



**St. James'  
Church of England  
Primary School**

**'Building One Faith, One  
Family,  
Our Future'**

**Exclusion Policy**

Adapted by D. Theobalds – Autumn 2020  
Approved by Governors – Autumn 2022

Review Date – Autumn 2026 (Resources Committee)

## Foundation, Vision and Intent

**St James' Lower Darwen**

Church of England Primary School



**"Building One Faith, One Family, Our Future."**

**"We offer a holistic curriculum that champions our community and is aspirational."**

PERSONAL DEVELOPMENT

through

ENRICHMENT

THE NATIONAL CURRICULUM

SKATS

FORGIVENESS

COMPASSION

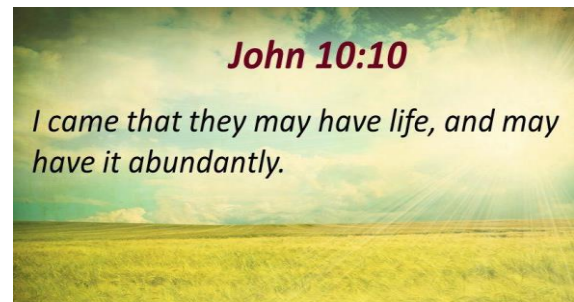
LOVE

TRUTH

JUSTICE

**Jeremiah 29:11**

**John 10:10**



We want our children to know that **God has a plan for them** that means **they live their best life possible**.

Each **policy** and procedure within school, alongside the ongoing **curriculum** delivery, our **SKATS** programme, **enrichment** and the **spiritual development** offered to our families through Worship, RE and our links with Church, work towards making this happen.

## **Introduction**

This document is a statement of the aims, principles and strategies adopted by St. James' Church of England Primary School, Lower Darwen in relation to the use of exclusions. It should be read in conjunction with other school policies including the Positive Behaviour Policy, Anti-bullying Policy, the PSHE Policy, the Online Safety Policy, the Acceptable Use Policy and the Safeguarding Children and Child Protection Policy.

## **Rationale**

This document provides a framework for the continuation of a happy, safe, secure and orderly environment in which children can learn and develop into caring and responsible citizens and to support the mission statement of the school. It is written for all stakeholders of the school to allow each one to understand the policy of the school and to apply its vision, procedures and ethos consistently and fairly.

## **Underpinning This work**

### **Our Vision**

We offer a holistic curriculum that champions our community and is aspirational. Personal development will take place through enrichment opportunities, the Early Years Foundation Stage Framework, the National Curriculum and our SKATS curriculum.

## **Core Values**

- **Love** each other, like Jesus loves us.
- **Forgive** each other, like God forgives us.
- Treat each other **fairly**.
- Tell the **truth**.
- Show **compassion** to those who need us.

These are the foundation on which the positive behavior system is built. They are visible in all classrooms and collective areas.

### **Aims of this Policy**

- To ensure the safety and well-being of all stakeholders.
- To maintain a safe working environment for all stakeholders.
- To explain what exclusions are.
- To explain what suspensions are.
- To outline principles, practice and procedures around exclusions and suspensions.
- To help reduce the need to use exclusions and suspensions as a sanction.

### **What is an Exclusion?**

An exclusion is a period of time, outlined to all stakeholders before it starts, where a pupil is away from their normal working environment.

### **Types of Exclusion**

- Permanent
- Internal – in school but away from class/pupils.
- Lunchtime

## What is a Suspension

A suspension is what used to be known as a 'fixed term exclusion'. It is a period of time where a pupil is not permitted to be in school for a fixed time eg. a day or two days.

## Type of Suspension

- Fixed Term

## Why Exclude or suspend?

The decision to exclude or suspend a pupil will be taken in the following circumstances:

- in response to a serious breach of the school's Positive Behaviour Policy;
- if allowing the pupil to remain in school, or a certain part of school, would seriously harm the education or welfare of other persons or the pupil themselves in the school.

