

# Oakdene Primary School



## Exclusion Policy

Policy Written by: H. Lee

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Ratified by Governors..... Date.....

# Oakdene Primary School Exclusion Policy

Oakdene - Growing and Learning Together

The above statement is our Mission Statement which is what we are all aiming to achieve at Oakdene. We will try to achieve this through our aims in everything we do at Oakdene.

At Oakdene we aim :

- ✚ to enable all members of our School community to reach their full potential. (*Being Healthy; Enjoying and achieving.*)
- ✚ to prepare each child, through all aspects of School life, to become responsible citizens respecting themselves, others and the environment. (*Economic well being*)
- ✚ to become independent and highly motivated learners. (*Make a positive contribution; Enjoy and achieve*)
- ✚ to equip children to be flexible and adaptable to the modern world (*Economic well- being; Make a positive contribution*)
- ✚ for each child to feel valued, safe and confident. (*Staying Safe*)

The School Community will achieve these aims through:

- ✚ engaging all members of the School community in providing a broad, balanced and challenging curriculum for every child.
- ✚ opportunities for continuing professional development for all members of staff.
- ✚ children becoming partners in their own education and make a positive contribution to the school environment and ethos.
- ✚ opportunities for children to take responsibility for their own learning.
- ✚ using technology effectively to improve children's learning.
- ✚ a secure and safe environment.
- ✚ sport, exercise and healthy living.
- ✚ an enriching programme of extra curricular activities and visits.
- ✚ learning partnerships between home, school and community.

# Oakdene Primary School

## Exclusion Policy

### Introduction

Oakdene 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. We work in partnership with Parents to ensure that expectations are clear and Parents can reinforce them with their children at home. This includes ensuring that Parents are kept informed about decisions made in response to a child's misbehaviour. 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 Policy
- Anti-Bullying Policy
- Home-school Agreement

### Supporting Pupils to Succeed

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 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.

We will use behaviour data to assess patterns of challenging behaviour in pupils. Where patterns emerge we will systematically intervene, drawing up an action plan with the child, parent and teacher (eg: patterns of attendance in Reflection Time). It is the class teacher's, parents' and the child's responsibility to ensure the action plan is followed.

No exclusion will be initiated without first attempting other strategies or, in the case of a serious single incident, a proper investigation (although an initial time of internal exclusion within school may take place whilst this investigation is undertaken).

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. This 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).

### 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 for a fixed amount of time. This will be in a different classroom, in a room in School supervised by 2 members of staff or in an Inclusion Base (Minerva Centre). 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. 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; individual behaviour / education plan). Internal exclusions are not recorded as exclusions. In the case of attendance at the Inclusion Base it is recorded as 'Educated Off Site'.

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### **Temporary / Fixed-Term exclusion**

A temporary / fixed term exclusion is when a child is excluded from school and will remain at 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 and the safety of other members of our Oakdene community. This will only be instigated if there are no places at the Inclusion Base or the situation in school is untenable to have the child in school and there is no provision elsewhere.

### **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 Chair of the Governors as soon as possible in such a case.

### **Reasons for Exclusion**

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 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 or weapon 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. Internal and temporary/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. This would be imposed only when the school had already offered and implemented a range of support and management strategies. These could be, eg: joint action plans with parents, home school communication strategies (eg: book, email system), a Pastoral Support Plan (PSP), a Behaviour Improvement Plan (IBP). work with the Behaviour Improvement Team (BIT). When all these systems have been put into place and there is still persistently poor behaviour, an exclusion will be considered.

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 temporary/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.

Governors do not need to meet to consider exclusion but the DfE advises that they do. In the case of Oakdene, this will be the Pupil Disciplinary committee. This enables the parents to have the opportunity to present their views on the exclusion. If representations are received from the Parents the Governors must consider them but

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are not required to meet and cannot direct re-instatement. Government guidance states that governors must meet to consider any such representations within 50 school days of receiving notice of the exclusion but should respond promptly to any request from the parents. The governors can uphold or overturn the exclusion but cannot increase its length.

