# The Asfordby Hill School

Individual Value; Valuing Individuals

## Exclusion POLICY

| | |
|---|---|
| **This Policy Links With:**<br><br>**Equality policy**<br>**SEN Policy**<br>**Behaviour management Policy** | |
| **Recommended:** | Y |
| **Statutory:** | |
| **Date Reviewed:** | Autumn 2026 |
| **Date of Next Review:** | Autumn 2028 |
| **Committee Responsible for Review:** | QEHS |
| **Committee agreed:** | 3.11.26 |

Asfordby Hill School is committed to valuing individuality and to equality of opportunity. We aim to create and promote an environment in which pupils, parents and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities.

Partnership with Parents:

Parents or Carers working in partnership with the school, to consistently reinforce the school's expectations, is an important factor in every child's success. We will work in partnership with all stakeholders to ensure that expectations are clear and they can be reinforced and encouraged at all times. This includes ensuring that parents are kept informed about decisions made in response to a child's misbehaviour so that we can work together in the best interests of pupils to ensure expectations for behaviour are made clear and are applied.

The school is responsible for communicating its expectations of standards of conduct to pupils, parents and staff. Asfordby Hill does this through policies such as the Behaviour Policy or the Anti-Bullying Policy.

Supporting Pupils to Succeed:

We aim to include, not exclude, our pupils and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.

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

Reasons for exclusion:

• Serious breach of the school's rules or policies;

• Serious risk of harm to the education or welfare of the pupil or teaching staff and/or others in the school. These can either be a very serious incident or the repetition of serious incidents.

Any exclusion will be at the decision of the Headteacher, usually in consultation with other members of the senior leadership team (particularly if they were involved in investigating the incident) and the Chair of Governors. The process of exclusion that Asfordby Hill follows is based on statutory guidance from the Department for Education: Exclusion from maintained schools, academies and pupil referral units (PRUs) in England.

It is also based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014

Suspension and permanent exclusion

**Internal suspension** is when a pupil is excluded from the rest of the school and must work away from their class for a fixed amount of time. This will be in a different classroom. Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. The Head will ensure that a parent / carer has been contacted and is available to arrange collection and supervision of the pupil during the lunchtime exclusion. Arrangements will be made for pupils who are entitled to free school meals to receive their entitlement which may mean, for example, providing a packed lunch.

An internal suspension is a discretionary measure, where a pupil's behaviour is escalating and more serious measures need to be taken but there are not yet grounds for a permanent exclusion. Typically, a child receiving a suspension of this kind should be receiving additional support for their behaviour which is intended to help them avoid their behaviour escalating to a point where a fixed term exclusion is necessary (eg behaviour chart to address specific behaviours causing a problem).

A **temporary / fixed term suspension** is when a child is excluded from school and must remain at home for a fixed amount of time. This should be for the shortest time necessary to ensure that the disruption to the child's education is minimal but reflects the seriousness of breach of the Behaviour Policy. It is important that during a suspension, pupils receive their education – work will be set (which could include the use of online pathways such as Oak National Academy) and feedback will be given.

No child will be suspended for more than 45 days ( we will set up a reliable method of monitoring accumulated suspension sessions).

A **permanent exclusion** is when a child is permanently excluded from school and not allowed to return. This is a very serious decision and the Headteacher will consult with senior leaders and the Chair of the Governing Body as soon as possible in such a case. The decision to permanently exclude a pupil will only be taken in response to a serious breach or consistent breaches of the school behaviour policy or where allowing a pupil to remain in school would seriously damage the education or welfare of other pupils or staff. Work will be set for the first 5 days.

Reasons for permanent exclusion

A decision to exclude a pupil is seen as a last resort by the school. The physical and emotional health of our children and staff is our primary concern, and we therefore accept, that in some serious situations, exclusion may be necessary if all other reasonable strategies have been exhausted.

The decision to exclude will usually follow a range of strategies (these could be joint action plans with parents, child and school, outside agency involvement, target setting, home/school communication book etc) 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/volunteer;
- Possession of or use of an illegal drug on school premises;
- Persistent bullying;
- Persistent prejudice-based harassment or hatred-based acts

Exclusion may be the result of persistently poor behaviour or a serious single incident. In exclusion cases, the Headteacher, or a designated senior leader, will investigate the incident and consider all evidence to support the allegation; taking account of the school's policies. The pupil will be encouraged to give his/her version of events and the Headteacher will check whether the incident may have been provoked, for example by bullying or racial harassment.

The Governing Body will be informed of all exclusions; and additional consultation may also take place about key incidents with the Chair of Governors.

If the Headteacher decides to exclude a pupil she will:

- ensure that there is sufficient recorded evidence to support the decision;
- explain the decision to the pupil if the pupil is in the state of mind to listen to the decision;
- contact the parents, explain the decision and ask that the child be collected;
- send a letter to the parents confirming the reasons for the exclusion, whether it is a permanent or temporary and the length of the exclusion and any terms or conditions agreed for the pupil's return;
- 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;
- plan how to address the pupil's needs and integration back into their class on his/her return;
- plan a meeting with parents and pupil on his/her return to be conducted by a suitable senior member of staff.

.