Exclusions and suspensions will be seen as the ultimate sanction only administered by the Headteacher or Deputy Headteacher.

Where possible, senior leaders will seek to keep children in school and use exclusions and suspensions only when they feel it is necessary.

An exclusion or suspension of any kind may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the school's Positive Behaviour Policy:

- verbal abuse to staff and others;
- verbal abuse to pupils;
- physical abuse to/attack on staff;
- physical abuse to/attack on pupils;
- indecent behaviour;
- damage to property;
- misuse of illegal drugs;
- misuse of other substances;
- theft;
- serious actual or threatened violence against another pupil or a member of staff;
- sexual abuse or assault;
- supplying an illegal drug;
- carrying an offensive weapon;
- arson;
- serious discriminatory behaviour;
- a criminal offence has been committed;
- unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour;
- serious inappropriate use of computing devices including mobile phones, laptops and tablets.

**This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction.**

## Exclusion and Suspension Procedure

School may decide to use an **internal exclusion** or **lunchtime exclusion**, depending on the nature of an incident or the behaviour a pupil is displaying. In the case of this happening parents or carers will be informed of the decision and reasons for it.

**Internal Exclusion** – a pupil will work away from their class on their own. They will be supervised by an adult.

**Lunchtime Exclusion** – a pupil is sent home for the lunchtime period.

In both cases a warning will usually have been given before these sanctions are applied. There are some more serious cases where an internal exclusion might be used as a sanction without informing parents. This will be at the discretion of school leaders. Parents will be informed at the first possible opportunity.

**Suspensions** -a period of time where a pupil must remain at home.

The DfE regulations allow the Headteacher to suspend a pupil for one or more fixed periods (not exceeding 45 school days) in any one school year. Usually they will last between one and five days initially depending on the seriousness of an incident.

Following the decision to exclude, parents or carers are contacted immediately. Where a parent or carer cannot be contacted the children will be excluded internally.

When contacted, the parent or carer will be asked to make arrangements for their child to be collected immediately. On arrival at school, a letter (**see Appendix 1**) will be given outlining the reasons for and details of the exclusion. If it is not possible to give this letter at this point, it will be sent by post/email. Parents have a right to make representations to the Governing Body and the Local Authority as directed in the letter.

During the suspension, pupils must remain at home and school has a responsibility to set work which enables the pupil to continue learning throughout their exclusion. This is outlined in the letter (**Appendix 1**).

A return to school meeting will usually be held following the expiry of the suspension, depending on the needs and interest of the pupil. Where this takes place, it will involve a senior leader.

Records relating to suspensions will be stored confidentially.

**Permanent Exclusions** – a pupil is not allowed back into school and alternative provision must be sought on day 6 of the permanent exclusion. This will be arranged by Local Authority, Blackburn with Darwen.

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

1. The final and most formal step in a process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This process will involve external agencies and professionals who work alongside school and families.
2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies; it is deemed appropriate to permanently exclude a pupil for a first or 'one off' offence (see the list above).

The school may seek to involve external agencies, including the police or CADS, for advice and support in relation to some offences.

**Appendix 2** is an example of the letter given to parents/carers in the event of a permanent exclusion. This letter will direct towards advice and support from the Local Authority and other agencies.

The Governors have a duty to promptly review all permanent exclusions from the school as well as any fixed term exclusions that would lead to a pupil being excluded for more than 15 days in a school term or missing a public examination.

A Governor Discipline Committee must meet to review the decision within 15 school days of the permanent exclusion. All parties involved will be invited to the meeting and given the opportunity to contribute to the review. Governors will then make a decision whether to uphold the decision or re- instate the pupil.

If the decision is upheld, parents and carers have the right to take the exclusion to an independent review panel. The Local Authority will advise on this and lead this process.

St. James' school and/or the Local Authority will advise parents and carers on 'next steps' at all stages after a permanent exclusion has been issued. Correspondence may be by letter, email or telephone call.

