



Midsomer Norton Schools Partnership

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Review: Term 1 annually
LST: AWI

EXCLUSION POLICY

COVID-19 Changes to DFE Statutory Guidance

All exclusions occurring between 1 June 2020 and 24 March 2021 (inclusive of those dates) are subject to amended arrangements with regards to:

- The use of remote access technology (for example videoconferencing or telephone conferencing software) for meetings of governing boards or independent review panels.
- The deadline for applications for an independent review.

Full amended guidance can be found [here](#)

Please note that this policy covers all schools in the Midsomer Norton Schools Partnership and also covers off-site behaviour as well as in-school behaviour, for example: school trips, travel to and from school, cyber bullying, etc.

When there is repeated or serious misbehaviour the school will use the policy and framework below. This policy complies with the requirements set out in the Independent School Standards Regulations and has regard to the statutory guidance from the [Department for Education \(DFE\) on exclusion](#) from schools. This policy should be read in conjunction with the relevant school's behaviour policy. The school will take into account its duties under the Equality Act 2010 and any special educational needs of the pupil.

Reasons for Exclusion

Exclusion is a sanction for a breach or breaches of the school's behaviour policy.

Behaviour for which exclusion may be used includes:

- (a) actual or threatened physical violence
- (b) seriously disruptive behaviour which interferes with the learning opportunities of others or might lead to a breakdown in school discipline
- (c) continual low stage disruption which prevents other pupils learning
- (d) conduct which might endanger others
- (e) continuing failure to complete lesser school punishments such as detentions
- (f) refusal to comply with uniform regulations
- (g) illegal activities including theft, drugs or possession of offensive weapons
- (h) racial abuse or harassment
- (i) harassment, intimidation or verbal or sexual abuse
- (j) vandalism

This list is not exhaustive.

Types of Exclusion:

(a) Fixed Term Exclusion

The CEO/Headteacher, or in his absence the acting Headteacher (which will be either the Deputy or designated Assistant Headteacher), may exclude a pupil for up to 45 days in a single academic year. Where a pupil is excluded for the lunchtime period this counts as a ½ day exclusion.

The exclusion should be regarded as a “cooling off period” during which time reports on the pupil and meetings with parents can be arranged with the intention of the child returning to school. Work will be set during a fixed term exclusion and from the sixth consecutive day of exclusion the pupil will be educated off-site.

Fixed term exclusions cannot be extended or converted into a permanent exclusion (see below) but a further fixed term exclusion may be issued usually where further evidence has come to light, or a permanent exclusion may be issued to commence immediately after the end of the fixed term.

(b) Permanent Exclusion

Will be used when the CEO/Headteacher or in his absence the acting Headteacher (which will be either the Deputy or designated Assistant Headteacher), decides the pupil should not return to school. This sanction is usually a last resort and will be used when there has been a serious breach or persistent breaches of the school’s behaviour policy and allowing the pupil to remain at school would be seriously harmful to the education or welfare of the pupil, or to that of others at the school.

For both types of exclusion parents have the right to make representations to the Governing Body. The clear statutory guidance from the DFE (September 2017) available to all which details how such representation may be made. In addition the exclusion letter from the school will explain how representations may be made and the timeframe of such representations.

Disciplinary Stages:

When a pupil’s behaviour becomes a serious cause for concern the school will use the following disciplinary stages to let the pupil, staff, parents and Governors know of its concern. Placing a pupil on a disciplinary stage is not therefore a punishment in itself but expresses the seriousness of the school’s concern. The stages become progressively more serious as behaviour deteriorates further and finally results in permanent exclusion.

The intention of the system is to promote good behaviour by providing pupils with the chance to improve on their behaviour and consistent good behaviour will result in “stages” being removed.

Stage 1 will be used when a pupil is in danger of exclusion. This stage will be accompanied by a meeting between the school (House Head or Head of Pastoral) and parents.

Stage 2 will be used when a pupil’s behaviour has deteriorated so much that the school feels it is necessary to notify the CEO/or Chair of Governors of the problem. The Headteacher (or acting Headteacher) will usually consider the need for a short fixed term exclusion at this stage.

Stage 3 will be used when a very serious incident of misbehaviour occurs or when further misbehaviour may result in permanent exclusion. Fixed term exclusion will again usually accompany this stage as decided by the Headteacher (or acting Headteacher) and a Governor with the CEO/Headteacher will meet with parents and the pupil to discuss strategies for improved behaviour.

Stage 4 Permanent exclusion: will be used when there is a serious incident which leads to the safety of other children being put at risk and/or when there is persistent continuous misbehaviour which puts the pupil beyond the care and control of the school and prejudices the education and/or safety of other children. The Headteacher’s decision to permanently exclude will be considered by a panel of three Governors. At this meeting the child and

their parents/guardians will hear the school's case for exclusion and be able to put their case. If the panel agrees to uphold the Headteacher's decision there is a right of review before an Independent Review Panel.

Further Points:

1. Serious misbehaviour may result in the use of a higher disciplinary stage without having first used the lower stages
2. Permanent exclusion will only be used where there is "serious" misbehaviour or when the pupil is beyond the care and control of the school
3. Copies of exclusion letters will be sent to the Children Missing Education Service and Chair of Governors; permanent exclusion letter also copied to the LA, the Chair of Trust and CEO
4. For fixed term exclusions of 5 days or less in a term there is no requirement to hold a governor panel meeting even if requested by parents but written representations of the parents will be considered. For fixed term exclusions of 6 – 15 days a meeting must be held within 50 school days if requested. For fixed term exclusions of 15+ days the governors must meet to consider reinstatement within 15 school days.
5. In exceptional circumstances, where a pupil may miss a public examination or national curriculum test due to an exclusion the governors will meet in advance of that test to consider reinstatement or if not practicable the chair of the local governing body will consider reinstatement alone.
6. Permanent exclusion panels will be at least three Governors. There is a further right of review for parents and Governors to an Independent Review Panel to determine whether the Governor Panel has acted reasonably and lawfully.
7. Exclusion will not normally be used for truancy, as other sanctions will be used
8. The school may use exclusion for children who persistently refuse to comply with the uniform regulations
9. If a parent cannot attend a meeting after reasonable notice has been given, the disciplinary stage may be implemented in their absence