



Houghton Conquest Lower School & Pre-School

Pupil Discipline & Exclusion Policy

Rationale:

At Houghton Conquest Lower School our values underpin our every action. They motivate high expectations of us all and together, they create a loving community, a climate of safety and support and high aspirations for all to flourish. Houghton Conquest Lower School is committed to valuing diversity and equality of opportunity. We aim to create and promote an environment in which pupils, parents and staff are treated fairly and with respect, and feel able to contribute to the best of their ability. On occasion, children, despite the nurture, love and care they receive in school may make wrong choices which result in the need to make the very difficult decision to exclude a child from school either for a fixed term period or permanently. The policy below outlines the procedures we will adhere to, thus ensuring this process is carried out in accordance to legal requirements.

Aims:

Houghton Conquest Lower School aims to ensure that:

- The exclusions process is applied fairly and consistently.
- The exclusions process is understood by governors, staff, parents and pupils.
- Pupils in school are safe and happy.
- Pupils do not become NEET (not in education, employment or training).

The Headteacher will ensure the school does not discriminate against pupils on the basis of any protected characteristic in accordance with the Equality Act.

Legislation and Statutory Guidance:

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64 - 68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils.
- Section 579 of the [Education Act 1996](#), which defines 'school day'.
- [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#).

It is the Governors' requirement that the school's policies reflect the highest moral standards. The Governors will not tolerate bullying or any other anti-social behaviour but do, however, acknowledge that some problems are likely to have underlying causes, which the school will take account of, and do its best to counter.

Reasons to Exclude:

We believe that exclusion from school is a very serious matter and that it is a final step only to be taken if all other strategies have failed. Houghton Conquest Lower School is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

"...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil."

Houghton Conquest Lower School is committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of others.

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked.
- Allow the pupil to give their version of events.
- Consider if the pupil has special educational needs (SEN), or any unmet SEN.
- Consider the effectiveness of any support / intervention which has been in place for the pupil.

Responsibilities

The Headteacher

The Headteacher has the day-to-day responsibility for maintaining discipline in the school, which will include making rules and provision for enforcing them.

The Headteacher is expected to:

- promote self-discipline and proper regard for authority among pupils
- encourage good behaviour and respect for others, and to prevent all forms of bullying amongst pupils
- secure that the standard of behaviour is acceptable
- otherwise regulate the conduct of pupils.

All Staff

All staff are expected to encourage good behaviour and respect for others in pupils, and to apply all rewards and sanctions fairly and consistently. Our well planned, interesting and creative lessons make a significant contribution to good discipline.

Partnership with pupils

Parents working in partnership with the school to consistently reinforce the school's expectations is an important factor in every child's success. At Houghton Conquest Lower School, we will work in partnership with parents to ensure that expectations are clear and parents can reinforce them with their children. This includes ensuring that parents are kept informed about decisions made in response to a child's misbehaviour so that we can work together in the best interests of pupils to ensure expectations for behaviour are made clear.

The school is responsible for communicating to pupils, parents and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct. These are:

- Behaviour Policy
- Anti-Bullying Policy

Supporting Pupils to Succeed

We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.

We will use behaviour data to assess patterns of challenging behaviour in pupils. Where patterns emerge we will systematically intervene, drawing up an action plan with the child, parent and teacher. It is class teacher's, parents' and the child's responsibility to ensure the action plan is followed. No exclusion will be initiated without first attempting other strategies or, in the case of a serious single incident, a proper investigation.

Types of Exclusion

The Education Act 2002 (c. 32, Part 3, Chapter 3, Exclusion of pupils, Section 52, point 1) specifically states that the Headteacher of a maintained school may exclude pupils from the school for one or more fixed periods or permanently.

Exclusions will only be pursued as a last resort and the Headteacher will usually have secured the involvement of specialist support services, e.g. the Educational Welfare Officer (EWO), Educational Psychologist and the School Inclusion Officer, unless the incident triggering the exclusion process is deemed to be of such major significance that this has to occurred. Local Authority guidelines and procedures will be adhered to.

Internal Exclusion

Internal exclusion is when a pupil is excluded from the rest of the school and must work away from their class for a fixed amount of time. This will be in a different classroom or location within the school.

An internal exclusion is a discretionary measure, where a pupil's behaviour is escalating and more serious measures need to be taken but there are not yet grounds for an external / fixed-term exclusion. Typically, a child receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them to avoid their behaviour escalating to a point where fixed term exclusion is necessary.

Temporary / Fixed-Term exclusion

A temporary fixed term exclusion is when a child is excluded from school and must remain home for a fixed amount of time. This should be for the shortest time necessary to ensure minimal disruption to the child's education, whilst mindful of the seriousness of the breach of policy.