### **Factors to Consider**

Any kind of exclusion will not be imposed instantly **unless** there is an immediate threat to the safety of others in the school or the pupil concerned.

If possible, before deciding whether to suspend or exclude a pupil either permanently the Headteacher or Deputy Headteacher will:

- ensure appropriate investigations have been carried out;
- explore the wider context of incidents and look for patterns;
- where possible, allow the pupil to give her/his version of events;
- consider all the evidence available to support any allegations taking into account the any behaviour and any equality policies;
- liaise with external agencies and professionals for guidance and support.

### **Is it fair?**

In determining whether an exclusion is just the Educational and Inspections Act 2006, says the penalty must be reasonable in all the circumstances and that account must be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them. **Appendix 1** gives an example of the letter sent to parents and carers, outlining their responsibilities and rights and showing how to appeal any decision.

### **Equality Statement**

The school aims to ensure that all its stakeholders (pupils, staff, parents, governors and the wider community) are treated with respect and are not discriminated against because of their economic circumstances, race, disability, special educational needs, sex, age, sexual orientation, religion or belief. The school will ensure that this policy implements the principles of equality.

### **Outcomes**

We expect high standards of behaviour and believe that children should be taught, both at home and in school, what is acceptable and desirable and also to expect to face the consequences of unacceptable attitudes and behaviour. The partnership between home and school is of the highest importance to the success of this policy. It is essential that parents share the values and agree with its methods. Where exclusions of any kind are used, they will have been used after careful consideration, legally, in line with policy and procedure and because they are deemed to be the best or safest outcome in any given situation.

### **Monitoring and Review**

The Headteacher and governing body are responsible for monitoring the policy. This policy is reviewed every two years by the school governors.

## **Appendix 1**

Dear **[Parent's Name]**

I am writing to inform you of my decision to suspend **[Child's Name]** for a period of **[specify period]**. This means that he/she will not be allowed in school for this period. The suspension begins on **[date]** and ends on **[date]**. Your child should return to school on **[date]** at **[time]**.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend **[Child's Name]** has not been taken lightly. **[Child's Name]** has been suspended for this fixed period because **[reason for suspension]**.

You have a duty to ensure that your child is not present in a public place in school hours during this suspension 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.

We will set work for **[Child's Name]** to be completed during the period of his/her suspension when you must ensure that s/he is not present in a public place without reasonable justification. **[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 governing board. If you wish to make representations please contact the

\*Clerk to the Governors, c/o **[school address, email and telephone number]**

or

\*The Governors' Support Officer, Children's Services & Education, 10 Duke Street, Blackburn, BB2 1DH (telephone: 01254 666456), email: [governor.services@blackburn.gov.uk](mailto:governor.services@blackburn.gov.uk) as soon as possible.

**\*please delete as appropriate**

Whilst the governing board 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 also have the right to have 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 record. There may be a charge for photocopying.

You should also be aware that if you think the suspension has occurred as a result of disability discrimination then you may make a claim to the First-tier Tribunal (Special Educational Needs and Disability). The address to which disability claims should be sent is Special Educational Needs and Disability, Mowden Hall, Staindrop Road, Darlington DL3 9BG. If you feel other forms of discrimination have occurred you can make a complaint to the County Court. In this case, you should contact the Citizens' Advice Bureau or seek legal advice.

If you would like additional advice and/or information on the suspension process, you may wish to contact: **Tony Brown, Fair Access Team, Children's Services & Education, 10 Duke Street, Blackburn, BB2 1DH (Telephone 01254 666606) or email:** [tony.brown@blackburn.gov.uk](mailto:tony.brown@blackburn.gov.uk)

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

[School discipline and exclusions \(GOV.UK\) \(https://www.gov.uk/school-discipline-exclusions/exclusions\)](https://www.gov.uk/school-discipline-exclusions/exclusions)

[School suspensions and permanent exclusions \(GOV.UK\)](https://www.gov.uk/government/publications/school-exclusion)

[https://www.gov.uk/government/publications/school-exclusion\)](https://www.gov.uk/government/publications/school-exclusion)

You may also find it useful to contact Blackburn with Darwen's Special Educational Needs & Disability Information, Advice & Support Service (SENDIASS), a local organisation that can provide support on Tel: 01254 503049.

