



# EXCLUSION POLICY

*'...like a tree firmly planted by streams of water which yields its fruit...'*

*Psalms 1v3*



## Bollinbrook CE Primary School Exclusion Policy

Recommended by	Lynne Le Marinel
Approved by	Governing Board
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Legal Status	Statutory

### CHANGE RECORD FORM

Version	Date of change	Date of release	Changed by	Reason for change
2	September 2019	September 2019	L. Le Marinel	Review
3	September 2020	September 2020	L. Le Marinel	Review
4	September 2021	September 2021	L. Le Marinel	Review
5	September 2022	September 2022	L. Le Marinel	Review
6	September 2023	September 2023	L. Le Marinel	Review
7	September 2024	September 2024	L. Le Marinel	Review
8	September 2025	September 2025	L. Le Marinel	Review





## Mission Statement

*... 'a tree firmly planted by streams of water which yields its fruit...' Psalm 1v3*

*At Bollinbrook CE Primary the Christian value of 'Love' is at the heart of who we are as a community. We teach our children to be rooted in Jesus Christ so they develop a love of learning that supports their academic, emotional and spiritual growth. If rooted in Christ, children can grow into who they were created to be. Based on Psalm 1v3, 'like a tree firmly planted by streams of water which yields its fruit...' We are helping our children grow spiritually, emotionally and academically laying firm roots that will provide strong foundations and bear fruit that will help them on the next stage of their educational journey.*

## Policy Statement

Exclusion is always the last resort. Other than in cases of extreme one off behaviour, such as serious physical or verbal abuse, before the school considers this sanction all other steps within our behaviour policy will have been explored.

This information is to help you understand what it means when your child has been excluded from a State School, Maintained School, Academy, Free School or Pupil Referral Unit, and what your rights are.

## What exclusion from school means

There are two types of exclusion - fixed term and permanent:

- a fixed term exclusion means an exclusion of anything totalling up to 45 school days in any one school year. After the exclusion period your child returns to school.
- a permanent exclusion is when your child will not be allowed to return to the excluding school unless the headteacher's decision is reversed, either by a committee of school governors or an independent appeal panel.

Whilst your child is excluded for a fixed term staff at the school will set work for your child and will advise you on this process.

It is important to bear in mind that you will be responsible for your child's welfare during the time he or she would normally be in school. For the first five days of an exclusion you must



make sure that your child is supervised and not in a public place during school hours. Failure to comply with this could lead to prosecution.

Examinations could be affected. If the headteacher considers that your child should not sit their examinations at the school, the school should make alternative arrangements and tell you about them.

## **Pupil exclusion from school**

## **Exclusions**

Every school must have a behaviour policy. Head teachers are responsible for setting the standard of behaviour expected of pupils at the school and any sanctions and rewards in relation to the school rules. The school behaviour policy must be shared with staff, parents and pupils at least once a year.

Schools have been given powers to use exclusion as a means of maintaining high standards of discipline. The government have set out these powers in statutory guidance. More information can be found on the [education.gov.uk website exclusions pages](https://www.gov.uk/government/guidance/school-exclusions).

The following summary gives a brief overview of exclusions and the new statutory guidance.

## **Unofficial exclusions**

An unofficial exclusion is when a pupil is sent home from school without a formal fixed term exclusion being recorded. The school may suggest that the pupil needs a 'cooling off' period. It may last for more than one day. The parent does not receive any paperwork for this.

## **Why parents agree to this**

- they do not want an exclusion on their child's record
- they are worried that if they do not agree there will be a more serious consequence
- they do not want to make a fuss
- they do not know about or understand the statutory regulations regarding exclusions

## **Why all exclusions should be official**

- if there are no official records of exclusions it appears to others that the pupil is not having difficulties in school



- formal exclusion gives the parent/s or carer/s the right to meet with the governors who will consider the exclusion and reinstatement of the pupil
- without formal disciplinary evidence it is harder to obtain advice and / or support from agencies
- parent/s or carer/s will be unaware of the fine that may be imposed if the child is out in a public place when they are not allowed into school
- guidance is clear that unofficial exclusions are unlawful

The head teacher is responsible for the safeguarding of all pupils on roll during the school day. The only times they are not responsible are if the child is ill and has been kept at home or if they are formally excluded and the responsibility goes to the parents

Paragraph 13 of the Statutory Guidance states that “informal ‘ or ‘unofficial’ exclusions are unlawful regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for a short period of time, must be formally recorded”.

