


<p><b>Princess Frederica CE</b> College Road, London, NW10 5TP Phone: 0208 969 7756</p>		<p><b>VA Primary School</b> Head of School – Ms N Christopher Executive Head Teacher – Ms S Bouette Email: <a href="mailto:admin@princessfrederica.brent.sch.uk">admin@princessfrederica.brent.sch.uk</a></p>
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<h2>Exclusions Policy and Procedures</h2>		
Governing Board with Responsibility	Full Governing Board	
Reviewed/Revised	September 2021	
Date of Next Review	September 2022	
Agreed by Governors	20.10.2021	
Additional Notes	This policy should be reviewed annually or when there are changes in guidance that have an impact on any part of the policy.	
This policy is based on the LDBS Academies Trust policy agreed on 20 <sup>th</sup> March 2018		
<p><b>When drafting and agreeing policy, governors always act with our four values in mind and our school vision as drivers for change or important decisions. We will ensure that:</b></p> <p><b>Policies positively impact on our staff and children’s growth, their faith, our unity as a school community and promote kindness as a thread through all we do.</b></p> <p><b>We act in line with our collective responsibility around equality and the protected characteristics and always make decisions that foster an understanding and respect for these.</b></p>		

Vision statement

**‘Belonging, learning and growth for life in all its fullness’**

Mission Statement

At Princess Frederica we:

- Promote social, emotional, spiritual and educational growth in all our children** *(This is how we develop character)*
- Impart the gifts of self-confidence, determination and curiosity with a rich and creative curriculum** *(This is the way we educate)*
- Create a positive impact on our local and global community and environment** *(This is our footprint on the world and community)*
- Nurture friendship, kindness and respect** *(This is how we treat each other)*

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The school will abide by exclusions guidance released by the DfE applicable during the COVID-19 pandemic:

<https://www.gov.uk/government/publications/school-exclusion/changes-to-the-school-exclusion-process-during-the-coronavirus-outbreak>

### **Exclusions Policy and Procedures**

This Policy should be read in conjunction with the school's Behaviour and Peer on Peer Abuse Policy; its statement of principles; and the chart of possible consequences appended to this document.

Whilst the list is not intended to encompass all situations (as this would be impossible), a clear division between acceptable and unacceptable behaviours should be obvious, and the statement of principles should guide the school staff and authorities.

This policy and the procedure contained within are subject to any new changes introduced by the Secretary of State for Education and the Department for Education. This policy complies with the Department for Education's, 'Exclusion from maintained schools, academies and pupil referral units in England', September 2017.

### **Acceptable and unacceptable behaviours**

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, as described in the Behaviour and Peer on Peer Abuse Policy and the guidance from the individual school.

Each case is treated individually. Pupils should be made aware that they are responsible for their own behaviour and that breaking rules will lead to punishments. No exclusion will be initiated without first exhausting other strategies or, in the case of a single incident, a thorough investigation. The investigation may be carried out by the Executive Headteacher or by a person appointed by the Executive Headteacher. However, the final decision to exclude must be made by the Executive Headteacher.

### **Summary of procedures for dealing with major breaches of discipline**

1. The Executive Headteacher may exclude a pupil in response to serious or persistent breaches of the school's Peer on Peer Abuse and Behaviour Policy and where allowing the pupil to remain would seriously harm the education or welfare of the pupil or others in the School.
2. The Executive Headteacher should contact the parents immediately and provide them with a written notice of the exclusion stating clearly the reasons for the exclusion.
3. A case conference involving parents, the pupil and support agencies (where applicable) should be convened. The Executive Headteacher may decide to permanently exclude a pupil after completing a thorough investigation and consulting the Chair of the Governing Board.
4. Parents have the right to request a meeting of the Pupil Discipline Committee (must be made up of at least 3 non-staff based governors) for fixed term exclusions of 6 school days or more (or in instances where the total number of exclusions for a pupil exceeds 15 school days in one term). The Executive Headteacher must inform the Local Authority immediately.

For all permanent exclusions the Executive Headteacher should inform Local Authority and convene a meeting of the Pupil Discipline Committee within 15 school days.

5. The Executive Headteacher should offer a reintegration interview following a fixed term exclusion.

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6. If the parents are not satisfied with the decision of the Pupil Discipline Committee, they have the right to request a review from an Independent Review Panel. This right is still available if the parents did not attend the Pupil Discipline Committee.

### **General reasons for exclusion**

A decision to exclude a pupil, either for a fixed period or permanently is seen as a last resort by the school. The decision to exclude should be lawful, reasonable and fair.

General reasons for exclusion may include:

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

Any exclusion will be at the recommendation of the Executive Headteacher.

### **Persistent or cumulative problems**

The school will monitor and record behaviour in order to administer the appropriate rewards and sanctions to promote good behaviour and a positive learning environment; however, noting recurring or not-improving behaviour issues may lead to a higher level of sanction being necessary.

