

Foreland Fields School

Exclusions Policy



Governing Body Approval and Categories

Date of Last Review / Scrutiny	18 th January 2021
Date (Month / Year) of Next Review /Scrutiny	18 th January 2022
Date Policy was Ratified	24 th March 2021
Category of the Policy	Teaching and Learning
Named Lead for Writing the Policy	Headteacher
Named Governor for Scrutiny	Chair of Governors
Approval Body	Full Governing Body
Display on Main Web Site	Yes
NOTE: IF THIS POLICY HAS BEEN SCRUTINISED BY A DIFFERENT LEAD GOVERNOR OR BEEN RATIFIED BY A DIFFERENT GOVERNING TEAM PLEASE STATE WHICH TEAM	-
Signed – Chair of Governors 	Date 26-3-21

United Nations Convention on the Rights of the Child

Foreland Fields School is a Rights Respecting School thereby this policy ensures that the following rights are acknowledged:



- Article 3 (Best interests of the child). The best interests of the child must be a top priority in all decisions and actions that affect children.
- Article 5 (Parental guidance and a child's evolving capacities). Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child's increasing capacity to make their own choices.
- Article 12 (Respect for the views of the child). Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.
- Article 23 (Children with a disability). A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community.
- Article 28 (Right to education). Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child.

Signed (Chair of Governors):



Date:

26-3-21

Foreland Fields School

Exclusions Policy

Introduction

A decision to exclude a pupil, either for a fixed period or permanently, is seen as a last resort by the school while always bearing in mind our duty of care to pupils and staff.

The school is responsible for communicating to pupils, parents and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct:

- Positive Behaviour Policy
- Staff Behaviour Policy (Staff Code of Conduct)
- Attendance Policy
- Complaints Policy and Procedure
- Special Educational Needs and Disability Policy

Where reasonable adjustments have been made to accommodate a pupil's needs and to avoid the necessity for exclusion as far as possible, exclusion may be justified, if there is a material and substantial reason for it. A specific incident affecting order and discipline in the school may be such a reason.

No exclusion will be initiated without having first exhausted other strategies or, in the case of a serious single incident, a thorough investigation.

Reasons for exclusion:

- Serious breach of the school's rules or policies
- Risk of harm to the education or welfare of the pupil or others in the school

Who Can Exclude

Only the Headteacher can exclude a pupil from school. A permanent exclusion will be taken only as a last resort.

Pupils with Special Educational Needs

All pupils who attend Foreland Fields School have an Education, Health and Care Plan. Schools have a legal duty under the Equality Act 2010, not to discriminate against disabled pupils by excluding them from school because of their disability. The Disability Rights Commission has published a Code of Practice, which explains and illustrates the school's duties to disabled pupils, including in relation to exclusions.



Action to Prevent Exclusion

There are proven strategies used by many schools to prevent and reduce the use of exclusion. Foreland Fields School will take action to prevent exclusion including looking at staffing, training staff in specific approaches, meeting with parents and initiating behaviour support plans.

Pastoral Support Programme/Plan

A Pastoral Support Programme (PSP) is a school-based intervention that is designed to support young people who are at risk of permanent exclusion, or who are at risk of becoming disaffected through repeated fixed-term exclusion. It is part of a continuum of provision for pupils with behaviour, emotional or social difficulties.

The PSP is designed to bring together views and solutions from a variety of perspectives. It is a multi-agency meeting with a focus on the needs of the pupil. It includes the views of parents or carers, the pupil, the school and other services involved with the pupil. The PSP is an outcome driven plan with targets set for the pupil, the school, the family and other agencies involved in supporting change.

A PSP:

- is school based
- is time-limited
- has smart targets with practical strategies
- is overseen by a school leader e.g. Headteacher or Deputy Headteacher
- follows a standard format so involves minimum administration
- includes the views of the young person and their family

The reviewing process takes place every three to four weeks and targets are amended and developed in response to pupil progress.

Fixed Term Exclusion

A fixed term exclusion will be used for the shortest time necessary to secure benefits without adverse educational consequences. The school is empowered to operate a fixed-term exclusion for a period of up to 45 days in any one school year. Where exclusions exceed 1 day then work will be provided for the child to complete at home.

Although the law allows for a Headteacher to exclude a pupil for up to 45 days in a school year, exclusions should be for the shortest time necessary.

Where it is clear that fixed-term exclusions are not being effective in deterring poor behaviour, for example if they are being repeatedly imposed on a pupil in response to the same behaviour, the school will consider alternative strategies for addressing that behaviour.

Days 1 to 5

The school will ensure that parents are fully informed of their duties in the first five days of exclusion.



During the initial period of up to five school days, the parents of the excluded pupil must ensure that he or she is not present in a public place during normal school hours without reasonable justification.

