

# Exclusion Procedures

St Patrick's Catholic Voluntary Academy



<b>Approved by:</b>	Headteacher	<b>Date:</b> September 2024
<b>Last reviewed on:</b>	September 2024	
<b>Next review due by:</b>	September 2025	

The Headteacher does have the ultimate authority to exclude a child from school. St Patrick's has a clear commitment to reduce the number of Fixed Term and Permanent Exclusions. The school must exhaust all possible avenues before considering exclusion.

## 1. Fixed Term Exclusion

Fixed term exclusions must not add up to a total of more than **45 school days** in one school year. The guidance states that exclusion should **not** be used for any of the following:

- minor incidents such as not doing homework or not bringing dinner money;
- poor academic performance; truancy and lateness;
- pregnancy;
- punishing pupils for the behaviour of their parents;

Breaching school uniform policy - including hairstyle or wearing jewellery (except possibly where there is also "persistent and malicious disruptive behaviour")

A decision to exclude a pupil for a fixed period should be taken, on a balance of probabilities, only in response to breaches of the school's behaviour policy, including persistent disruptive behaviour, where these are not serious enough to warrant permanent exclusion and lesser sanctions such as detention are considered inappropriate. Individual fixed period exclusions should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school afterwards. Ofsted inspection evidence suggests that 1–3 days are often long

Enough to secure the benefits of exclusion without adverse educational consequences. Where it is clear that fixed period 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, head/teachers in charge should consider alternative strategies for addressing that behaviour.

Only the head teacher, or teacher in charge, the acting head teacher or teacher in charge can exclude a pupil. Other exclusion-related activities do not have to be undertaken by the head teacher personally, but may be delegated.

## 2. The decision to Permanently exclude

A decision to exclude a pupil permanently should be taken only:

- a) In response to serious breaches of the school's behaviour policy; and
- b) If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

A decision to exclude a child **permanently** is a serious one and should only be taken where the basic facts have been clearly established on the balance of probabilities. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the child and should normally be used as a last resort.

There will, however, be exceptional circumstances where, in the head teacher's/teacher in charge's judgment, it is appropriate to permanently exclude a child.

For a first or 'one off' offence. These might include:

- a) serious actual or threatened violence

- against another pupil or a member of staff;
- b) sexual abuse or assault;
- c) supplying an illegal drug; or
- d) carrying an offensive weapon
- e) Cyber bullying

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community.

Exclusion should not be used just for breaking the home-school agreement - the incident itself should justify exclusion. An exclusion should not be extended if parents refuse to attend a meeting. For exclusions of more than one day, schools should set and mark work. Schools must have a discipline/behaviour policy, which should include the order of severity of their punishments.

### **3. Alternatives to Permanent Exclusion**

All measures will be explored to avoid permanent exclusion. If however all avenues have been exhausted a school may consider one of the following alternatives:

### **4. Intervention**

A child may be referred for a period of intervention (usually up to 6 weeks) to one of the Authority's Inclusion Centres. This is normally appropriate for a specific issue (e.g. Behaviour) which the Inclusion Centre aims to address through intensive strategies. The intention is that the pupil returns to the referring school following a period of intervention.

### **5. Supported Transfer**

In more serious cases, where a school is considering permanent exclusion, a referral would be made to the Inclusion Centre, but this time with a view to a move to another school, again following intensive intervention strategies.

### **6. Managed Move**

On occasion a pupil may have committed an offence that is out of character, but nonetheless the Headteacher is considering permanent exclusion. In these circumstances the Authority may consider a "Managed Move" between two school.

In any of the circumstances outlined above, parents and carers will be kept fully informed.

### **7. Provision for Exclusions up to 5 Days and Penalty Notices**

For the first five days of an exclusion the school is responsible for setting and marking work at home.

During the initial period of up to five school days of any exclusion, whether fixed period or permanent, 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.

This requirement applies whether or not the pupil is in the company of the parent. A failure to comply with this requirement is an offence. **Parents can be given a fixed penalty notice if they fail to do this**

## **8. Provision from Day 6 of an Exclusion**

The school's obligation to provide education continues and must be met during a fixed period exclusion of more than 5 days.

Where a pupil is given a fixed period exclusion of a duration 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.

If a pupil is either permanently excluded or referred for a Supported Transfer the Local Authority, not the school is responsible for providing full time education from the sixth day.

This document provides an overview of the key issues around exclusion based on the national guidance and more specifically on procedures in St Patrick's.