The school will adhere to the provisions of the Equality Act 2010 when making a decision to exclude a pupil. The school will not exclude a pupil for a non-disciplinary reason (such as, but limited to, additional needs or disability, academic attainment or ability, and actions of the parents).

Exclusion for a period of time from half-a-day to five-days for persistent cumulative problems would be imposed only when the school had already offered and implemented a range of support and management strategies, as detailed in its Behaviour Policy.

### **Single incident**

Fixed-term exclusions may be used in response to a serious breach of school rules and policies or a disciplinary offence. In such cases, the Executive Headteacher will initiate the investigation of the incident thoroughly and consider all evidence to support the allegation, taking account of the school's policies.

The pupil will be encouraged to give their version of the events and a check will be made as to whether the incident may have been provoked, for example by bullying or racial harassment.

When establishing the facts, the Executive Headteacher will apply the civil standard of proof (i.e. 'on the balance of probabilities'). The Executive Headteacher will also consider any contributing factors that may mitigate the situation.

The Executive Headteacher will inform the Chair of the Governors. In certain circumstances, fixed-term exclusion may become permanent after a full investigation.

### **Behaviour outside school**

Pupil's behaviour outside school on school business (for instance on school visits or at a sports fixture) is subject to the school's Behaviour Policy. Poor behaviour in such circumstances will be dealt with as if it had taken place in school.

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For other behaviour outside the school, the Executive Headteacher may exclude a pupil if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupil body as a whole, or if it is deemed to be damaging to the reputation of the school.

## Types of exclusions

### Fixed-term exclusion

Fixed-term exclusions should be for the shortest time necessary. Ofsted evidence suggests that one to three days is usually enough to secure benefits without adverse education consequences.

For the purposes of this policy:

- If a pupil is excluded during the morning session, the exclusion takes effect from the start of the afternoon session.
- If a pupil is excluded during the afternoon session, the exclusion takes effect from the next school day.
- All lunchtime exclusions must be reported to the Chair of the Governors as soon as possible and will count as half day.

### Permanent exclusion

Permanent exclusion is a very serious decision and the Executive Headteacher will consult the Chair of Governors as soon as possible. As with fixed-term exclusions, it will follow a range of behaviour management strategies and be seen as a last resort, or it will be in response to a very serious breach of school rules and policies, or a disciplinary offence, such as:

- Serious actual or threatened violence against another pupil or a member of staff;
- Possession or use of an illegal drug on school premises;
- Carrying or use of an offensive weapon;
- Persistent bullying; or
- Persistent racial harassment.


### Procedure for a fixed term exclusion

If the Executive Headteacher decides to exclude a pupil, they will:

- Communicate with the Chair of Governors;
- Ensure that there is sufficient recorded evidence to support the decision;
- Explain the decision to the pupil;
- Contact the parents, explain the decision and ask that child be collected;
- Write to the parents confirming the reasons for the exclusion, whether it is permanent or fixed term, its length, and any terms or conditions agreed for the pupil's return, within one school day;
- In cases of more than a day's exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked (parents will be asked to sign on receipt); and
- Plan a meeting with the parents and the pupil on their return and how the school would address the pupil's needs through a reintegration interview.

If a fixed term exclusion is for 5 school days or less, no action is required from the Pupil Discipline Committee of the Governing Board.

If a fixed term exclusion is for 15 school days or more, or where the total number of exclusions for the pupil has reached 15 or more school days in one term, the Pupil Discipline Committee must convene a meeting within 15 school days to review the decision.

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If a pupil has received multiple fixed term exclusions for 5 school days or less, but the total number of excluded days is between 6 to 15 school days; or in the instance where the pupil has been excluded for more than 5 school days; the Pupil Discipline Committee must convene a meeting within 50 school days to review the exclusion if the parent requests it.

### **Procedure for a permanent exclusion**

If the (Executive) Headteacher decides to exclude a pupil, they will:

- Communicate the decision to permanently exclude with the Chair of the Governing Board and the Local Authority;
- Ensure that there is sufficient recorded evidence to support the decision;
- Explain the decision to the pupil;
- Contact the parents, explain the decision and ask that child be collected;
- Write to the parents confirming the reasons for the exclusion, whether it is permanent or fixed term, its length, and any terms or conditions agreed for the pupil's return, within one school day;
- In cases of more than a day's exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked (parents will be asked to sign on receipt); and
- Arrange a meeting of the Pupil Discipline Committee, to meet within 15 school days of the exclusion and review the decision.
- The decision of the Pupil Discipline Committee should be conveyed to the parents and the Executive Headteacher, the Local Authority and the Governing Board within 5 school days.
- Upon receipt of the decision letter from the Pupil Discipline Committee, the parents would have the right to have the decision of the Pupil Discipline Committee reviewed by an Independent Review Panel.