The school will ensure that work is set for the pupil to complete during the first five school days of exclusion and that it is marked, unless during that time the pupil will be attending alternative provision

Day 6

Where a pupil is given a fixed-term exclusion of six school days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day of the exclusion.

Permanent Exclusion

Permanent exclusion will only be used as a final step when a wide range of other strategies have been tried and failed. It is an acknowledgement by the school that, if a permanent exclusion were being considered, it has exhausted all available strategies for dealing with the child.

There may be exceptional circumstances where, in the Headteacher's judgement, it is appropriate to permanently exclude a child 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.
- Carrying an offensive weapon.

The school will consider whether or not to inform the police where such a criminal offence has taken place. These instances are not exhaustive but indicate the severity of such offences and the fact that behaviour can affect the discipline and wellbeing of the school community.

The Local Authority will be informed of the exclusion within one school day via Digital Front Door (DfD) on KELSI. If the pupil lives outside the LA in which the school is located, the Headteacher will also advise the 'home' Local Authority of the exclusion so that they can make arrangements for the pupil's full time education from the 6th school day of the exclusion.

Days 1 to 5

The school must ensure that the parent is fully informed of their duties in the first five days of exclusion.

During the first five school days, the school will send work home for the pupil to complete. Parents must ensure that the pupil is not present in a public place during school hours without reasonable justification. Parents can be prosecuted, or given a fixed penalty notice if they fail to do this. The pupil may also be removed from the public place by the police and taken to designated premises.

If the LA is advised that a parent has failed to comply with supervision requirements during



the first 5 school days of a permanent exclusion, the School Attendance Service will take further action if, after enquiries / evidence gathering, the relevant officer decides that there are sufficient grounds on which to proceed.

Day 6

The Local Authority is statutorily responsible for ensuring that full-time provision is made for all permanently excluded Kent resident pupils from the 6th school day of the exclusion. Provision does not however have to be made for pupils in the final year of compulsory education who have already taken, or missed, their public examinations.

Notifying Parents of an Exclusion

Whenever a pupil is excluded, the Headteacher will notify the parent without delay, ideally by telephone followed up by a letter.

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

Informing the Governing Body and Local Authority

The Headteacher will immediately notify the Governing Body and the Local Authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is made permanent.
- 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.

Reintegration meeting

Following a return from an exclusion, it is considered good practice that schools meet with parents and the young person to discuss the issues and reasons for the exclusion and agree a way forward. The purpose of the reintegration meeting is to support the pupil's reintegration and promote the improvement of his or her behaviour. The pupil should normally attend all or part of the meeting with at least one of his/her parents.

A fixed-term exclusion must not be extended if such a meeting cannot be arranged in time or the parents do not attend.

Procedure for Appeal

The Governing Body is responsible for reviewing the Headteacher's decision to exclude a pupil permanently or for a long fixed-term and deciding whether to direct re-instatement, where that is a practical option. The Governing Body is also responsible for considering any representations made by the parents of excluded pupils following shorter fixed-term exclusions.



If parents wish to appeal against the decision to exclude, the matter will be referred to the Governing Body. Three Governors, who were not involved in the initial decision to exclude, will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within five days.

Records relating to the decision to exclude and the parents' complaint will be copied to all parties not later than two days prior to the hearing. In no circumstances will the school or its staff be required to divulge to parents or others any confidential information on or the identities of pupils or others who have given information which has led to the exclusion or which the Headteacher has acquired during an investigation.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher, friend or Parent Support Advisor. Legal representation will not normally be appropriate.

The Clerk must take detailed minutes of the Governor's Review Meeting (GRM) and must remain with the Governors and minute the decision-making process. The minutes must be made available to all parties on request and should form part of the school's paperwork if the parent requests a review of the decision.

If possible the Governors will resolve the parents' complaint without the need for further investigation. Where further investigation is required, Governors will decide how it should be carried out. After consideration of all the facts considered to be relevant, the Governors will reach a decision on whether to uphold or rescind the exclusion or make other recommendations. This decision will be made within ten days of the hearing.

A Local Authority representative will be invited to, and will endeavour to attend, review meetings for all permanent exclusions. The Local Authority representative advises the Governors on the LA's view of the appropriateness of the exclusion, in particular relating to the guidance as set out by the DfE and to the local practices and support available. They will remind Governors of areas to consider during their deliberations. The Governors can ask the LA representative for specific technical advice, but they must make their decision alone.

Parents will be informed in writing of the Governors' decision and the reasons for it. Their decision will be final. The Governors' findings and any recommendations will be sent in writing to the parents, Headteacher and Governing Body.

Parents are entitled to appeal against a Governing Body's decision if it has upheld the Headteacher's decision to permanently exclude their child; even if they did not make a case to, or attend, the Governors' meeting. Details of how to do this and relevant timescales will be included in the Governors' letter to parents following the Governors Review Meeting.