The Full Governing Body will be informed of all exclusions on a termly basis and additional consultation will take place with the Chair of Governors and the Pupil Disciplinary Committee.

### Multiple Exclusions

If a child's behaviour demands more than one exclusion from school (including attendance at the Inclusion Base) then each case would be looked at as an individual case. However, escalation of behaviour may lead to an increase of days excluded or attendance at the Inclusion Base as a tiered approach. For example: 1 exclusion incident = 1 day at Inclusion Base; 2<sup>nd</sup> exclusion incident = 2 days at Inclusion Base; 3<sup>rd</sup> exclusion incident = 3 days at Inclusion Base etc.

### The decision to exclude

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 to explain the decision and ask that the child be collected from the school main entrance
- send a letter to the parents confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion and inform them of their right to respond via the Governing Body;
- inform the Parents as to whether there is a place at the Inclusion Base (Minerva Centre) for the exclusion period and the details regarding this placement;
- : 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.

### Safeguarding

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.

### Re-integration

After a fixed term exclusion or attendance at the Inclusion Base, 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. The outcome of this meeting will be recorded and a copy retained by the parent, child (if applicable) and school.

### Work Set

When a pupil is excluded from School, work will 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.

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A pupil can be excluded for up to 10 continuous days on a fixed term basis. On the 6<sup>th</sup> continuous day, the Governing Body needs to provide alternative education for the child (eg: Inclusion base, alternative school, PRU or Home Education).

### **Behaviour outside school**

Pupils' behaviour outside school 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'.

### **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.

### **Managed move**

In cases where the Headteacher and parents agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered at Oakdene, 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.

### **Removal from the school for other reasons**

The Headteacher may send a pupil home, after consultation with that 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 such as a notifiable disease. This is not an exclusion and should be for the shortest possible time. A pupil cannot be 'sent home' for other reasons, including poor behaviour.

### **Equal Opportunities**

The Governing Body recognise that it is unlawful to take into account anyone's gender, marital status, 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 Oakdene Primary School should suffer discrimination, either directly or indirectly, or harassment on any of these grounds.

### **Procedure for appeal**

If parents wish to appeal the decision to exclude, the matter will be referred to the Governing Body and handled through the school and LA appeal procedure.

Guidance on Fixed Term Exclusions (Based on Government Guidelines)

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## Informing Parents Of Exclusion

See Model Letters (Appendix 1)

### Oakdene Primary School will:

- Notify parents/carers immediately- ideally by telephone
- Provide a Letter within 1 school day specifying:
  - o Precise period of fixed period exclusion or effective date of permanent exclusion
  - o If permanent, that it is permanent
  - o Reasons for the exclusion
  - o Parents right to make representations to the governing body
  - o Parents right to see and have a copy of child's school record upon written request
  - o Date and time when pupil should return from fixed period exclusion
  - o Any relevant previous history
  - o Arrangements for continuing education, including the marking and setting of work
  - o Latest date by which governing body must meet
  - o Person whom the parent should contact if they wish to make representations (usually the clerk to the governors
  - o Name and contact information for Head of Social Inclusion (LEA Officer)
  - o ACE exclusions helpline number 0808 800 0327
  - o Information translated as necessary

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## EXCLUSION MODEL LETTERS

The Department for Education issued Exclusions Guidance effective from September 2012:-

### Exclusion from maintained schools, Academies and pupil referral units in England

#### TIMETABLE TO REVIEW EXCLUSIONS

Based on the number of school days in a term that the pupil has been excluded from school; lunchtime exclusions count as half a day.

#### Informing the Governing Body and LA

The Headteacher must inform the governing body and the LA without delay, of:

1. permanent exclusions;
2. fixed period exclusions which would result in the pupil being excluded for more than 5 school days [or more than 10 lunchtimes] in a term
3. exclusions which would result in the pupil missing a public examination.

Exclusion notification forms should be completed and returned to ..... together with a copy of the exclusion letter to parents.

