



Elloughton Primary Exclusions Arrangements

Autumn 2021

Purpose

Elloughton Primary School Exclusions Arrangements (Extract from the Elloughton Primary Behaviour Policy - Please read in conjunction with the full policy)

Exclusions

Exclusion will be considered if there is sufficient evidence that a pupil has committed a disciplinary offence and that by allowing the pupil to remain in school it would seriously harm the education or welfare of the pupil or others in the school. This can be fixed term or permanent and must be sanctioned by the headteacher.

Exclusion will be considered when:

- There is an assault (or attempted assault) on a member of staff or pupil
- A pupil is in possession of a weapon/prohibited substance
- There is extreme rudeness/abuse towards a member of staff
- A previously agreed contract has been broken
- There is persistent defiance/disruption
- There is repeated refusal to accept sanctions (e.g. referral to the headteacher)
- Serious and unacceptable behaviour causing distress to pupils (for example, cyber bullying/racism/homophobic bullying)
- Serious and unacceptable behaviour causing high levels of distress to staff or pupils

This is not an exhaustive list and there may be other situations where the headteacher makes the judgement that exclusion is an appropriate sanction. In such situations, the pupil can be removed from the school or current provision:

- Internal exclusion
- fixed term exclusion
- permanent exclusion

Pupils may spend time in internal exclusion on the school site whilst an incident is fully investigated and to ensure that exclusion does not take place without due full attention to the details. Pupils will be given the opportunity to provide statement(s) and any subsequent decision to exclude will apply the standard of proof on, 'the balance of probabilities', i.e. if it is more probable than not that the pupil did what he or she is alleged to have done.'

Parents will be informed of any exclusion by a letter sent home with the pupil or email on the same day. The Headteacher or designated senior leader will also attempt to contact them by phone where possible.

Fixed Term Exclusion and Sixth Day Provision

A pupil can be excluded for one or more fixed periods which, when aggregated, do not exceed 45 school days in any one school year. The decision to exclude a pupil will always be a last resort, consideration will be based on the advice from the DfE, a balance of



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probabilities and will take into account the seriousness of breaches of the school's behaviour policy, including persistent disruptive behavior.

Where it becomes clear that fixed period exclusions are not deterring poor behaviour the school will consider alternative strategies for addressing negative behaviour. For example, the school may try Internal exclusion, a pupil may be referred to the Educational Psychologist.

A pupil may also be offered a Managed Move to reduce the risk of permanent exclusion.

Where there is a persistent lack of parental cooperation and this is affecting the child's behaviour, the school or local authority may consider applying for a Parenting Order. Family support may also be accessed through Early Help Assessments.

In the majority of situations fixed term exclusions will be between 1 to 5 days. Work will be set by the school during this period. Pupils who are excluded for a period of 6 days or longer will be provided with alternative educational provision, which will normally be off site.

For Children In Care alternative provision will be provided from the earliest date possible, preferably from the first day of exclusion. Pupils may be required to engage in a phased reintegration (particularly for assaults).

Reintegration

A reintegration meeting will be arranged with the parent during or following the expiry of any exclusion. The aim of the reintegration meeting is to assist the reintegration of the pupil and promote the improvement of his or her behaviour. A plan will be drawn up which will outline expectations regarding pupil's behaviour and will also detail support to be provided by the school and or multi-agency partners. The reintegration meeting will also provide an opportunity to emphasise the importance of parents working with the school to take joint responsibility for their child's behaviour.

Exclusions and the Equality Act 2010

The Equality Act 2010: Part 6, defines a disabled person as 'someone who has a physical or mental impairment which has a substantial and long term effect on his or her ability to carry out normal day to day activities'. Pupils to whom this definition applies will receive support and intervention as outlined below but will also benefit from the two key duties summarised as:

- A less favourable treatment duty
- A reasonable adjustment duty

To prevent discrimination the school will not treat pupils less favourably for a reason related to their disability than to someone to whom that reason does not apply, without justification. To prevent discrimination the school will not fail to take reasonable steps to ensure that disabled pupils are not placed at substantial disadvantage, in comparison with pupils who are not disabled, without justification.

The school will make 'reasonable adjustments' to the application of the behaviour policy. Reasonable adjustments are aimed at preventing discrimination and reducing the risk of exclusion. Reasonable adjustment can be taken in the form of:

- Use of individual support plans (ISPs)
- Friendship circles, buddy, mentor
- Internal exclusion
- Inclusion in intervention programme



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- Support from Educational Psychologist, Behaviour Support Team (BST), Special Educational Needs Support Team, Child Adolescent Mental Health Service (CAMHS)

Reasonable Adjustment and Justification

The school will seek to make 'reasonable adjustments' to ensure that 'less favourable treatment' does not occur (unless the reasonable adjustment would not have made a difference to the particular case).

The 2008 Guidance on 'comparator' states: "The comparison should be with a pupil who is not disabled and who has behaved in the same way" (para 77 and caselaw LB Lewisham v Malcolm (2008)). The 'less favourable duty' does not mean that disabled pupils have an excuse for disruptive or anti-social behaviour. The DDA states that: 'Where a child has a disability which causes 'behavioural difficulties', a school will be required to consider what adjustments they might make in order to manage behaviour rather than simply use exclusion as a tool.'

Exclusion Appeals

Fixed term and permanent exclusion letters include details of all appeal procedures. All Permanent Exclusions are considered by an Independent Appeal Panel, SEND (SEN & Disability Tribunal) can consider claims of disability discrimination.

Support and Intervention

Elloughton Primary School will work closely with pupils, parents and multi-agency partners so that pupils who require support with their behaviour have access to it. This may involve:

- Target setting/Interim Report on progress
- Regular feedback to parents via Daily Report form.
- Individual Support Plan (ISP) - where teacher, parent and pupil are involved to produce an agreed approach
- Individual Support Plan - where teacher, parent, Inclusion Manager and pupil are involved to produce an agreed approach with referral to one or more external agency and involving formal meetings/case conferences
- Managed Move - This would be offered in line with the current managed move protocol
- Assessment by specialist staff with regard to 'barriers to learning', with application for special funding where appropriate
- Early Help form with inter-agency referral to access a coordinated programme of support and
- professional assessment of a family's needs

A number of people may be involved in providing this support:

- Parents/Carers
- Classroom teacher
- Phase Leaders
- Headteacher
- Inclusion Manager
- External agencies - for example, The Educational Psychologist, Behaviour Support Team (BST), Educational Welfare Officer, Behaviour and Inclusion Team, Family Support Services, Child Adolescent Mental Health Services, Outreach Worker,
- Family Liaison Officer, Youth Services, Community Police
- Multi-agency Partner
- Senior Leadership Team
- Governors



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Adoption, Approval, Sign Off

Signed	Carole Fulstow
On behalf of	Headteacher
Date	Autumn 2021

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