### **Procedure for a review by the Governing Board's Pupil Discipline Committee**

If an exclusion triggers a review by the Pupil Discipline Committee then the matter should be heard within 15 school days (or within 50 school days depending on the length/cumulative length of the exclusion). The Committee must be formed of at least three governors.


The parents, the Executive Headteacher and a representative from the Local Authority must be invited to the meeting. All parties must be given the opportunity to make representations.

The Committee members must not discuss the exclusion with any other persons outside the meeting. The Committee must request the school to provide written evidence in advance of the meeting, which should be circulated to all invitees at least five school days in advance of the meeting. The Committee should allow parents and the pupil to be accompanied by a friend or a representative. The Committee should also ensure that the parents are informed of their right to appoint a Special Education Needs Expert to advise the Committee.

When establishing the facts, the Committee must apply the civil standard of proof. The Committee must consider whether the decision to exclude the pupil was lawful, reasonable and procedurally fair, taking into account any evidence presented and whether the Executive Headteacher complied with their legal duties.

The Committee, in light of its consideration, can decline to reinstate the pupil, or direct reinstatement of the pupil immediately or on a particular date.

The Committee must ask all parties to withdraw from the meeting before considering the decision, with the exception of the clerk. The Committee must ensure that the outcome letter is clearly drafted and contains adequate detail regarding their decision. The outcome letter should be sent to the parent within five school days of the meeting taking place. The Committee must also ensure that clear minutes are taken of the meeting and are kept on the pupil's file.

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The outcome letter must contain information regarding;

1. The date by which an application for review by an Independent Review Panel must be submitted;
2. To whom and where the application for review should be submitted;
3. Right for the parents to appoint a Special Education Needs Expert to advise the Independent Review Panel.
4. Right for the parents to arrange a representative.

### **Procedure for an Independent Review Panel**

The parents have the right to refer a decision of the Pupil Discipline Committee for review to an Independent Review Panel. The Independent Review Panel must consist of at least three people who were not directly involved in the matters detailed in the complaint.

If the parents apply within 15 school days of the notice being given to the parents that the Governing Board Pupil Discipline Committee has decided not to reinstate a permanently excluded pupil, the Governing Board must, at its own expense, arrange for the Independent Review Panel to review the decision.

Where there is a hearing, this will include two people who will be independent of the management and the running of the school. Each member shall be appointed by the Chair, who will then acknowledge the appeal and schedule a hearing to take place as soon as practicable and normally within 15 school days. Further particulars of the incident or any related matter may need to be supplied in advance of the hearing, and copies of such particulars shall be supplied to all parties not later than 7 working days prior to the hearing. The parents may be accompanied to the hearing; legal representation will not normally be appropriate. If possible, the Independent Review Panel will resolve the parents' appeal immediately without the need for further investigation.

After due consideration of all facts they consider relevant, the Independent Review Panel will reach a decision and may make recommendations, which it shall complete within 14 working days. The Panel will write to the parents (where possible, a copy will also be sent by e-mail) informing them of its decision and the reasons for it. The decision of the Independent Review Panel will be final.

The Independent Review Panel's findings and any recommendations will be sent in writing to the parents, the Executive Headteacher and the Governing Board. Those findings are available for inspection on the school premises by the Chair of the Governing Board and the Executive Headteacher.

All exclusions will be reported to the Governing Board, and details will be recorded. Note: If the Chair of the Governing Board is not available the Vice Chair or a member of the School's Senior Leadership Team will deputise.

Should any aspect of the Independent Review Panel procedure remain unresolved, it is possible for parents to bring such matters to the attention of Ofsted and/or the Independent Schools' Inspectorate. These organisations may be contacted at: [www.ofsted.gov.uk](http://www.ofsted.gov.uk) and [www.isi.net](http://www.isi.net).

### **Document retention guidance**

Parents can be assured that all concerns will be treated seriously and confidentially.

The School keeps a written record of all exclusions and any subsequent Committee Meetings and Independent Review Panels and of their decisions. Records are kept for 7 years after which they are disposed of in accordance with the Data Retention Policy.

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All correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 162A of the 2002 Act, as amended, requests access to them, or where any other legal obligation prevails.

**Pupils with special educational needs and disabled pupils**

The school must take account of any special educational needs when considering whether or not to exclude a pupil. There is a legal duty not to discriminate against disabled pupils by excluding them from school for behaviour related to their disability. Where reasonable adjustments to policies and practices 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, such as a specific incident affecting order and discipline in the school, or if there are serious health and safety issues that put the school community at risk.

**Fixed-Term Exclusions exceeding 6 days in duration**

Although every effort is made by all our schools to avoid excluding pupils, on some occasions this is unavoidable. After careful consideration, in order to minimise any disruption to pupil's learning, while discouraging any repetition of the behaviour that has led to such unfortunate and serious action being taken in the first place, the following policy extension has been adopted:

On the 6th day of a fixed-term exclusion, the Executive Headteacher will organise alternative provision with another school or institution. For further clarification on any part of this, please contact the Executive Headteacher.