#### For all fixed period exclusions

During the first five school days of any exclusion the school must set work to be completed at home by the pupil.

*From the sixth school day (not cumulative) of a fixed period exclusion the governors must arrange for suitable alternative full-time education until the pupil returns to school.*

#### Fixed period exclusion of 5 days or less

Unless the exclusion will result in the pupil missing a public examination, the Headteacher is only required to report such exclusions to the governors and LA once a term.

Governors do not need to meet to consider the exclusion but we advise that they do so to enable parents to have the opportunity to present their views on the exclusion.

If representations are received, the governors must consider them but are not required to meet and cannot direct re-instatement.

The government guidance gives no indication as to when this meeting should take place, but advises that the governing body should respond promptly to any request from the parents.



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### **Fixed period exclusion of 6 - 15 days (or cumulative)**

The governors do not need to meet, unless the parents wish to make representations.

The government guidance states that governors must meet to consider any such representations within 50 school days of receiving notice of the exclusion but, again, should respond promptly to any request from the parents.

The governors can uphold or overturn the exclusion but cannot increase its length.

### **Fixed period exclusion of 16 - 45 days (or cumulative) or permanent exclusion**

Governors must meet within 15 school days of receiving notice of the exclusion and must decide whether or not to uphold the exclusion.

Parents and LA must be invited to the meeting. Meeting must take place even if parents do not wish to attend.

Taking into account pupil's age and understanding, he/she should be enabled and encouraged to attend.

The governors can uphold or overturn the exclusion, but cannot increase the length of a fixed period exclusion.

Following the meeting the governing body must inform the parents without delay of its decision in writing, stating the reasons.

Where the governors uphold a permanent exclusion, the parents have the right to ask for the decision to be reviewed by an independent review panel.

NB: If any exclusion would cause the pupil to miss a public examination, the school should consult with the Behaviour and Inclusion Improvement Service, in order to explore possible alternatives.

### **Model Letter 1**

## Oakdene Primary School Exclusion Policy

From the Head Teacher of Oakdene Primary School notifying parent of a **fixed period exclusion of 5 school days or fewer in one term**

Dear **[Parent's name]**

I am writing to inform you of my decision to exclude **[pupil's name]** for a fixed period of **[specify period]**. This means that he/she will not be allowed in school for this period. The exclusion begins/began on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[pupil's name]** has not been taken lightly. **[Pupil's name]** has been excluded for this fixed period because **[reason for exclusion this can be more than one reason]**.

### **[For pupils of compulsory school age]**

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for **[pupil's name]** to be completed on the days specified in the previous paragraph as school days during the period of his/her exclusion when you must ensure that he/she is not present in a public place without reasonable justification. **[detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the governing body.. If you wish to make representations please contact **[Chair of Governors]** at **[contact details Oakdene Primary School]**, as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>).

You and **[pupil's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school to discuss how best we can support your child.

- Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>.
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>

Advice on the exclusions process can also be obtained from the St.Helens Behaviour and Inclusion Improvement Service: telephone number: 01744 671102 or the local Parent Partnership on 01744 677368 (for pupils with special educational needs)

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**[Pupil's Name]**'s exclusion expires on **[date]** and we expect **[pupil's name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

Head teacher

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### Model letter 2

**From the head teacher of Oakdene Primary School notifying parent(s) of a pupil's fixed period exclusion of more than 5 school days (up to and including 15 school days) in a term.**

Dear [Parent's name]

I am writing to inform you of my decision to exclude [pupil's name] for a fixed period of [specify period]. This means that [pupil's name] will not be allowed in school for this period. The exclusion start date is [date] and the end date is [date]. Your child should return to school on [date].

I realise that this exclusion may well be upsetting for you and your family, but my decision to exclude [pupil's name] has not been taken lightly. [Pupil's name] has been excluded for this fixed period because [specify reasons for exclusion].

