Houghton Primary School

Working hard to achieve our best

Exclusion Policy

Date reviewed and adopted:	November 2024
Reviewed and adopted by:	FGB
Headteacher	Andrew Spencer
Date of next review:	November 2025

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Exclusion Policy

Rationale
This policy deals with the policy and practice which informs the school's use of suspension and permanent exclusion. It is underpinned by the shared commitment of all members of the school community to achieve the aim of ensuring 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;

Introduction
The decision to suspend or permanently exclude a pupil will be taken in the following circumstances:

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

Suspension or exclusion are extreme sanctions and can only be administered by the Headteacher (or, in the absence of the Head, the designated senior leader who is acting in that role).

Suspension or permanent exclusion may be used for any of the following behaviours:

- Verbal abuse to Staff and others
- Verbal abuse to pupils
- Physical abuse to/attack on Staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Theft
- 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.
- Arson.
- Unacceptable behaviour which has previously been reported and for which School sanctions and other interventions have not been successful in modifying the pupil's behaviour.

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

Suspension Procedure
Most suspensions are of a fixed term nature and are of short duration (usually between one and three days). The DfE regulations allow the Headteacher to suspend a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

The Governors have established arrangements to review promptly all permanent exclusions from the School and all suspensions that would lead to a pupil being suspended for over 15 days in a school term or missing a public examination.

The Governors have established arrangements to review suspensions which would lead to a pupil being suspended for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.

Following suspension, parents are contacted immediately where possible. A letter will be sent by email or post giving details of the suspension and the date the suspension ends. Parents have a right to make representations to the Governing Body and the Local Authority as directed in the letter.

A return to School meeting will be held following the expiry of the suspension and this will involve a member of the Senior Leadership Team and/or the Headteacher and other staff where appropriate.

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

Permanent Exclusion
The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered;

1. 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 used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which could include racist or homophobic bullying) or repeated possession and or use of an illegal drug on School premises.

2. In a situation 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.
   - Carrying an offensive weapon *
   - Arson.

The School will consider police involvement for any of the above offences.

** Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him."*

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of the School.

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 in the school or the pupil concerned. Before deciding whether to suspend or exclude a pupil, the Head will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the Pupil Behaviour Policy and equalities policies.
- Allow the pupil to give her/his version of events.
- Check whether the incident may have been provoked for example by one-off incidences of intimidation or harassment or any form of bullying.

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

Exercise of Discretion
In reaching a decision, the Head will always look at each case on its own merits.

Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Head will consider;

a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour Policy and
b) the effect that the pupil remaining in the School would have on the education and welfare of other pupils and staff.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' committee when it meets to consider the Headteacher's decision to suspend/exclude.

This committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the pupil's school record, witness statements and the strategies used by the school to support the pupil prior to suspension/exclusion.

Alternatives to Suspension & Exclusion
The School works closely with the Local Authority and other primary schools to undertake managed moves where such a course of action would be of benefit both to the pupil and the two schools concerned. However, the threat of a permanent exclusion will never be used as the means to coerce parents to move their child to another school.

Lunchtime Suspension
Pupils whose behaviour at lunchtime is disruptive may be suspended from the school premises for the duration of the lunchtime period. This will be treated as a suspension and parents will have the same right to gain information and to appeal.

Behaviour Outside School
Pupil behaviour outside school on school "business", for example school trips and journeys, away school sports fixtures or a work experience placement is subject to the School's Behaviour Policy. Poor behaviour in these circumstances will be dealt with as if it had taken place in School.
For behaviour outside school but not on school business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupil body as a whole. If pupils' behaviour in the immediate vicinity of the school or on a journey to and from school is poor and meets the School criteria for suspension, then the Head may decide to suspend.

Drug-Related Exclusions
In making a decision on whether or not to suspend for a drug-related offence the Headteacher will have regard to the School's published policy on drugs and will also seek advice from the local authority and/or police. The decision will depend on the precise circumstances of the case and the evidence available. In some cases suspension will be more appropriate than permanent exclusion.

Right to Appeal
Parents and carers have the right to appeal the decision to suspend or exclude a child to the governing body. This appeal can be made if:

- The suspension is for more than 5 days
- The suspension means that the child will miss a National Curriculum Test

If the suspension is for 5 days or fewer, the governing body will still consider a parent/carer's views but do not have the power to overturn the headteacher's decision.

If a parent or carer feels that the suspension relates to their child's SEN or a disability, and feels that discrimination has occurred, they have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court for other forms of discrimination.

A Local Authority officer with responsibility for exclusions who can provide with advice on the exclusions process can be contacted through the SEND Specialist Services in the Hunts Area 01480 373470. The Children's Legal Centre can also be contacted on 0808 802 0008 or www.childrenslegalcentre.com

This policy will be reviewed annually. The next review is scheduled for Autumn 2025.