

The Ferns Primary Academy Exclusions Guidance Based Upon Bolton Local Authority

The Ferns Primary Academy has written policies on anti-bullying, violence and behaviour. These set out the boundaries of acceptable behaviour. School is entitled to expect the support of parents, and they will ask parents to be involved if their child is misbehaving. Within the law and a whole-school policies, headteachers and teachers have legal authority to impose reasonable punishment and to promote and uphold good behaviour. This policy follows the guidelines of Bolton Local Authority and The Ferns Primary Academy works with Bolton Behaviour Support team with regards to pupils who are at risk of exclusion.

Exclusion from school on the grounds of poor behaviour is the most severe form this punishment can take. An exclusion is when the headteacher, whilst carrying out the duty to maintain good order of a school and safety of other pupils, exercises his/her right to punish a child for a serious offence, which falls outside the boundaries of acceptable behaviour as outlined in the school's behaviour policy.

Headteachers can exclude:

- in response to serious 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 in the school.

Head teachers and governing bodies must take account of their statutory duties in relation to special educational needs (SEN) when administering the exclusion process. This includes having regard to the SEN Code of Practice.

Whenever the head teacher excludes a pupil they must, without delay, notify parents of the period of the exclusion and the reasons for it. They must also, without delay, provide parents with the following information in writing:

- the reasons for the exclusion;
- the period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations about the exclusion to the governing body and how the pupil may be involved in this

- how any representations should be made;
- where there is a legal requirement for the governing body to consider the exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.

The head teacher must, without delay, notify the governing body and the local authority of:

- a permanent exclusion (including where a fixed period exclusion is made permanent);
- exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term

Types of exclusions:- The law allows for two types of exclusion:

- * Fixed period when a date is set for return to school.
- * Permanent when the school is seeking to remove the pupil from their school roll.

Fixed period exclusions are when the school will set a date for the pupil to return to school. A headteacher can decide to exclude a pupil for a fixed period of up to 45 days in any one school year. If a child has been excluded from school then it means that he or she will not be allowed to attend school for a period of time because of difficulties that have arisen concerning that child's behaviour. The child must not enter the school premises on the dates given. Work will be set and should be returned to school at the end of the fixed term period. Where a fixed exclusion is longer than 5 days, alternative provision will be sought as soon as possible. Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. In such cases the legal requirements in relation to exclusion still apply. The school may apply for a part-time timetable to avoid the pupils being at school at times when they struggle to maintain their behaviour standards or are more likely to be a danger to others. The behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgement for the head teacher in accordance with the school's published behaviour policy.

A permanent exclusion from school is the last sanction available to a Headteacher when a pupil seriously misbehaves. It means that unless the governors of the school direct otherwise, a child will not be allowed to

return to the school, and alternative provision will need to be made for this pupil. Permanent exclusion is not a step that Headteachers take lightly and they will have made the decision based on the fact that:

- there has been a serious breach of the school's discipline policy
- a range of alternative strategies have been tried and have failed
- allowing the child to remain in school would seriously harm the education or welfare of the pupil, or of others in the school.

A formal process has to be followed in the event of a permanent exclusion, and strict timescales are set by the Government for the various parts of the process. School will provide copies guidance to any parent of an excluded child.

The governing body inform the parent, head teacher and Local Authority of their decision within one school day of the exclusion hearing by letter. The parent must lodge an appeal in writing within 15 school days of receipt of the governing body's letter.

The governing body has a duty to consider parents' representations about an exclusion. The governing body may delegate their functions with respect to the consideration of an exclusion decision to a designated sub-committee consisting of at least three governors. The governing body must consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if:

- the exclusion is permanent;
 - it is a fixed period exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or
- it would result in a pupil missing a public examination or national curriculum test.