

Rawdhatul Uloom Islamic Primary School

EXCLUSION POLICY

Rationale

This policy is an appendix of Rawdhatul Uloom Islamic Primary School's Behaviour Policy; it deals with the policy and practise which informs the school's use of exclusion. It is underpinned by the shared commitment of all members of the school Trustees to achieve a very important aim;

To ensure the safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed.

Principles and aim

Inclusive education is at the heart of the school's vision statement whereby every child is known, valued and achieves as an individual. It is the aim of the school to keep all pupils in school. However, there may be occasions when fixed term exclusion or permanent exclusion may be necessary.

This policy deals with the procedures and practice when excluding a pupil from school and is linked to the School Behaviour Policy.

Reasons for an exclusion

Exclusion is an extreme sanction and can only be administered by the Head teacher for disciplinary reasons.

The decision to exclude a pupil can be taken in the following circumstances:

1. An inability of a pupil to comply with the School Behaviour Policy (Suspension);
2. In response to a serious breach or persistent breach of the School 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 (Permanent Exclusion).
3. Should a pupil have 3 detentions in one academic year, following the third detention and after going through the school behaviour log procedure, rather than triggering a fourth detention, the pupil will be excluded for 2 days (Suspension).
4. If after the above exclusion the pupil's behaviour continues to show no signs of improvement, again only after completing the school behaviour log procedure, the pupil will be excluded for 5 days (Suspension).
5. Finally, if after the above exclusion the pupil's behaviour does not improve, after completing the school behaviour log procedure, the pupil will be permanently excluded.

Suspension and exclusion may be used for any of the following, all of which constitute examples of unacceptable conduct and are in breach of the School Behaviour Policy:

Rawdhatul Uloom Islamic Primary School

EXCLUSION POLICY

- ◆ Physical assault against a pupil/adult
- ◆ Verbal abuse/threatening behaviour against a pupil/adult
- ◆ Racist or Homophobic Abuse
- ◆ Drugs/Alcohol/Tobacco
- ◆ Sexual Misconduct
- ◆ Theft (or attempted)
- ◆ Persistent Disruptive Behaviour
- ◆ Bullying
- ◆ Damage
- ◆ An offensive weapon or an object used offensively
- ◆ Unacceptable behaviour which has been previously reported and for which support and sanctions have not been successful in modifying behaviour

Please note: This list produced is not an exhaustive list and there may be other situations where the Head teacher makes the judgement that suspension/exclusion is an appropriate sanction.

Before deciding to exclude a pupil, the Head teacher will:

- Ensure that the decision is lawful, rational, reasonable, fair and proportionate;
- Consider the nature and context of the event;
- Ensure that a thorough investigation has been correctly carried out;
- Ensure that all the relevant evidence has been carefully considered e.g. witness statements;
- Allow the pupil to give his/her written account of events. If necessary, a scribe could be used;
- Consider the pupil's previous conduct in school, age and any mitigating circumstances e.g. provocation, bullying, bereavement;
- Ensure that under the Equality Act 2010 pupils are not being discriminated against, harassed or victimised because of sex; race; disability; religion or belief; sexual orientation; pregnancy; or gender reassignment;
- Ensure that any reasonable adjustments are made for SEND pupils in line with the SEN Code of Practice;
- Consider previous exclusions of a similar nature and context to ensure proportionality;
- Consider the impact of an exclusion on any vulnerable pupils e.g. Looked After Children, pupils with Education and Health Care (EHC) Plans;
- Consult with relevant staff members.

Rawdhatul Uloom Islamic Primary School

EXCLUSION POLICY

When establishing the facts in relation to an exclusion decision, the Head teacher will apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'. This means that the Head teacher should accept that something happened if it is more likely that it happened than that it did not happen.

Excluded pupils will be encouraged to take part in the exclusion process given their age and ability to understand.

The Head teacher need not postpone taking a decision on an exclusion solely because a police investigation is underway and/or any criminal proceedings may be brought. In such circumstances, the Head teacher will need to take a decision on the evidence available to them at the time. Where the evidence is limited by a police investigation or criminal proceedings, the Head teacher should consider any additional steps they may need to take to ensure that the decision to exclude is fair. However, the final decision on whether to exclude is for the Head teacher to make.

Suspensions

A Suspension is where a pupil is temporarily removed from school for a breach of the School Behaviour Policy. See previous sections on 'Reasons for Exclusion' and 'Before deciding to exclude a pupil the Head teacher will...'.

Only the Head teacher is allowed to suspend a pupil for one or more periods, not exceeding 45 school days in any one year.

For a suspension of more than five school days, the school will arrange suitable full-time education for pupils of compulsory school age. This provision will begin no later than the sixth school day of the exclusion. This also applies to consecutive suspensions totalling more than 5 days.

Informing parents

- The school will endeavour to contact parents by telephone, giving basic information, the period(s) of the suspension and the reasons for it;
- A letter will be sent to parents as soon as possible and should include the following information:
 - The period of the suspension;
 - The reason(s) for the suspension;
 - The name of the person parents should contact to make representations;

Rawdhatul Uloom Islamic Primary School

EXCLUSION POLICY

- Where relevant, what alternative provision will be provided from the 6th day of a suspension;
- Arrangements of setting work and marking work (if appropriate) for the first 5 days of the suspension;
- The days on which parents must ensure that the pupil is not present in a public place at any time during school hours. These days would be the first five school days of an suspension. Any parent who fails to comply with this duty without reasonable justification commits an offence and may be given a fixed penalty notice or be prosecuted;
- Parents' right to see and have a copy of his or her child's school record, upon written request to the school;
- Parents' right to make representations to the Trustees'
- A link to where parents can access a copy of the DfE Guidance on Exclusions (<http://www.education.gov.uk>), contact the Children's Legal Centre (08088020008 or on <http://www.childrenslegalcentre.com> and source impartial advice such as the Coram Children's Legal Centre (www.childrenslegalcentre.com))

Trustee involvement

- For suspensions of up to 5 days in a term the Governing Body must be notified and consider any representations made by parents, but it cannot make the school reinstate the pupil and is not required to meet the parents;
- Where a pupil receives a suspension for more than five but less than 15 school days in the term, if the parents make representations, the Governing Body must consider within 50 school days of receiving the notice of exclusion whether the excluded pupil should be reinstated. In the absence of any representations from the parents, the Governing Body is not required to meet and cannot direct the reinstatement of the pupil.
- The Governing Body must consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if it is a suspension 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.

Post-suspension reintegration meeting

The Head teacher will meet with the pupil before they return to school to discuss reintegration and any further strategies/support which may be appropriate e.g. monitoring report, mentoring, support from agencies, Pastoral Support Plan. Parents will be invited to this meeting.

Rawdhatul Uloom Islamic Primary School

EXCLUSION POLICY

Permanent exclusion

The decision to exclude a pupil permanently is a serious one. It should only be used as a last resort in response to a serious breach or persistent breaches of the School 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 (DfE Statutory Guidance).

Persistent breaches of the School 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.

In addition to the previous sections on 'Reasons for Exclusion' and 'Before deciding to exclude a pupil the Head teacher will...', the Head teacher will consider whether:

- There are any unmet learning needs;
- Early intervention to address the disruptive behaviour including SEND support (if appropriate) has been provided;
- Any multi-agency support (if appropriate) has been provided;
- Any reasonable adjustments have been made to ensure there is no discrimination under the Equality Act 2010;
- Any additional support has been provided;
- An alternative placement has been offered.

Serious Breach of the School 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.

There may be exceptional circumstances where it is not appropriate to implement other support strategies and where it may be appropriate to permanently exclude a pupil for a first or 'one off' offence which is a serious breach of the School 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.

In addition to the previous sections on 'Reasons for Exclusion' and 'Before deciding to exclude a pupil, the Head teacher will...' the Head teacher will:

- Where practical, give pupils an opportunity to present their case before taking the decision to exclude;
- Have taken account of any contributing factors that are identified after the incident of poor behaviour has occurred. For example, when it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying;

Rawdhatul Uloom Islamic Primary School

EXCLUSION POLICY

- Have considered the pupil transferring to another school as part of a managed move with the consent of all parties involved including parents.

Pupils who are Looked After will not be permanently excluded without referral to the Virtual School and the Director of Children's Services.

Pupils with Education, Health Care plans or SEN Statements may have an emergency review meeting before being permanently excluded.

Informing parents

See procedure for suspension with the exception that the letter sent to parents should also state:

- That the local authority have responsibility for educating the pupil from the 6th day of the permanent exclusion, not the school;
- The latest date by which the Governing Body must meet to consider the pupil's reinstatement;
- Parents' right to attend the meeting and to bring a friend.

Trustee involvement

The Head teacher should inform the Governing Body immediately of a permanent exclusion. A Pupil Discipline Committee has delegated authority to consider exclusions and a meeting must be convened within 15 school days of receiving notice of a permanent exclusion. The parents (with a representative or friend) and Head teacher must be invited to the meeting and be allowed to make representations. The excluded pupil should be encouraged to attend or feed in their views to the meeting. Parents may invite a representative from the local authority to attend as an observer. The local authority representative may only make representations with the Governing Body's consent.

After considering the representations, governors can either decline to reinstate the pupil and uphold the school decision to permanently exclude or direct the reinstatement of the pupil immediately or on a particular date. The Governing Body must without delay write to parents, the Head teacher and Local Authority with its decision and the reasons for it.

If Governors uphold the decision by the school to permanently exclude, parents can appeal to an Independent Review Body (IRP) who are required to hear the case within 15 school days of the parents receiving notice of the governors' decision. Parents have the right for a SEND expert to attend. The IRP can decide to uphold the governors' decision; recommend

Rawdhatul Uloom Islamic Primary School

EXCLUSION POLICY

that the governors reconsider reinstatement; or quash the decision and direct that the governors reconsider reinstatement.

Where the IRP recommends or directs the Governing Body reconsiders its decision, the Governing Body must reconvene within 10 school days. If governors do not reinstate the pupil following a direction to reconsider, the school can be fined.

Notifying the local authority

The school should complete the Deletion from roll form and email it to Local Education Authority (Blackburn with Darwen) as soon as the decision to permanently exclude is made.

REVIEWED: **SEPTEMBER 2026**