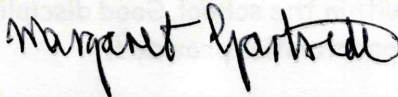




# Marlfields Primary Academy

Where Children Come First

## Exclusion Policy

Policy Author	Mrs S Isherwood
Responsible Governor's Committee	Leadership & Management
Date discussed at SLT Meeting	
Date discussed at Staff Consultation meeting	
Date reviewed and approved by Committee	24 <sup>th</sup> February 2021
Full Governors Meeting	3 <sup>rd</sup> March 2021
Chair of Governors Signature	
Frequency of Review	Review in the light of changes to legislation or operating experiences Or within two years of approved date from Governors
Review Month	February
School Website	Yes

### Purpose of this Policy

This policy is designed to briefly outline the school's approach to exclusions within the statutory framework in the DfE Document: Exclusion from maintained schools, academies and pupil referral units in England (2012), updated in September 2017.

This policy outlines only where the school applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the school. When considering any exclusion, Marlfields Primary Academy will also use the Cheshire East exclusion guidelines as necessary.

### Principles

Exclusion is a 'last resort' sanction used by the school only in cases of a serious incident that is in breach of our expectations for behaviour (see Behaviour Policy). A pupil may be at risk of exclusion from school for:

- Verbal or physical assault of a pupil or adult;
- Persistent and repetitive disruption of lessons and other pupils' learning;
- Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions (this includes misbehaviour which occurs outside school when wearing school uniform);
- Extreme online abuse of a pupil or member of staff outside of school; •Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

A Fixed Term Exclusion from the school can only be authorised by the Principal or Vice Principal acting on their behalf. If none are available to authorise the exclusion of a decision should be deferred until the opportunity for authorisation is available.

The school seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the school, and by using the expertise within the school. Good discipline is essential to ensure that all pupils can benefit from the opportunities provided.

The decision to exclude must be lawful, reasonable and fair. The school regularly monitors the number of Fixed Term Exclusions to ensure that no group of pupils is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

The length of time of a Fixed Term Exclusion is determined by the Principal. Typically this will be two or three days. Lunchtime exclusions are Fixed Term Exclusions and count as a half day exclusion. The shortest length of time a child can be excluded is half a day, and the longest fixed term for a temporary exclusion is five days.

In the case of a Permanent Exclusion, this can only be authorised by the Principal and must only be done after consulting with the Chair of the Governors Pupils Exclusion Committee of the intention to impose this sanction, although the final decision rests with the Principal.

### Notification of an Exclusion

Parents/carers will be notified as soon as possible of the decision to exclude a pupil and the reason for the exclusion. This will be done on the day of the exclusion being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion will be sent to parents the same day.

In the case of a Permanent Exclusion, parents/carers will be notified by the Principal in a face-to-face meeting.

A pupil who has been excluded will have the reason for his/her exclusion explained to them by a member of staff so that they understand the nature of their misbehaviour.

The Chair of the Governors Pupils Exclusion Committee, the Trust CEO, LA Exclusion Officer and relevant school staff will be notified of all Fixed Term Exclusions the same day as the production of the exclusion letter, which they will receive a copy of. The letter will clearly outline the reasons for the exclusion. The letter is a standard letter that includes details of the reason for exclusion, the date of return to school, details of the reintegration meeting and informs parents and carers of their rights. See Appendix A.

All children have a right to an education. The school will take reasonable steps to set and mark work for pupils during the first five school days on an exclusion, and alternative provision must be arranged from the sixth day.

### Pupils returning from a Fixed Term Exclusion

All pupils returning from a Fixed Term Exclusion are required to attend a reintegration meeting, accompanied by a parent/carer. This meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between pupil, parent/carer and school.

### Appeals

All correspondence regarding an exclusion from the school will inform parents/carers of their right to appeal to the Governing Body against the decision to exclude. This procedure is clearly set out in the statutory guidance. The person who should be contacted to make representations about the decision is the Chair of Governors, which may be via the Clerk to the Governors. This must happen as soon as possible. Whilst the Local Advisory Board has no power to direct reinstatement, they must consider any representations and should place a copy of their findings on the child's school record.

### Governors

The Governors must ensure that at least one member of the Local Advisory Board (not including the Principal) has received exclusion training within the last two years. A record of trained governors should be kept.

**Relationship to other school policies**

The Exclusion Policy should be read alongside the school's Behaviour Policy as well as any relevant school policies, such as those that refer to SEND, Inclusion and Equality.

## Exclusion Policy

### Appendix A: Sample letter

[Notifying parent of a fixed period exclusion of 5 school days or fewer in one term, and where a public examination is not missed]

*Note:* The Principal should notify the parent / carer immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by a letter within one school day.

Dear Parent/Carer

[Child's Name, Date of Birth]  
Fixed Term Exclusion

I am writing to inform you of my decision to exclude [Child's Name] for a fixed period of [number of days] days. This means that [Child's Name] will not be allowed in school for this period. The exclusion begins/began on [date] at [time] and ends on [date]. [Child's Name] should therefore return to school on [Date] at [Time] and report to [Name of staff/place].

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded for this fixed period because [give 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 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. If so, it will be for you to show reasonable justification

We will set work for [Child's Name] to be completed on the days specified above during the period of his/her exclusion. [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 school Governing Body. If you wish to make representations please contact [Name of Contact] on/at [address, phone number, email], 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 (under the Equality Act 2010), you have the right to appeal and / or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representation to the discipline committee.

[This following paragraph may be used if you want to hold a reintegration meeting] You and [Child's Name] are requested to attend a reintegration meeting with me [alternatively, specify the name of another staff member] on [date] at [time]. If that is not convenient please contact the school [within the next ten days] to arrange a suitable alternative date and time. The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed. You also have the right to see a copy of [Child's Name]'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of [Child's Name]'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Cheshire East Contact Centre: telephone 0300 123 5500, or email: [exclusions@cheshireeast.gov.uk](mailto:exclusions@cheshireeast.gov.uk) who can provide advice. You may also find it useful to contact the Coram Children's Legal Centre — they offer information and advice on education, including exclusion from school. They can be contacted on 08088 020 008, or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

You may also wish to look at the Department For Education's guidance 'Exclusion from maintained schools, Academies and pupil referral units in England' through the following link: <https://www.gov.uk/government/publications/school-exclusion> If your child has special educational needs you may wish to contact Cheshire East Information Advice and Support on 0300 123 5166.

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

Yours sincerely

(Name)  
Principal