#### **[For pupils of compulsory school age]**

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days [or specify dates if exclusion is for fewer than 5 days] of this exclusion, that is on [specify dates]. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for [pupil's name] during the first five school days of his/her exclusion [specify the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the [6th school day of the pupil's exclusion [specify date] until the expiry of his exclusion we [- set out the arrangements for provision if known] will provide suitable full-time education. On [date] he/she should attend at [give name and address of the alternative provider if not the home school/Academy] at [specify the time] and report to [staff member's name]. [If applicable — say something about transport arrangements from home to the alternative provider.]

You have the right to request a meeting of the governing body to whom you may make representations, where the decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the governing body must meet if you request it to do so. The latest date by which the governing body must meet, if you request a meeting, is [specify date — no later than the 50th school day after the date on which the governing body were notified of this exclusion]. If you do wish to make representations to the governing body and wish to be accompanied by your child and friend or representative, please contact [name of Chair of Governors] on/at [School Details], as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform [the Chair of Governors] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>). Making a claim would not affect your right to make representations to the discipline committee.

You and [pupil's name] are requested to attend a reintegration interview with me [alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that is not convenient, please contact the

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school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

- Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>.

Advice on the exclusions process can also be obtained from the St.Helens Behaviour and Inclusion Improvement Service: telephone number: 01744 671102 or the local Parent Partnership on 01744 677368 (for pupils with special educational needs)

**[Pupil's name]**'s exclusion expires on **[date]** and we expect **[pupil's name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

Head teacher

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**Model letter 3**

**From the head teacher of Oakdene Primary school notifying parent of a fixed period exclusion of more than 15 school days in total in one term.**

Dear [Parent's name]

I am writing to inform you of my decision to exclude [pupil's name] for a fixed period of [specify period]. This means that [pupil's name] will not be allowed in school for this period. The exclusion begins/began on [date] and ends on [date].

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [pupil's name] has not been taken lightly. [Pupil's name] has been excluded for this fixed period because [reason for exclusion].

**[For pupils of compulsory school age]**

You have a duty to ensure that your child is not present in a public place in school hours during [the first five school days of exclusion or specify dates], unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates. It will be for you to show that there is reasonable justification.

We will set work for [pupil's name] during the [first five school days or specify dates] of his/her exclusion [specify the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the [6th school day of the pupil's exclusion] [specify date] until the expiry of his/her exclusion we will provide suitable full-time education. On [date] he/she should attend [give name and address of the alternative provider] at [specify the time] and report to [staff member's name]. [If applicable — say something about transport arrangements from home to the alternative provider.]

As the length of the exclusion is more than 15 school days in total in one term the governing body must meet to consider the exclusion. At the meeting you may make representations. The latest date on which the governing body can meet is [date here — no later than 15 school days from the date the governing body is notified]. If you wish to make representations to the governing body and wish to be accompanied by your child and friend or representative please contact [Chair of Governors] on/at [School details], as soon as possible. You will, whether you choose to make representations or not, be notified by the governing body of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform [Chair of Governors] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>). Making a claim would not affect your right to make representations to the governing body/management committee/board of directors of the Academy Trust.

You and [pupil's name] are invited to attend a reintegration interview with me [alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time to discuss how we can best support your child

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- Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>

Advice on the exclusions process can also be obtained from the St.Helens Behaviour and Inclusion Improvement Service: telephone number: 01744 671102 or the local Parent Partnership on 01744 677368 (for pupils with special educational needs)

**[Pupil's name]**'s exclusion expires on **[date]** and we expect **[name of pupil]** to be back in school on **[date]** at **[time]**.

Yours sincerely

Head teacher

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### Model letter 4

#### From the head teacher of Oakdene Primary School notifying the parent(s) of the pupil's permanent exclusion.

Dear [Parent's Name]

I regret to inform you of my decision to permanently exclude [pupil's name] with effect from [date]. This means that [pupil's name] will not be allowed in this school unless he/she is reinstated by the governing body.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude [pupil's name] has not been taken lightly. [Pupil's name] has been excluded because [reasons for the exclusion – include any other relevant previous history].

