



Alexander Hosea Primary School

'Roots to grow, wings to fly'

Exclusions Policy – March 2022

Equalities Impact Assessment (EIA)

This policy has been screened to ensure that we give 'due consideration' to equality of opportunity and has been agreed and formally approved by the appropriate reviewing and ratification Committee.

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| Author | Deb Williams (from South Glos guide see below) | Date reviewed | March 2022 |
| Position | Headteacher | Date ratified | 7 th June 2022 |
| Document status | Draft | Next review date | Spring 2025 |
| EIA approved by | | Reviewing committee | Staffing and Welfare |

EIA = due consideration of potential adverse impacts on the following groups: age; disability; gender and gender reassignment; marriage and civil partnership; pregnancy and maternity; racial groups; religion or belief; sexual orientation.

<https://find-information-for-adults-children-families.southglos.gov.uk/kb5/southglos/directory/advice.page?id=O86rWEt4liM&familychannel=2-5&channel=family#exclusions>

Understanding exclusions

A school exclusion happens when a head teacher decides that a child is not allowed to attend school either at lunchtime, for a fixed period or permanently, in response to a breach of the school's behaviour policy.

During the exclusion, the child must not come on to the school premises at any time, including breaks, lunchtimes and after school.

Statutory guidance on the exclusion of pupils from local-authority-maintained schools, academies and pupil referral units can be found on the [gov.uk website](https://www.gov.uk).

Information is also available in [the South Glos Inclusion toolkit section 3](#)

Exclusions

Exclusion is the most extreme option available to a head teacher when responding to unacceptable behaviour of a pupil. Exclusions must be lawful, reasonable and fair.

Head teachers can only exclude a child on disciplinary grounds. For a permanent exclusion there must have been either a serious breach or persistent breaches of the school's behaviour policy, and where allowing the child to remain in school would seriously harm the education or welfare of the child or others in the school.

Pupils should not be excluded for:

- having a disability or special educational needs (SEN) that the school feel they are unable to meet
- not doing well with schoolwork
- their gender, race, religion
- their parent's behaviour

Before excluding a child, the head teacher should consider whether the incident took place because of unmet needs. Where a school has concerns about a child's behaviour they should check the child is receiving the right support.

For the first 5 days of any exclusion, the child must not be in a public place during the school day.

Types of exclusions

There are 2 types of exclusion and depending on the circumstances the headteacher will decide whether to give a child.

1. Fixed period exclusion

Fixed period exclusions can last for a specific number of days. The number of days and when the child should return to school will be made clear by the head teacher and communicated in a letter. The child cannot be excluded for more than 45 days in one school year. If a child exceeds 45 days exclusion they may be permanently excluded. For the first five days of exclusion, work should be set and marked by school. From day six onwards, the school will need to ensure that education is provided and should be suitable and full-time.

A lunchtime exclusion is also a fixed exclusion, these are normally used when a child's behaviour is unacceptable in the playground. A parent must take responsibility for their child for the lunch break and return the child for the start of afternoon school. If a child is asked by the school to go home at lunchtimes, this must be treated as a half day fixed period exclusion for each lunchtime, even when the child returns to school in the afternoon.

2. Permanent exclusion

Permanent exclusion is the most serious step that a head teacher can take and it means that the child is no longer able to attend the school. The school must notify its governing body and the Local Authority within one school day of the exclusion. The first five days after exclusion, school should send suitable work home and from day six onwards it is the council's responsibility to provide suitable full-time education. The child will be provided with an education by Pathways Learning Centre, which is a pupil referral unit (PRU), to continue their education whilst a new school is found.

The rights of your child

Parents should not be asked to keep their child at home because:

- there is no one available to support them with their special educational needs or disabilities
- the child's behaviour may have a negative impact on an Ofsted inspection
- the child will not be sitting exams with their peers

Similarly, a school cannot suggest that a child is home educated so that they:

- avoid the child being permanently excluded
- improve school results and attendance
- increase the chances of having a positive Ofsted inspection.

