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# OVERSTONE PARK SCHOOL

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## **Exclusion Policy Appendix 2 of the Behaviour policy.**



## **Pupil Exclusion**

<b>Date</b>	<b>Review Date</b>	<b>Coordinator</b>
<b>September 2024</b>	<b>August 2025</b>	<b>Mrs M Brown Mrs D York Miss A West Ms V Brown Ms K Gorton</b>

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Education Act 2002
- Anti-social Behaviour Act 2003
- Education Act 2005
- Education and Inspections Act 2006
- Education (Pupil Exclusions and Appeals) (Miscellaneous Amendments) (England) Regulations 2006
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- Apprenticeships, Skills, Children and Learning Act 2009
- Education Act 2011
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

The following documentation is also related to this policy:

- Exclusion from Maintained Schools, Academies and pupil Referral Units in England (DfE)
- Special Educational Needs and Disability Code of Practice: 0 to 25 Years. Statutory Guidance for Organisations Who Work With and Support Children and Young People with Special Educational Needs and Disabilities (DfE) and (DoH)

We strongly believe in good discipline as we feel it is essential to ensure that all pupils can benefit from the educational and social opportunities that the school offers. The exclusion of a pupil will only be 'used as a last resort in response to a serious breach or persistent breaches of the school's behaviour policy'.

We treat all pupils fairly with all decisions to exclude will be lawful, reasonable and fair. We will not discriminate against pupils on the basis of protected characteristics. All pupils who are vulnerable to exclusion will be treated fairly.

We believe pupil exclusion is best defined as when a pupil is not allowed to attend school for either a fixed term or permanently. Pupil exclusion is a sanction that will be used only as a last resort, except when an immediate exclusion is the only appropriate action to take.

We acknowledge that a pupil will only be excluded following serious breaches of discipline or if the safety of pupils and school personnel would be harmed if the pupil remained in the school. Parents will be informed immediately in writing about a fixed period exclusion.

Before a pupil is excluded a whole range of strategies such as early intervention and pupil support plans will be implemented in order to improve the behaviour of the pupil.

All exclusions will follow the correct procedures as outlined in 'The Department for Education guidance Exclusion from Maintained Schools, Academies and pupil Referral Units in England (2012)'. We are aware that it is illegal to unofficially or informally exclude by just sending a pupil home for disciplinary reasons. At all times the correct procedures will be followed.

We will try to ensure that other than in the most exceptional circumstances we will not exclude any pupil who has a statement for SEN, or an education, health and care plan (EHC) or is receiving SEND support.

Parents will be made aware of their rights that they can appeal against an exclusion to the Governing Body. An independent review panel will deal with all appeals.

We wish to work closely with the School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that are connected with this policy.

## **Aims**

- To only use exclusion as a last resort except when an immediate exclusion is appropriate.
- To have in place early intervention systems to deal with bad behaviour.
- To maintain full-time provision for permanently excluded pupils.
- To have in place systems to reinstate excluded pupils as soon as possible.
- To establish good working relations with parents of pupils who have been excluded.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

## **Responsibility for the Policy and Procedure**

### **Role of the Principal and Senior Leadership Team**

When making the decision to exclude a pupil the Principal will:

- Undertake a thorough investigation into the alleged incident by looking at all the evidence that is available.
- From the outset keep a written record of all the stages of the investigation plus signed witness statements.
- Listen to the pupil's version of what happened.

- Check whether the alleged incident was provoked by racial or sexual harassment and to take into account any breach of the school's equal opportunities policy.
- If he/she thinks it is necessary, the Head will consult with other relevant people other than those who might be later involved in reviewing this incident.
- Comply with the Equality Act.
- Look at alternatives other than exclusion such as:
  - ☐ Internal exclusion by removal to another class
  - ☐ Restorative justice
  - ☐ Mediation
  - ☐ A managed move
- Decide on the length of the exclusion;
  - ☐ Fixed or
  - ☐ Permanent
- Inform parents immediately.
- Report the exclusion to:
  - ☐ The Disciplinary Committee
  - ☐ The Local Authority

The Principal and the Senior Leadership Team will:

- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the coordinator;
- provide leadership and vision in respect of equality;
- make effective use of relevant research and information to improve this policy;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;
- annually report on the success and development of this policy.

### **Role of School Personnel**

School personnel will:

- comply with all aspects of this policy;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- report all incidents of serious violence, assault, sexual abuse, the use of illegal drugs, possession of offensive weapons and bullying;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community.

### **Role of Pupils**

Pupils will:

- be aware of and comply with this policy;
- support the school Code of Conduct and guidance necessary to ensure the smooth running of the school;
- liaise with the school council;
- take part in questionnaires and surveys.

### **Role of Parents/Carers**

Parents/carers will:

- be aware of and comply with this policy;
- be made aware of their rights of appeal against an exclusion;
- be asked to take part periodic surveys conducted by the school;
- support the school Code of Conduct and guidance necessary to ensure smooth running of the school.

### **Fixed Term Exclusion**

In any one school year the Principal is allowed to exclude a pupil for one or more fixed term periods but not exceeding 45 school days.

During this period of exclusion the school will continue to provide education for the pupil and plan for the pupil to be reinstated after the exclusion period has ended.

Once a decision has been made parents will be informed by telephone and then by letter.

### **The Role of the Discipline Committee**

The Discipline Committee will:

- Review all exclusions.
- Consider any representations from parents.
- Take the following into account when making a decision about exclusion:-
  - ☐ special educational needs
  - ☐ disabilities
  - ☐ gender
  - ☐ cultural differences

### **Liaison with Parents**

Every effort will be made to seek parental co-operation at all stages.

### **Permanent Exclusion**

A pupil may be permanently excluded if:

- All other strategies have failed.
- The offence was a serious one-off offence such as:
  - ☐ serious, actual or threatened, violence against a pupil or a member of the school personnel;
  - ☐ sexual abuse or assault;
  - ☐ supplying an illegal drug;
  - ☐ carrying an offensive weapon;
  - ☐ or any other serious offence

## Reporting

Annually the Principal on the:

- number of exclusions
- type of exclusions
- outcome of each exclusion
- rates of exclusion from different groups such as SEND, free school meals, looked after children and ethnic groups.

## Raising Awareness of this Policy

- School Handbook/Prospectus;
- School website;
- Staff Handbook;
- Meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops;
- School events;
- Meetings with school personnel;
- Written communications with home such as weekly newsletters and of end of half term newsletters;
- Annual report to parents;
- Headteacher reports to the Governing Body;
- Information displays in the main school entrance;
- Text messages
- Email
- Social media:
  - Facebook
  - Twitter
  - Virtual pin boards
  - School blog

## Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:

- ☐ All aspects of this policy
- ☐ Pupil Behaviour and Discipline
- ☐ Supervision of Pupils
- ☐ Pastoral Care
- ☐ Safeguarding and Child Protection
- ☐ Complaints
- ☐ Parental Responsibility
- ☐ Home-School Agreement
- ☐ Attendance and Truancy
- ☐ Special Educational Needs and Disabilities
- ☐ Equal opportunities
- ☐ Inclusion

- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

### Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

<b>Principal:</b>	<b>Mrs M F Brown</b>	<b>Date:</b>	<b>September 2024</b>
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