

# Ings Primary School



*active minds, active bodies, active souls*

## **Exclusions Policy**

Policy prepared by	Sharon Chadburn
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Mission Statement  
**An Active 3-D Education**  
*active minds, active bodies, active souls*

At Ings Primary School we believe that a child's early education is formative and enduring. The lessons we teach give the knowledge, skills, beliefs and attitudes that inform future choices and life's direction. They enable children to begin to discover who they are and what their place in a rapidly changing world might be. Our work is to provide children with a caring and safe environment in which to discover the adventure that is life.

We make it our mission to enable children to be successful and active participants in their own future, active participants in the futures of their friends, families and local community and active participants in the future of the world that they will inherit from us.

We make it our mission to enable children to be active participants by delivering a "3-D Education". We believe that such an education will lead to the highest possible academic standards and provide relevant opportunities to learn that will increase the life chances of all our pupils.

First Dimension: Active and healthy minds. We will promote the development of an intellectual ability, giving opportunities to be inquisitive, enquiring, enterprising, reasoning and ambitious.

Second Dimension: Active and healthy bodies. We will promote the development of physical ability, giving opportunities to take part in sport, competition, growing activities, cooking and making things.

Third Dimension: Active and healthy souls. We will promote the development of the soul's aesthetic ability, giving opportunities for each child to engage in the arts, culture, democracy and to develop a deep understanding of being a citizen of the UK and the world.

We will deliver our mission by teaching the Statutory Framework for the Early Years Foundation Stage and the National Curriculum as our core curriculum, and we will augment it with the four strands of the Open Futures approach;

Ask It – philosophical enquiry

Grow It – growing healthy food and a healthy natural environment

Cook It – creating healthy and nutritious meals

Film It – communicating in a digital age

## **Rationale**

Ings Primary School is an inclusive school, committed in policy and practice to the recognition of the equal value of each member of the community and to equality of opportunity for all. Ings Primary School believes that good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education.

At Ings Primary School we have regard to the Local Authority Guidance when making decisions on exclusion and administering the exclusion procedure. This means that, whilst the guidance does not have the force of statute, there is an expectation that it will be followed unless there is good reason to depart from it. The guidance is not exhaustive and judgements will need to take account of the circumstances of individual cases.

## **Aims**

To ensure the safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed;  
reducing the need to use exclusion as a sanction.

## **Implementation of Policy**

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Head, the Deputy Head who is acting in that role).

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

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

## **There are three types of exclusion that Ings Primary School may use:**

- Permanent – The pupil will not return to the school.
- Fixed term – This is a temporary exclusion of between 1 and 45 school days in length. No pupil may be excluded for more than a total of 45 school days in any one academic year.
- Lunchtime – This is a form of fixed-term exclusion where the pupil is excluded from the school premises for one or more lunchtimes.

At Ings Primary School 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 Behaviour Policy;

- Verbal abuse to Staff and others.
- Verbal abuse to students.
- Physical abuse/attack on Staff.
- Physical abuse /attack on students.
- Indecent behaviour.
- Damage to property.
- Misuse of illegal drugs.
- Misuse of other substances.
- Theft.
- Serious actual or threatened violence against another student or a member of staff.
- Sexual abuse or assault.
- Supplying an illegal drug.
- Carrying an offensive weapon.
- Arson.
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the student's behaviour.
- Verbal or physical abuse of other pupils or school staff.
- Aggression towards other pupils leading to the possibility of physical or emotional harm.
- Indecent behavior.

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

## **Decision**

A decision to exclude will not be taken in the heat of the moment, unless there is an immediate threat to the safety of others in the school or the pupil themselves. Before reaching a decision as to whether to exclude, the Headteacher will:

- Ensure that a thorough investigation has been carried out.
- Consider all the evidence available to support the allegations, taking into account the school's behaviour and equal opportunities policies, and where applicable the Race Relations Act 1976 as amended and the Disability Discrimination Act 1995 as amended.
- Be satisfied that, on the balance of probabilities, the pupil did what he/she is alleged to have done.
- Allow and encourage the pupil to give their version of events.

- Check whether an incident may have been provoked, for example by bullying (including homophobic bullying) or by racial/sexual harassment.
- Consult others if necessary (being careful not to involve anyone who may later take part in the statutory review of their decision e.g. a member of the Governors' Review Meeting).
- Keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the pupil concerned. Witness statements must be dated and should be signed, wherever possible.

## **Notification of Parents**

- Whenever the Headteacher excludes a pupil, the parent will be notified immediately, ideally by telephone followed up by a letter on or within one school day.
- In order that the parent can comply with the regulations regarding days 1 to 5 of exclusion, the school will also immediately inform the parent that the pupil is not to be in a public place without reasonable justification.

Written notification will include:

- The reasons for the exclusion.
- The period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent.
- The parents' right to make representations about the exclusion to the governing body and how the pupil may be involved in this.
- How any representations should be made; and where there is a legal requirement for the governing body to consider the exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.

## **Notification of Governors**

- The Headteacher will inform the Governors and the Local Authority of any fixed term exclusion of more than 5 days and any permanent exclusion within one day.
- Any fixed term exclusion of 5 days or less including lunchtime exclusions will be communicated as soon as possible.