'Off rolling' and 'gaming' are unlawful permanent exclusions. 'Off-rolling' is when school removes a child from the school roll in the perceived interests of the school, rather than the child. 'Gaming' is any process when the school's actions or decision to exclude, or not to exclude, are made in order to favour the school.

Right to appeal a child's exclusion

If an excluded child's parents do not agree with their child's fixed period exclusion, they can put their concerns in writing to the school's governing body. The Governors do not have to meet with parents if the exclusion is for less than 5½ days, but they must consider the parent's views.

If an exclusion will result in a child missing a public examination or national curriculum test, then the governing body must consider reinstatement within 15 days of receiving notice of the exclusion.

For exclusions of 6 or more days, parents may request a hearing and make representation to the Governing Body. Parents may wish to take independent advice before the hearing.

In the case of a permanent exclusion, if the school governors uphold the decision of the head teacher, parents have the right to ask for this decision to be reviewed by an Independent Review Panel (IRP). If a child is permanently excluded, parents will receive a letter that explains how to do so. If the child has special education needs (SEN), parents can ask for the review panel to get the help of a SEN expert to give neutral advice on the policies in place at the child's school and whether how they were applied was lawful, reasonable and procedurally fair. If that is not the case, the SEN expert will advise the panel on the possible contribution that this could have had on the circumstances of the exclusion. The Independent Review Panel cannot order the school to reinstate the child, but may direct or recommend that the governing body considers reinstating the child.

If the parents believe there has been an element of discrimination with the child's permanent exclusion, they can bring a claim to a First-Tier Disability Discrimination Tribunal (FTT) any time from the date of exclusion.

Returning the child to school after exclusion

The school has a strategy for reintegrating pupils who return to school following a fixed period exclusion, including how to manage their future behaviour. On the morning that the child returns to school after an exclusion, there will be a reintegration meeting for parent(s) and the child to discuss support for reintegration. The meeting can also be a chance for the parent to air views or concerns, particularly if there was not an entitlement to a meeting with the governing body to consider the head teacher's decision to exclude.

Internal exclusions

Internal exclusions are used when a teacher wants to move a child from class for disciplinary reasons, but they are not allowed to leave the school site.

This is done usually for children who are disruptive in class, with immediate action taken to remove them.

These are not legal exclusions, so are not covered by any legislation. However, the school behaviour policy records that internal exclusions can be used and in what circumstance.

Part-time timetables

Sometimes the school may agree with parents that a child should be on a part-time timetable for a short period. A child should not be put on a part-time timetable purely because the school doesn't have the resources or have failed to make the reasonable adjustments needed to support their needs.

If your child has special educational needs you can contact Supportive Parents for advice.

Informal exclusions

If the school asks a parent to keep a child at home as part of an informal arrangement this is an informal exclusion. Parents might feel that the school is being helpful by not adding an exclusion to the child's record, however, this can result in them missing out and needing to catch up. It can also mask the depth of the child's difficulties which may otherwise prompt a needs assessment.

Any exclusion of a pupil, even for short periods of time, must be formally recorded and the correct procedure followed. Informal exclusions (including those lasting for an indefinite period) must not happen, regardless of whether parents have agreed to them.

Managed moves

Some schools have arranged a voluntary agreement between themselves to implement a managed move where a child will go to another school. This is not part of the statutory process. Managed moves can be used as an alternative to permanent exclusion as no exclusion is formally recorded on the child's school record.

Further information and support

If a child has been excluded from school, parents may want further support and independent advice.

There is statutory guidance on the exclusion of pupils from local-authority-maintained schools on the [gov.uk website](https://www.gov.uk).

If the child has special educational needs, parents can contact the local special educational needs and disability information advice and support (SENDIAS) service, [Supportive Parents](#). They can listen to parents' concerns and advise them on their rights. They also have a toolkit to help parents understand about exclusions.

Download a factsheet with further information on exclusions for children with a special educational need (SEN) from the independent provider of special education advice [\(IPSEA\) website](#).

For professionals working with children and young people within a school, college or education setting environment, there is guidance on developing an exclusions policy available on the [South Gloucestershire Children's Partnership website](#) (this can be found under 'Behaviour').