Appeals

Parents are entitled to appeal to the Governing Body against any fixed term exclusion. A letter stating the intention to appeal should be sent to the Clerk to the Governing Body at the school. A hearing will be set up as quickly as possible, usually within 15 school days of receipt of the letter. The Governing Body will identify a Pupil Discipline Committee of three Governors who will hear appeals from parents/carers regarding fixed term exclusions and consider whether or not to remove the fixed term exclusion from the pupil's record.

Permanent exclusion

A permanent exclusion is when a child is permanently excluded from school and not allowed to return. The decision to exclude a pupil permanently will only be taken as a last resort, when a wide range of strategies for dealing with disciplinary offences has been employed to no avail or if an exceptional 'one-off' offence has been committed, e.g.:

- serious violence, actual or threatened, against a pupil or member of staff
- sexual abuse or assault
- supplying an illegal drug
- carrying an offensive weapon

The Governing Body's Pupil Discipline Committee will meet within 15 days of the date of a permanent exclusion to consider the exclusion and will invite the parent/carer to make representation at the meeting. After having been presented with the evidence for the exclusion and having heard the representation of the parent/carer, the Governing Body will decide whether to reinstate the pupil who has been permanently excluded. The governors' decision is final.

Persistent or cumulative problems

Internal and temporary/fixed-term exclusion may be used in response to a persistent poor behaviour which breaches school rules and policies. In the most serious cases where the problem persists and there is no improvement a permanent exclusion may be necessary.

These would be imposed only when the school had already offered and implemented a range of support and management strategies. These could be joint action plans with parents, child and school, behaviour intervention, target setting, home/school communication book etc.

The length of exclusion will depend upon a number of factors, such as the severity of the incident, and the likely impact on the child's learning and ability to succeed on returning to school. Such decisions will be made in the best interests of the child, whilst also mindful of the need to maintain order and reinforce the rules and expectations of the school in a clear and consistent way.

Single incident

Internal and temporary/fixed-term exclusion may be used in response to a very serious breach of school rules and policies or a disciplinary offence. In the most serious cases where the problem persists and there is no improvement a permanent exclusion may be necessary.

In such cases the Headteacher or a designated senior leader will investigate the incident and consider all evidence to support the allegation, taking account of the school's policies. The pupil will be encouraged to give his/her version of events and the Headteacher will check whether the incident may have been provoked, for example by bullying or racial harassment.

The Governing Body will be informed of all exclusions on a termly basis; and additional consultation may also take place about key incidents with the Chair of Governors.

The decision to exclude

If the Headteacher decides to exclude a pupil he/she will:

- ensure that there is sufficient recorded evidence to support the decision
- explain the decision to the pupil if the pupil is in the state of mind to listen to the decision
- contact the parents, explain the decision and ask that the child be collected
- send a letter to the parents confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion
- confirm the length of the exclusion and any terms or conditions agreed for the pupil's return
- in cases of more than a day's exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked
- plan how to address the pupil's needs and integration back into their class on his/her return
- plan a meeting with parents and pupil on his/her return to be conducted by a suitable senior member of staff.

Alternatives

Before resorting to any exclusion, the school will normally try alternative solutions:

For example:

- a restorative justice process – whereby the harm caused to the 'victim' can be redressed
- internal exclusion (removal from class, but not the site)
- managed move

Safeguarding

Exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from school, or, in more severe circumstances the school may contact Social Services and/or the Police to safely take the pupil off site.

Re-integration

After a fixed term exclusion, the pupil and parent will be requested to attend a reintegration meeting with a senior member of staff. At this meeting the behaviour leading to exclusion will be discussed and targets will be set for improvement. Support around behaviour will also be discussed. The meeting will be recorded on the school re-integration form and a copy retained by the parent, child and school.

Work Set

When a pupil is excluded for more than one day, work should be set by the school within a reasonable timescale and this should be returned to the school when the exclusion is over. If a child is excluded at the end of a school day, then it may not be possible to arrange for work to be set until the following morning. A pupil can be excluded for up to 10 continuous days on a fixed term basis.

Behaviour outside school

Pupils' behaviour outside school e.g. on school trips, at sports events, is subject to the school's Behaviour Policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in school; and additionally, this includes any serious breach of policy which could 'bring the school into disrepute'.

Pupils with special educational needs and disabled pupils

The school must take account of any special educational needs when considering whether or not to exclude a pupil. The headteacher should ensure that reasonable steps, in line with the Disability Discrimination Act have been taken by the school to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

Managed move

In cases where the headteacher and parent's agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parents failure to engage in strategies implemented by the school are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the headteacher may consult with the Local Authority and propose a managed move to another school. This is not exclusion and, in such cases, the headteacher may assist the parents in placing the pupil in another school.

Equal Opportunities

The Governing Body recognise that it is unlawful to take into account anyone's gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation. Full consideration has been given to this during the formulation of this policy as it is the governors' aim that no-one at Houghton Conquest Lower School should suffer discrimination, either directly or indirectly, or harassment on any of these grounds.

Review of Policy

This policy will be reviewed annually by the Headteacher and Governing Body