

St. Michael and All Angels C.of E. Primary School

Exclusion Policy



Last reviewed on: January 2023

**Next review due
by:** January 2024

**Person
Responsible** Sara Richardson

Our Vision

John 8:12 I am the light of the world. Whoever follows me will never walk in darkness but will have the light of life.”

- We value the worth and potential of each person, enabling all to flourish and shine as lights in the world.
- The whole school community will know the love of Christ.
- A high quality, broad and balanced curriculum will ensure none walk in darkness.

Our Christian Virtues: Forgiveness, Honesty, Love, Respect, Thankfulness, Trust.

Our School Policies should be understood as part of the overall strategy of the school and put into practice within the context of our Vision, Mission and Christian Virtues as a Church School, with a particular focus on the promotion of equality.

We work together to nurture an inclusive family of hard-working, respectful individuals who have a lifelong love of learning.

“Life in all its fullness” (John 10:10)

Everything we do is rooted in our belief that all human beings are loved and cared for by God. As a Church school, we believe that every member of our school community should have an equal opportunity to achieve his or her full potential, regardless of race, colour, gender, disability, special educational needs or socio economic background.

Suspension & Permanent Exclusion

Suspension & permanent exclusion do form part of the behaviour management structure at St. Michael And All Angels. We aim to utilise this as a ‘last resort’ in most circumstances but will use suspension and permanent exclusion as a sanction when warranted as part of creating a calm, safe, and supportive environment in which pupils can learn and thrive. To achieve this, suspension and permanent exclusion are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes, or consequences within the school.

The Headteacher’s Powers To Use Suspension or Permanent Exclusion

Only the headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

A pupil’s behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher, including suspension or

permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate. When establishing the facts in relation to a suspension or permanent exclusion decision the headteacher must apply the civil standard of proof, i.e., 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the headteacher should accept that something happened if it is more likely that it happened than that it did not happen.

The headteacher must take account of their legal duty of care when sending a pupil home following an exclusion. Headteachers should also take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so. They should inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil should be given support to express their view, including through advocates such as parents or, if the pupil has one, a social worker. Whilst an exclusion may still be an appropriate sanction, the headteacher should also take account of any contributing factors identified after an incident of misbehaviour has occurred.

A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year).

A suspension does not have to be for a continuous period. A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, the headteacher will consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour. It is important that during a suspension, pupils still receive their education. The headteacher will take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways.

The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways will always be recorded as a suspension.

A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.

The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension. A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should only be taken:

- 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 such as staff or pupils in the school.

For any permanent exclusion, the headteacher will take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) will also be considered.

The headteacher may cancel any exclusion that has already begun, but this should only be done where it has not yet been reviewed by the governing board. Where an exclusion is cancelled, then:

- Parents, the governing board, and the LA should be notified without delay and, if relevant, the social worker and VSH;
- Parents should be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled;
- Schools should report to the governing board once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight and;
- The pupil should be allowed back into school.

The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion. This list is non-exhaustive and is intended to offer examples rather than be complete or definitive.

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability.