



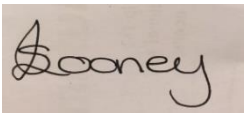
## Rugby Free Primary School Exclusions Policy

November 2021

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### POLICY APPROVAL

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Signature:	 Steph Looney Chair of Governors, Local Governing Body
Date of Signature:	16/11/17



## 1. Rationale

Rugby Free Primary School is committed to valuing diversity 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. Through this mutual respect and understanding we ensure that every child is treated fairly and justly within the realms of our Behaviour policy and system. At RFPS, we are proud of our high expectations in terms of behaviour, attitudes and learning. **This policy identifies aspects associated with exclusion and should be read in conjunction with our Behaviour and Relationships for Learning, Safeguarding and Child protection and Teaching and Learning policies.** This policy is fully in line with the Department for Education's 'Statutory Guidance on the Exclusion of pupils from maintained schools and academies' which should be read alongside this policy.

## 2. Partnership with Parents and carers

At Rugby Free Primary School our expectations are high of ourselves, each other and our children. We strive to provide the highest quality care and education for all our children thereby giving them a strong foundation for their future learning. We create a safe and happy environment with motivating and enjoyable learning experiences that enable children to become confident and independent. We value the individual child and work alongside parents and others to meet their needs and help every child to reach their full potential.

Parents working in partnership with the school to consistently reinforce the school's expectations is an important factor in every child's success. At Rugby Free Primary School, we will work in partnership with parents to ensure that expectations are clear and parents can reinforce them with their children. This includes ensuring that parents are kept informed about decisions made in response to a child's unsafe or misbehaviour so that we can work together in the best interests of pupils to ensure expectations for behaviour are made clear.

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. These are:

- **Behaviour and Relationships for Learning Policy;**
- Anti-Bullying Policy;
- Home-School Agreement

## 3. Approaches to Exclusion

We aim to include, not exclude, 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 or unsafe behaviour**, and we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.



It is the policy of Rugby Free Primary School to use exclusions sparingly in response to very serious breaches of the School's Behaviour policy and procedures, the detail of which are made explicit to all pupils and parents.

When exclusion is used as a sanction it is within the context of the guidelines listed and in line with the Department for Education's Statutory Guidance on the Exclusion of pupils from maintained schools and academies.

- The Government supports Headteachers in using **fixed term exclusion** as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to a serious breach, or persistent breaches, of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school
- The decision to exclude a pupil must be lawful, reasonable and fair
- Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. In this situation schools should give consideration to a multi-agency assessment that goes beyond the pupil's educational needs
- Schools should have a strategy for reintegrating pupils that return to school following a fixed period exclusion, and for managing their future behaviour
- All children have a right to an education. Schools should take reasonable steps to set and mark work for pupils during the first five school days of an exclusion, and alternative provision must be arranged from the sixth day. There are obvious benefits in arranging alternative provision to begin as soon as possible after an exclusion
- A **fixed term** exclusion in the first instance will usually be for no more than five days. If the pupil incurs additional exclusions these could be for longer duration at the discretion of the Headteacher. The total number of temporary excluded days in any one academic year, should not exceed 45 days.
- During exclusion, parents, child and the school will work closely together to agree a plan leading to modification of the child's behaviour, and a return to school
- Should the child not respond to the fixed term exclusion, a permanent exclusion may need to be considered
- Referral to a specialist provision or a managed move may also be appropriate in some cases

Guidelines list the following as unacceptable behaviour warranting exclusion from School, stating that in some cases it would be appropriate for the Headteacher to consider permanent exclusion:

- A physical assault against a pupil or adult resulting in significant harm
- Verbal abuse / threatening behaviour
- Any assault with a weapon or other implement against an adult or child



- A deliberate assault on another child
- Persistent disruptive behaviour
- Disruptive incidents preceded by other disruptive events when the School has attempted to gain compliance through other sanctions
- Selling and distributing drugs or alcohol within the School
- A sexual assault or sexual misconduct
- Persistent racial abuse
- Persistent bullying including physical abuse
- Persistent cyber-bullying
- Significant damage to school belongings
- Theft
- Bringing fireworks/explosives, drugs or knives to school

Before a decision to exclude a pupil, the following action will usually have taken place:

- The Headteacher, senior leaders, class teacher and any other adult concerned will provide clear identification with the pupil of the unacceptable/ offending behaviour.
- If necessary appropriate sanctions short of exclusion in an effort to discourage re-occurrence of such behaviour will have been established e.g. internal exclusions.
- A risk assessment or individual education plan will be established and implemented. **It is usual for a child to be placed on the SEND register for SEMH needs if exclusion for behaviour is being considered.**
- Notification to parents of concerns and the sanctions implemented will have taken place.
- Upon re-offence, discussion with the pupil regarding the sanction of exclusion will occur as appropriate to the child's age and a meeting with parents/guardians will be set up to discuss the sanction of exclusion.
- Exclusion, may be internal, fixed term or permanent depending on the severity of the behaviour, the needs of the child, the safety of other children and strategies and sanctions which have been previously tried.

If an exclusion is implemented, the exclusion will be reported to the CEO (on behalf of the Trust Board) as stipulated in the Department for Education's Statutory Guidance on the Exclusion of pupils from maintained schools and academies.