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on [specify the precise dates] unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

Alternative arrangements for [pupil's name]'s education to continue will be made. For the first five school days of the exclusion we will set work for [pupil's name] and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards – i.e. from [specify the date] the local authority [give the name of the authority] will provide suitable full-time education. [set out the arrangements, if known.]

#### [Where pupil lives in a local authority other than the excluding school's local authority]

I have also today informed [name of officer] at [name of local authority] of your child's exclusion and they will be in touch with you about arrangements for [his/her] education from the sixth school day of exclusion. You can contact them at [give contact details].

As this is a permanent exclusion the governing body must meet to consider it. At the meeting you may make representations, your son/daughter can also attend the meeting if you wish and ask them to reinstate your child in school. The governing body have the power to reinstate your child immediately or from a specified date, or alternatively, they have the power to uphold the exclusion in which case you may make application against their decision to an Independent Review Panel. The latest date by which the governing body must meet is [specify the date – the 15th school day after the date on which the governing body was notified of the exclusion]. If you wish to make representations to the governing body and wish to be accompanied by your son/daughter, a friend or representative please contact [Chair of Governors] on/at [School details], as soon as possible. You will, whether you choose to make representations or not, be notified by the governing body of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform [Chair of Governors] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>). Making a claim would not affect your right to make representations to the governing body/management committee/board of directors of the Academy Trust.



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- Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>

Advice on the exclusions process can also be obtained from the St.Helens Behaviour and Inclusion Improvement Service: telephone number: 01744 671102 or the local Parent Partnership on 01744 677368 (for pupils with special educational needs)

You may also wish to contact **[Name]** at **[LA name]** on/at **[contact details — address, phone number, email]**, who can provide advice on what options are available to you.

Yours sincerely

Head teacher

Oakdene Primary School  
Exclusion Policy

**Appendix 2 The Use Of Exclusion: At a Glance Guidelines For Head Teachers**

ILLEGAL/NO GROUNDS	REASONABLE GROUNDS	STRONG GROUNDS
<p><b>Minor incidents, for example:</b></p> <ul style="list-style-type: none"> <li>o Failure to do homework</li> <li>o Failure to bring dinner money</li> </ul>	<p>Breach of the school's behaviour policy (see possible examples below):</p>	<p>Serious breach of the school's behaviour policy (see possible examples below)</p>
<p>Poor academic performance</p>	<p>Serious harm to the education or welfare of the pupil or others. Physical violence to other children or staff</p>	<p>Bringing the school into disrepute through inappropriate or dangerous behaviour or seriously endangering the safety of others</p>
<p>Lateness or truancy</p>	<p>Persistently leaving school premises without authorisation</p>	<p>Supplying or using an illegal drug on school premises</p>
<p>Pregnancy</p>	<p>Bringing adults or other young people onto school premises with malicious intent</p>	<p>Carrying, threatening to use and or using an offensive weapon (including fireworks)</p>
<p>Breaches of school uniform or rules on appearance, for example:</p> <ul style="list-style-type: none"> <li>o wearing jewellery or displaying body-piercing</li> </ul>	<p>Bringing the school into disrepute at a public event or on social media</p>	<p>Attempted arson on school grounds, destruction or serious damage of school property or buildings</p>
<p>Failing to meet the requirements of the Disability Discrimination Act by excluding disabled pupils without due regard to their disability or treating them less favourably than others because of their disability</p>	<p>· Persistent refusal to co-operate with school staff, verbal aggression towards staff, pupils or other members of the school community</p>	<p>Repeated threats and highly offensive and abusive language towards school staff, pupils or other members of the school community</p>
<p>Failing to meet the requirements of the Race Relations Act by excluding pupils or discriminating unfavourably on the grounds of race</p>	<p>Bullying, racial ,sexual or other harassment of staff, pupils or other members of the school community</p>	<p>Repeated bullying, racial, sexual or other harassment of staff, pupils or other members</p>