Headteachers must notify Governors immediately of the following:

- A permanent exclusion (including where a fixed period exclusion is made permanent).

- Exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term.
- Exclusions which would result in the pupil missing a public examination or national curriculum test.

## **Confidentiality**

All exclusion cases will be treated in the strictest confidence, only those who need to know the details will be informed of them.

## **Work**

For exclusions of up to 5 days the school will supply homework for the child to do to ensure he/she continues with their education.

## **Parents' rights to appeal exclusion**

### **Governors**

- If the exclusion is 15 days or less in any one term, parents may contact the Governing Body and ask for a governor's review meeting to be held. The Governors will hold a meeting if the exclusion is more than 5 days but less than 15 in any one term.
- For shorter exclusions it is left to the governor's discretion to decide whether to hold the meeting.
- If requested to do so by the parents, the governing body must consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if a pupil would be excluded from school for more than five school days, but not more than 15, in a single term.

At Ings Primary School when the governing body is legally required to consider the decision of a Headteacher to exclude a pupil they will:

- Not discuss the exclusion with any party outside of the meeting.
- Ask for any written evidence in advance of the meeting (including witness statements and other relevant information held by the school, such as those relating to a pupil's SEN).
- Where possible, circulate any written evidence and information, including a list of those who will be present, to all parties at least five school days in advance of the meeting.
- Allow parents and pupils to be accompanied by a friend or representative (where a pupil under 18 is to be invited as a witness, the governing body should first seek parental consent and invite the parents to accompany their child to the meeting).

- Have regard to their duty to make reasonable adjustments for people who use the school and consider what reasonable adjustments should be made to support the attendance and contribution of parties at the meeting (for example where a parent or pupil has a disability in relation to mobility or communication that impacts upon their ability to attend the meeting or to make representations).
- Identify the steps they will take to enable and encourage the excluded pupil to attend the meeting and speak on his/her own behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil's age and understanding; or how the excluded pupil may feed in his/her views by other means if attending the exclusion meeting is not possible.

At Ings Primary School where the governing body is legally required to consider an exclusion they must consider the interests and circumstances of the excluded pupil, including the circumstances in which the pupil was excluded, and have regard to the interests of other pupils and people working at the school.

The governing body can either:

- Uphold an exclusion  
or
- Direct the reinstatement of the pupil immediately or on a particular date.

At Ings Primary School the governing body will notify parents, the Headteacher and the local authority of their decision, and the reasons for their decision, in writing by as soon as possible.

In the case of a permanent exclusion the governing body's notification must also include the information below:

- The fact that it is permanent.
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel.
- The date by which an application for a review must be made (i.e. 15 school days from the date on which notice in writing of the governing body's decision was given to parents).
- The name and address to whom an application for a review (and any written evidence) should be submitted.
- That any application should set out the grounds on which it is being made and that, where appropriate, this should include a reference to how the pupil's special educational needs are considered to be relevant to the exclusion.

- That, regardless of whether the excluded pupil has recognised special educational needs, 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 a SEN expert to be appointed in any application for a review; and that parents may, at their own expense, appoint someone to make written and/or oral representations to the panel and that parents may also bring a friend to the review.
- That, in addition to the right to apply for an independent review panel, if parents believe that the exclusion has occurred as a result of discrimination then 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.
- That a claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place, e.g. the day on which the pupil was excluded.

### **Independent Review Panel – Local Authority**

- Parents may, within the legal time frame and at their own expense, arrange for an independent review panel hearing to review the decision of a governing body not to reinstate a permanently excluded pupil.
- Where requested by a parent, an SEN expert will need to be appointed by the local authority or academy trust to advise the independent review panel.

The legal time frame for an application is:

- Within 15 school days of notice being given to the parents by the governing body of their decision to uphold a permanent exclusion (in accordance with the requirements in paragraph 74)
- or
- Where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion.
- The independent review panel will be able to uphold the decision to permanently exclude a pupil; recommend that the governing body reconsider its decision; or direct the governing body to reconsider its decision. A direction to reconsider will be limited to circumstances where a panel decides that the school has acted illegally, irrationally or where there are significant flaws in procedure.

- Where the panel directs or recommends that the governing body reconsiders their decision, the governing body must reconvene to do so within 10 school days of being given notice of the panel's decision.
- The Governing Body at Ings Primary School will perform the key role of determining whether an excluded pupil should be reinstated. This will involve reviewing the decision of the Headteacher and considering the outcome of any independent review panel hearing.

### **Reintegration Meeting**

- The school will arrange a reintegration meeting with the parent(s) during or following the expiry of any fixed-term exclusion. The pupil will be expected to attend all or part of the meeting.
- The purpose of the reintegration meeting is to assist the reintegration of the pupil and promote the improvement of his or her behaviour.

### **Disability Equality Impact Assessment**

This policy has been written with reference to and in consideration of the school's Disability Equality Scheme. Assessment will include consideration of issues identified by the involvement of disabled children, staff and parents and any information the school holds on disabled children, staff and parents.

**Any questions or concerns regarding this policy should be made to:**  
***admin@ings.hull.sch.uk***