#### **4. Types of Exclusion**

##### Internal Exclusion:

Internal exclusion is when a pupil is excluded from the rest of the school and must work away from their class/peers for a fixed amount of time. This will be in a different classroom or with a member of the Senior Leadership Team.

An internal exclusion 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 an external / fixed-term exclusion or this is not considered appropriate due to the age, home



circumstances of special educational needs of the child. Typically, a child receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them to avoid their behaviour escalating to a point where a fixed term exclusion is necessary (examples: behaviour chart to address specific behaviours causing a problem; support from a nominated member of staff e.g. the inclusion leader, a teaching assistant or a learning mentor)

### Fixed-Term Exclusion:

A fixed term exclusion is when a child is excluded from school and must remain home for a fixed amount of time.

This should be for the shortest time necessary to ensure minimal disruption to the child's education, whilst mindful of the seriousness of the breach of policy. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently. A fixed period exclusion does not have to be for a continuous period. Fixed term exclusions will not exceed five days unless alternative provision is arranged to educate the child. It is usual practice for a fixed term exclusions to increase in days if they are regarding the same behaviours e.g. 1 day, 2 days, 5 days.

### Permanent Exclusion:

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 CEO of the Trust as soon as possible in such a case.

## **5. Reasons for Exclusion**

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 others in the school.
- Significant harm or injury of another person (child or adult)
- Significant damage to school property
- Repeated bullying/racism

This can either be a very serious incident or the repetition of several slightly less 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).

A decision to exclude a pupil, either internally, for a fixed period or permanently 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 strategies have been exhausted.

The decision to exclude will usually follow a range of 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;
- Persistent bullying;
- Persistent prejudice based harassment or hatred based acts

Exclusion may be the result of persistently poor behaviour or a serious single incident.

Persistent or cumulative problems:

Internal and fixed-term exclusion may be used in response to a 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.

These would be imposed only when the school had already offered and implemented a range of support and **behaviour management** strategies. These could be joint action plans with parents, child and school, behaviour intervention with member of SLT or SENDCo, target setting, home/school communication book etc.

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 mindful of the need to maintain order and reinforce the rules and expectations of the school in a clear and consistent way.

Single incident:

Internal and fixed-term exclusion may be used in response to a very serious breach of school rules and policies or a disciplinary offence. In the most serious cases where the problem persists and there is no improvement a permanent exclusion may be necessary.

In such 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 and Trust will be informed of all exclusions on a termly basis; and additional consultation may also take place about key incidents with the CEO.



If the Headteacher decides to exclude a pupil he/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 exclusion;
- ensure the length of the exclusion is communicated clearly via the letter 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 re-integration meeting with parents and pupil on their return to be conducted by a senior member of staff and consider a phased reintegration if necessary. This meeting should be before the pupil starts back after the fixed term exclusion, if possible.

## 6. Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents/carers 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 Care and/or the Police to safely take the pupil off site. Any parent/carer who refuses to collect their child in an appropriate time period may be reported to social care as may be an example of neglectful behaviour.

## 7. Re-integration

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 also be discussed. This meeting usually happens on the morning of the first day back at school or the afternoon before. It is expected that parents and carers will attend this as it is essential that school and parents work in partnership to re-integrate the pupils back in to school.

## 8. Learning during an exclusion

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 5 continuous days on a fixed term basis. On the sixth continuous day, the school is responsible for



providing education for the pupil, which could be at another local school, a specialist provision or by providing home education. RFPS will use the online platform SeeSaw to set and mark the school work. School will check that the pupil have access to an appropriate IT device at home. If not, school will either provide one (with parents signed authorisation) or provide paper copies of the work.

## 9. Behaviour outside school

The Headteacher has the power to discipline pupils (including internal, fixed term and permanent exclusions) for misbehaving outside of the school premises when the pupil is:

- Taking part in any school-organised or school-related activity
- Travelling to or from school
- Wearing school uniform
- Posing a threat to the orderly running of the school
- Posing a threat to another pupil or member of the public (this includes inappropriate use of the internet and cyber bullying outside of school).
- Posing a threat to the reputation of the school

The level of discipline will be appropriate to the inappropriate behaviour displayed and is also dependent on the level of harm caused. This could include internal, fixed or permanent exclusion from school.

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 any serious breach of policy which could 'bring the school into disrepute'.

## 10. 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.

The Headteacher should ensure that reasonable steps, in line with the DDA 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.

## 11. Managed Move

In cases where the Headteacher and parent's agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parents failure to engage in strategies implemented by the school are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the Headteacher may consult with the Local Authority and propose a managed move to another school. This is not exclusion and in such cases the Headteacher may assist the parents in placing the pupil in another school.





### **12. Removal from the School for Other Reasons**

The Headteacher may send a pupil home, after consultation with pupil's parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness or symptoms such as a notifiable disease e.g. Covid19. This is not an exclusion but school would expect co-operation from the parent. The child would be isolated whilst the school waits for parents to arrive.

### **13. Equal Opportunities**

The Governing Body recognise that it is unlawful to take into account anyone's gender, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation. Full consideration has been given to this during the formulation of this policy as it is the governors' aim that no-one at Rugby Free Primary School should suffer discrimination, either directly or indirectly, or harassment on any of these grounds.

### **14. Procedure for Appeal**

If parents wish to appeal the decision to exclude, the matter will be referred to the Trust and handled through the school's complaints procedure.

### **15. Review**

This policy will be reviewed biennially by Governors.