Suspensions may be used in response to persistent poor behaviour which breaches school rules and policies. In the most serious cases, where the problem persists and there is no improvement, a permanent exclusion may be necessary.
The length of an exclusion will depend upon a number of factors, such as the severity of the incident, and the likely impact on the child's learning and ability to succeed on returning to school. Such decisions will be made in the best interests of the child, whilst also being mindful of the need to maintain order and reinforce the rules and expectations of the school in a clear and consistent way.

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from school, or, in more severe circumstances, the school may contact Social Services and/or the Police to safely take the pupil off site.

After a fixed term exclusion, the pupil and parent will be requested to attend a reintegration meeting with a senior member of staff. At this meeting, the behaviour leading to exclusion will be discussed and targets will be set for improvement. Support around behaviour will be also be discussed. The meeting will be recorded and a copy retained by the parent, child and school.

When a pupil is excluded for more than one day, work should be set by the school within a reasonable time-scale and this should be returned to the school when the exclusion is over. If a child is excluded at the end of a school day, then it may not be possible to arrange for work to be set until the following morning. A pupil can be excluded for up to 10 continuous days on a fixed term basis. On the 6th continuous day, the school is responsible for providing education for the pupil, which could be at another local school, the pupil referral unit or by providing home education.

Pupils' behaviour outside school on school business e.g. on school trips, at sports events, is subject to the school's behaviour policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in school; and additionally this includes the any serious breach of policy which could 'bring the school into disrepute'.

The school must take account of any special educational needs when considering whether or not to exclude a pupil. The Headteacher should ensure that reasonable steps, in line with the DDA (Disability Discrimination Act) have been taken by the school to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

'Reasonable steps' could include:

- differentiation in the school's behaviour policy;
- developing strategies to prevent the pupil's behaviour;
- requesting external help with the pupil;
- staff training;
- a referral, assessing the child's individual additional needs, made through the Common Assessment Framework (CAF).

In the case of a Permanent Exclusion this can only be authorised by the Head teacher and must only be done after consulting the Chair of Governors of the intention to impose this sanction. However, the final decision rests with the Headteacher of the school.

If your child has been permanently excluded, be aware that:

- The Headteacher will inform the parents of the decision in a face-to-face meeting. The parents/carers will be informed of the decision and the reasons for it. The evidence leading up to the decision will be explained;
- A letter of confirmation will be sent on the same day by first-class post outlining the reasons for the decision, the procedures for appeal which are open to the parents/carers;
- The Chair of Governors and the Hearings & Appeals Governor will be informed, and a copy of the letter to parents/carers made available;
- The school's governing body is required to review the Headteacher's decision and parents/carers may meet with them to explain their views on the exclusion;
- The Academy must provide full-time education (usually through work sent home) up to the sixth day of a permanent exclusion. The Local Authority will contact parents/carers in order to arrange provision from the 6th day and to discuss the child's needs to continue his/her education;

- A special meeting of a delegated committee of the Governing Body will be called within fifteen working days of the date of exclusion, of which the parents/carers will be notified, in order to consider the decision of the Headteacher.

All correspondence regarding a Permanent Exclusion from the school will inform parents/carers of their right to appeal to the Governing Body against the decision to exclude. The Clerk to the Governors is the person to contact with regards to initiating an appeal.

Exclusions Committee

The Governing Body delegates authority to a committee comprising at least three governors, of whom the Head teacher shall not be one.

The committee is delegated the authority, to consider:

- the report of the Headteacher in respect of the decision to exclude a pupil;
- the representations of the parents of the pupil (if present);
- to question those involved, if appropriate;
- to allow cross-questioning, and;
- to decide either to endorse the decision of the Head teacher, or to direct the Head teacher to reinstate the pupil.

The Governing Body must meet within 15 school days of a Head teacher's decision to permanently exclude a child. Parents/Carers will be invited to attend this meeting with a friend or legal representative, as well as sending a written statement if desired. The school will write with details and the arrangements for this meeting.

After the Governor's meeting, a letter will be sent out to parents/carers from the Clerk to Governors' stating the decision reached by the Governing Body and the reasons why. If the Governing Body uphold the Head teacher's decision to exclude, then there is the right to have the Head teacher's decision reviewed by an Independent Review Panel (IRP).

The Clerk to the Governors' will write to let it be known when the review's closing date is. This is within 15 school days of being officially notified by the Governing Body in writing.

The role of the IRP, as an impartial body, is to review the decision of the Governing Body. The panel, in reviewing the decision, can make one of three decisions, which are:-

- Uphold the decision of the Governing Body;
- Recommend that the Governing Body reconsiders the matter, or
- If it considers that the decision of the Governing Body was flawed, when considered in the light of the principles applicable on an application for judicial review, the IRP can quash the decision of the Governing Body and direct the Governing Body to reconsider the matter.

If it is the parent's/carer's decision to not have the exclusion reviewed, the child will be taken off roll at the school from which they were permanently excluded, the day after the Review period expires.

If the decision is reviewed, the child's name cannot be removed from the school roll until after the outcome of your IRP is known or the period within which the right of review has elapsed (unless parents/carers formally waive your right to have the decision reviewed at an earlier date).

Parents/Carers have the right to see their child's school records. The school will need to be contacted directly if this is the case.

This policy will be reviewed by the Head Teacher every two years. At every review, the policy will be shared with the governing board.