





## Warley Road Primary School

### Exclusion Policy and Guidance

#### **Introduction**

This guidance has been written in line with 'Exclusion from maintained schools, academies and pupil referral units in England' (DfE 2012)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/269681/Exclusion\\_from\\_maintained\\_schools\\_academies\\_and\\_pupil\\_referral\\_units.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269681/Exclusion_from_maintained_schools_academies_and_pupil_referral_units.pdf)

and has been updated following a Serious Case Review in Calderdale to ensure that there are robust arrangements in place for children at the point of exclusion, either Fixed-Term or Permanent. It is also to ensure that the headteacher maintains their legal duty of care when sending a pupil home following exclusion.

Consideration should be given to children who present with additional needs, and headteachers should, as far as possible, avoid excluding permanently any pupil who presents with additional needs, such as Special Educational Needs (SEN) or Children Looked After (CLA). Schools should engage proactively with parents, carers, children's homes and the local authority in supporting the behaviour of pupils with additional needs.

#### **Internal Exclusion**

When it is felt appropriate, the headteacher may make use of an internal exclusion. The child will be set the same work as the class but moved into another room. Part of the internal exclusion will be to think about the behaviour, why it was unacceptable & how the situation could have been handled differently. An internal exclusion may be for part of a day or for up to a week.

#### **Fixed-term Exclusion**

A fixed-term exclusion will be applied where there has been persistent disruptive or aggressive behaviour either towards another child or a member of staff. This would include any recurring incidents of bullying.

#### **Permanent Exclusion**

Permanent exclusion is a last resort and will only be used where there has been a serious or persistent breach of the school behaviour policy. Part of the decision to permanently exclude would be that if the child was to remain in school this would cause serious harm to the education or welfare of others.

#### **Managed Moves**

A managed move may be considered as an alternative to permanent exclusion. All managed moves will be agreed following Calderdale's protocol for managed moves and through the BACs process.

#### **Pupil Referral Units**

In extreme circumstances, a place may be sought at the Pupil Referral Unit (PRU). It is the school's responsibility to ensure that the alternative provision provides the adequate number of hours and to liaise with the provision while the child is attending.

#### **Lunchtime Exclusions**

Lunchtime exclusions will follow the same exclusion process and count as a half day exclusion.

#### **Procedure for Exclusion**

- **Only the headteacher, having considered all the facts of the incident, can take the decision to exclude a child**
- The decision to exclude for any period must be lawful, reasonable, fair and must be on disciplinary grounds
- 'Informal' or 'Unofficial' exclusions are unlawful regardless of whether they occur with the agreement of parents/carers
- Parents/carers should be contacted and asked to come into school so that an explanation as to why the child is being excluded can be given
- Children should be involved in the exclusion process so that they understand what behaviour/actions are unacceptable and why (relevant to their age and understanding)
- No child will be allowed to leave the school site without their parent/carer or appropriate alternative
- If a Child is a Child Looked After (CLA) the Virtual School Head will be kept informed throughout the exclusion process, and likewise if the child is either CLA or on a Child Protection Plan then the Lead Social Worker (SW) will be kept informed
- Consideration will be given as to whether a multi-agency assessment that goes beyond educational needs is needed

- School should set and mark work provided for the first five days of a period of exclusion, unless or until alternative provision is provided
- Alternative provision must be in place from the sixth day
- Following any period of exclusion there must be a strategy for reintegration and management of future behaviour
- Head teacher must inform the governing body and local authority if a child is permanently excluded or if exclusions result in more than five school days (or ten lunchtimes) in a term, or if a period of exclusion will mean that they miss a national curriculum test
- All fixed term exclusions will be reported to the governing body and local authority once a term
- If a pupil lives in a different authority to that of the school they attend, the headteacher must inform the home authority without delay if a child is permanently excluded
- Written confirmation of an exclusion will be sent to parents/carers, ensuring that the information is clear and easily understood. Where English is not the first language, a translated letter should be considered
- If parents/carers wish to make representation to the governing body and an independent panel is used, consideration should be given to including a SEN Expert, even if the child has no identified Special Educational Needs.

If a child is given a fixed term exclusion, the correct codes should be used on the register

- Code E (excluded and not attending any provision)
- Code B (educated off-site)
- Code D (dual-registration) once attending alternative provision

## Flowchart at point of Exclusion

Serious Incident/Breach of School Behaviour Policy



Investigation of Incident



Student given opportunity to give their version of events



Recommendation of Exclusion discussed  
(based on Civil Standard of Proof 'balance of probability')



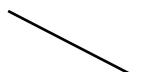
Student given opportunity to respond



Head teacher makes decision to exclude



Student informed



Parents/Carers informed without delay



Virtual School Head informed if Child Looked After (CLA) & Lead Social Worker if child CLA or on CP Plan (CP)



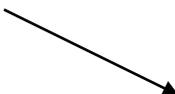
Student taken to safe and supervised until Parents/Carers collect



Virtual School Head informed place in school of arrangements if CLA and Lead SW if CLA or CP



If student absconds – Parents/Carers and Police Contacted immediately  
\*Virtual School Head informed if CLA & Lead SW if CLA or CP



If Parents/Carers fail to collect by end of day – Emergency Contact, Police and MAST contacted  
\*Virtual School Head informed if CLA & Lead SW if CLA or CP



Parents/Carer collect



Followed up by written Exclusion Letter to Parents/Carers which includes:

- Reason for exclusion
- Period of time exclusion is for
- Right to make representation to governing body
- \*Copy to Virtual School Head if CLA & Lead SW if CLA or CP



Inform Parents/Carers as soon as possible:

- For first five days of exclusion parents are Legally required for child not to be in public place
- Risk of fixed penalty notice or prosecution if Child is in public place without reasonable justification
- NO LATER THAN 48 HOURS BEFORE:
- Start date of any alternative provision of full-time education (from 6<sup>th</sup> day)
- Start and Finish times
- Address
- Information needed for child to report on first day
- \*Copy to Virtual School Head if CLA & Lead SW if CLA or CP