## Fixed period exclusions

A fixed period exclusion is when a child is not allowed on the school site for a defined period of time because they have done something which is against the school's behaviour policy (the school rules) and the head teacher decides warrants exclusion.

Most fixed term exclusions are for short periods of time (usually less than 5 days) so the child does not miss too much school work. If the fixed term exclusion is for more than 5 days then the school must provide full time education from the sixth day at an alternative venue.

You may be contacted initially by the school by telephone, to inform you about the exclusion, but you must always receive a letter telling you when the exclusion starts and ends. The letter may also give you information about your child's return to school e.g. who they should report to or if the school want to meet with you and your child to plan for and support the return. It is important that you attend this meeting.

The school must always provide work for an excluded pupil to do at home. It is your responsibility as the parent/carer to ensure your child does the work and it is returned to the school to be marked.

Fixed period exclusion does not have to be for a continuous period. If your child attends college or a work placement on some school days they may still continue with this with the agreement of the school.

An individual pupil may not be given more than 45 days fixed term exclusion in any one school year. If the number of days fixed term exclusion exceeds this it will automatically become a permanent exclusion. If your child is being excluded from school it is very important for you to work with the school to support your child's education. The school may arrange meetings with you or may suggest a multi-agency meeting such as an Early Help.



## Lunchtime exclusions

Pupils who misbehave at lunchtime may be excluded just for the lunch period. Each lunchtime exclusion counts as half a day. Lunch time exclusions should never continue indefinitely. If a pupil is entitled to free school meals the school should offer to provide a packed lunch.

Schools usually have other ways of managing pupil behaviour at lunch time such as lunchtime clubs/activities.

## Permanent exclusion

Permanent exclusion is the most serious punishment a school can give for infringement of the schools' behaviour policy (the school rules). It means the child cannot continue to attend the school unless they are reinstated by the governors. It should only be used as a last resort when a school has exhausted all support and strategies to keep the pupil in school and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. A permanent exclusion can be used for a serious, one off offence.

For more comprehensive information about behaviour and exclusions you can visit the [Child Law Advice website](#) where you will find legal advice on exclusions. They have a free advice line open daily Monday – Friday 8am - 6pm. Call 0300 330 5485.

## Exclusion – your rights

The governing body has a duty to consider the reinstatement of a pupil:

- if the exclusion is permanent
- if it is a fixed period exclusion which takes the pupils total to more than 15 days in the term
- if it would mean the pupil would miss a public examination or national curriculum test
- if the parent / carer requests a meeting when the pupil has been excluded from school for more than 5 but not more than 15 in a term.

If the number of days exclusion is not more than 5 in the term the governing body must consider the view of a parent but they do not have to meet with them and they cannot direct re-instatement.

Your child can attend this meeting with your permission and you can if you wish be accompanied by a friend or representative.

The governing body, after listening to everyone's views can either:

- uphold an exclusion



- direct re-instatement of the pupil immediately or by a certain date.

In the case of a permanent exclusion, if the governing body uphold the exclusion and you want to take the matter further, you have the right to request an independent review of the decision. The letter that is sent to you by the governing body will tell you how you can do this. If you believe the exclusion has occurred as a result of discrimination then you can make a claim under the Equality Act 2012 to the [First-Tier Tribunal](#) (Special Educational Needs and Disability) in the case of disability discrimination or the County Court, in the case of other forms of discrimination.

## WHAT EXCLUSION FROM SCHOOL MEANS

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It is important to bear in mind that you will be responsible for your child's welfare during the time he or she would normally be in school. For the first five days of an exclusion you must make sure that your child is supervised and not in a public place during school hours. Failure to comply with this could lead to prosecution.

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## Fair Access Protocol

The School Admissions Code (December 2014) requires all Local Authorities to have a Fair Access Protocol in place to ensure that all children, particularly the most vulnerable, secure a school place as quickly as possible and that all schools within the Local Authority admit their fair share of children who may need additional support because of their vulnerability/challenges.

Admissions under the Fair Access Protocol will only progress with the agreement of parents/carers except where there is evidence of challenging behaviour. All permanently excluded pupils ready to be admitted into new school will be offered admission under the Fair Access Protocol.



Cheshire East has a Fair Access Protocol agreed in partnership with the head teachers of both primary and secondary schools. There are separate protocols for each phase, which can be found in the relevant documents/links section below.

The protocols highlight categories of children who may potentially be considered vulnerable when needing to secure a school place, however, admission under this protocol is not restricted to these groups; it can support any child who is unable to secure a school place.

## Policy Review

This policy will be reviewed annually and be approved by the Governing Board.