Alternatively, other useful contacts that provide impartial advice and information to parents on education matters include:

- [The Coram Children's Legal Centre](https://www.childrenslegalcentre.com/) (https://www.childrenslegalcentre.com/)
- [ACE Education](http://www.ace-ed.org.uk/) (http://www.ace-ed.org.uk/) telephone 0300 011 5142
- [Independent Parental Special Education Advice](https://www.ipsea.org.uk/) (https://www.ipsea.org.uk/)
- [The National Autistic Society \(NAS\) School Exclusion Service \(England\)](https://www.autism.org.uk/what-we-do/help-and-support/school-exclusion-service) (<https://www.autism.org.uk/what-we-do/help-and-support/school-exclusion-service>) – telephone 0808 800 4002.

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

Yours sincerely

**[Name]**

Headteacher

## **Appendix 2**

Dear **[Parent's Name]**

I regret to inform you of my decision to permanently exclude **[Child's Name]** with effect from **[date]**. This means that **[Child's Name]** will not be allowed in this school unless s/he is reinstated by the governing body.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded because **[reasons for the exclusion — include any other relevant previous history]**.

As your child is of compulsory school age, you have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, that is for the period **[specify dates]** unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates.

Alternative arrangements for **[Child's Name]**'s education to continue will be made. For the first five school days of the exclusion we will set work for **[Child's Name]** and would ask you to ensure this work is completed and returned promptly to school for marking **[this may be different if supervised education is being provided earlier than the sixth day]**.

If you live within Blackburn with Darwen, the Borough Council will provide suitable full-time education from the sixth school day of the exclusion onwards — i.e. from **[specify the date]**. You will shortly receive a letter from the Council informing you of the arrangements to be made.

\* **[Where pupil lives in a local authority other than the excluding school's local authority]** I have also today informed **[name of officer]** at **[name of local authority]** of your child's exclusion and they will be in touch with you about arrangements for his/her education from the sixth school day of exclusion. You can contact them at **[give contact details]**.

\* **Delete if the pupil lives within Blackburn with Darwen**

As this is a permanent exclusion, the governing board must meet to consider the exclusion. At the review meeting you may make representations to the governing board if you wish and ask them to reinstate your child. The governing board has the power to reinstate your child immediately or from a specified date, or, alternatively, it has the power to uphold the exclusion in which case you have the right to ask for the decision to be reviewed by an Independent Review Panel.

The latest date on which the governing board can meet is **[specify date - no later than 15 school days from the date the governing board is notified]**.

If you wish to make representations please contact the

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**or**

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**\*please delete as appropriate**

You will, whether you choose to make representations or not, be notified by the Clerk to the governing board of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at

the school. Also, please advise if it would be helpful for you to have an interpreter present at the meeting.

You have a right to attend this meeting, be represented at the meeting (at your own expense) and to bring a friend to support you.

You should also be aware that if you think the exclusion has occurred as a result of disability discrimination then you may make a claim to the First-tier Tribunal (Special Educational Needs and Disability). The address to which disability claims should be sent is Special Educational Needs and Disability, Mowden Hall, Staindrop Road, Darlington DL3 9BG. If you feel other forms of discrimination have occurred you can make a complaint to the County Court. In this case, you should contact the Citizens' Advice Bureau or seek legal advice.

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- [Independent Parental Special Education Advice](https://www.ipsea.org.uk/) (https://www.ipsea.org.uk/)
- [The National Autistic Society \(NAS\) School Exclusion Service \(England\) \(https://www.autism.org.uk/what-we-do/help-and-support/school-exclusion-service\)](https://www.autism.org.uk/what-we-do/help-and-support/school-exclusion-service) – telephone 0808 800 4002.

Yours sincerely

**[Name]**

Headteacher