road,  
Bishopston  
Bristol,  
BS7 8HP**

## **EXCLUSIONS**

### **POLICY**

<b>Policy Owner</b>	Headteacher
<b>Governing Body Committee</b>	
<b>Version no.</b>	
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This policy is available at:

<http://www.st-bonaventures.bristol.sch.uk/web/policies/270975>

## **Vision statement**

At St. Bonaventure's Catholic Primary school, we strive to be the best we can; guided by the light of Christ. Our children have open hearts and minds, a sense of awe and wonder and a love for each other, themselves and God. Any decision to exclude a pupil will always be a last resort. We see behaviour as a form of communication and would always work with the child and parents to identify support and reasons for extreme behaviours.

## **Aims**

Our school aims to ensure that:

- Pupils in school are safe and happy.
- All pupils are supported to understand and follow the school's rules as stated in the schools Relationship and Behaviour Policy.
- The exclusions process is understood by governors, staff, parents and pupils.
- The exclusions process is applied fairly and consistently.

## **Extreme Behaviours**

Some children exhibit extreme behaviours based on early childhood experiences and family circumstances. As a school, we recognise that their behaviour is their way of communicating their emotions. We also understand that for many children they need to feel a level of safety before they exhibit extreme behaviours. Where possible, we use our most skillful staff to build relationships with each individual child. Therefore, some pupils might have individual risk assessments or behaviour support plans that detail additional support, strategies and expectations.

When dealing with an episode of extreme behaviour, a child may need to be positively handled if they or another person is unsafe. This will only be used as a last resort and by experienced, trained staff only. The school will record all incidents of extreme behaviour on CPOMS and all incidents where a child is handled positively.

## **The decision to exclude**

Exclusion is an extreme step and what is best for the child will be at the heart of every decision.

Only the headteacher, or acting headteacher, can exclude a pupil from school. Exclusion could be for a fixed period or permanently. In the case of a permanent exclusion, this will be taken as a last resort.

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

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour and relationship policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of others.

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has special educational needs (SEN)

## **Roles and responsibilities**

### **The headteacher:**

#### **Informing parents**

The headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the exclusion.
- The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent.
- Information about parents' right to make representations about the exclusion to the governing board and how the pupil may be involved in this.
- How any representations should be made.
- Where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend.

The headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a

good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

### **Alternative provision**

See appendix 1 for information about alternative provision.

### **Informing the governing board and local authority**

The headteacher will immediately notify the governing board and the local authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is followed by a decision to permanently exclude a pupil.
- Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term.
- Exclusions which would result in the pupil missing a public examination.

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

For all other exclusions, the headteacher will notify the governing board and LA once a term.

### **The governing body:**

Responsibilities regarding exclusions are delegated to the FPP (Finance, People & Premises) committee of the governing body consisting of at least 3 governors.

The FPP committee has a duty to consider the reinstatement of an excluded pupil.

### **The Local Authority:**

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

### **The reinstatement of a pupil**

See appendix 2 for information about the reinstatement of a pupil.

### **Independent reviews**

See appendix 3 for information about independent reviews.

## **School register**

See appendix 4 for information about school registers

## **Returning from a fixed-term exclusion**

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a pupil returns from a fixed-term exclusion:

- Agreeing a behaviour contract
- Internal isolation

## **Monitoring arrangements**

The school's senior leadership team will monitor the effectiveness of the policy at least once a year and report back to the FPP committee of the governing body.

The senior leadership team will also monitor the visible consistencies around the school and the use of language and personal follow-up. Records will be kept by the senior leadership team in order to monitor and evaluate any changes brought about by the policy.

The headteacher monitors the number of exclusions every term. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

This policy will be formally reviewed annually. At every review, the policy will be approved by the FPP committee and shared with the FGB of the governing body.

## **Links with other policies**

This exclusions policy is linked to the following school policies:

- Relationship and Behaviour policy
- Positive Handling policy
- SEN policy
- Anti-bullying policy

## **Appendix 1**

### **Alternative provision**

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

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## **Appendix 2- The reinstatement of a pupil**

The FPP committee of the governing body will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent.
- It is a fixed-term exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term.

- It would result in a pupil missing a public examination or national curriculum test.

If requested to do so by parents, the FPP committee of the governing body will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.

Where an exclusion would result in a pupil missing a public examination, the FPP committee of the governing body will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the chair of the governing board (or the vice-chair where the chair is unable to make this consideration) will consider the exclusion independently and decide whether or not to reinstate the pupil.

The FPP committee of the governing body can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the FPP committee of the governing body will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The FPP committee of the governing body will notify, in writing, the headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the FPP committee of the governing body decision will also include the following:

1. The fact that it is permanent
2. Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
  - The date by which an application for an independent review must be made.
  - The name and address to whom an application for a review should be submitted.
  - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion.

- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the local authority to appoint an SEN expert to attend the review.
  - Details of the role of the SEN expert and that there would be no cost to parents for this appointment.
  - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review.
  - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.
3. That if parents believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

### **Appendix 3**

#### **An independent review**

If parents apply for an independent review, the local authority will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the FPP committee of the governing body of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the headteacher category.

1. A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
2. School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
3. Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

4. Are a member of the local authority, or governing board of the excluding school



5. Are the headteacher of the excluding school, or have held this position in the last 5 years
6. Are an employee of the local authority or the governing board, of the excluding school (unless they are employed as a headteacher at another school)
7. Have, or at any time have had, any connection with the local authority school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
8. Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

9. Uphold the governing board's decision
10. Recommend that the governing board reconsiders reinstatement
11. Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

## **Appendix 4**

### **School registers**

A pupil's name will be removed from the school admissions register if:

1. 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
2. The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.