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**RESPECT – HARD-WORKING - TEAMWORK**

*“Preparing children for a life full of learning.”*

**Kingshill Infant School**

## **School Exclusion Policy**

Reviewed: May 2024

Review due: May 2025

Kingshill Infant School is committed to providing the highest standards of education and care that offers equality of opportunity and is socially inclusive to all its pupils.

The implementation of the following policies aims to ensure all children are integrated into school successfully. The policies are: -

Positive Behaviour Management  
Anti-Bullying  
Safeguarding and Child Protection  
Supporting Children with Medical Conditions  
RHE  
Special Educational Needs and disabilities

### **Legislation and Statutory guidance**

In recognising that there are certain instances where it may be necessary to exclude a pupil for either a fixed or permanent period of time, the school will follow the DfE Exclusion guidance found at:

<https://www.gov.uk/government/publications/school-exclusion>

This guidance 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

We will also follow the Herts guidance. A copy of Hertfordshire Exclusion Guidance can be found on the Herts grid at: <https://www.thegrid.org.uk/info/welfare/exclusions.shtml>

Using these guidelines, we aim to ensure that:

- the exclusions process is applied fairly and consistently
- the exclusions process is understood by governors, staff, parents, carers and pupils

### **The decision to exclude**

Only the head teacher, or a person acting with the head teacher's authority (Assistant Head), can exclude a pupil from school. A permanent exclusion will be taken as a last resort. A decision to exclude a pupil will be taken only:

in response to serious or persistent breaches of the school's positive 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 head teacher 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 (where appropriate)  
consider if the pupil has special educational needs (SEN)

### **Definitions**

For the purposes of exclusions, the school day is defined as any day on which there is a school session. Therefore, staff training days do not count as a school day. There are 2 types of exclusions: **fixed period (suspended) and permanent (expelled).**

**Fixed Term Exclusion (suspended):**

A fixed period of between one and a maximum of forty-five school days in any one school year may be imposed. It is likely to be recommended as a consequence for a serious breach of the school's Positive Behaviour Policy or repeated anti-social behaviours, for which a pupil will have already received a warning and about which parents and carers have been informed. Behaviour that may lead to a fixed period of exclusion includes:

- Physical assault against another pupil or adult (including fighting)
- Verbal abuse and / or threatening behaviour against another pupil or adult
- Bullying including verbal, physical and racial bullying
- Damaging school or personal property belonging to another member of the school community
- Theft including stealing school property or personal property belonging to a member of the school community

This list is not exhaustive and other behaviours may result in fixed term exclusion.

### **Permanent Exclusion:**

Permanent exclusion is the final consequence the school may impose. Before the Headteacher, in consultation with the Chair of Governors, decide that permanent exclusion is to be used, they will need to demonstrate:

- That all reasonable alternative strategies have been considered
- That to allow the pupil to remain in school would be detrimental to the education or welfare of other pupils or other members of the school community

The Headteacher will discuss any move to permanent exclusion with the Chair of Governors. It is expected that in most cases parents or carers will have already been widely consulted with regards their child's behaviour and they will have received an indication that permanent exclusion is a real possibility. Behaviour that will lead to a permanent exclusion may include:

- Extreme physical violence towards another pupil or member of the school community
  - Extreme, persistent, threatening or bullying behaviour
  - Repeated incidents of contravening the school's Positive Behaviour Policy
- This list is not exclusive and permanent exclusion may be used by the Headteacher for a one-off incident if they consider it to be of an extreme nature. Any exclusion will follow procedures outlined in the Herts Exclusion Guidance Supplement and in line with the DfE guidance.

### **Recording of Incidents**

All evidence relating to anti-social behaviours and possible exclusion will be recorded on CPOMS in line with the school's Positive Behaviour and Relationships Policy. Incidents will be recorded along with actions taken and next steps.

### **Informing Parents**

In any instance of exclusion, parents/carers will be officially informed through a formal letter. The letter will state the reason/s for exclusion and the precise period of exclusion. Parents will be informed that excluded children MUST legally be supervised by an appropriate adult and stay at home for the period of exclusion. The school will provide appropriate work for the child to undertake during the period of exclusion. This must be brought into the school on the day of re-integration or shared electronically. Parents will be informed of the date and time of the re-integration meeting and it will be requested that parents/carers are present. The re-integration meeting will aim to find positive resolutions to support the child in school and reduce the risk of further exclusion.

## Appeals Procedures

The parents / carers of any child have the right to appeal the decision of the Headteacher and Chair of Governors in excluding their child. The Appeals Committee would follow procedures as set out by Herts County. The Headteacher and Chair of Governors shall not be allowed to sit on the Appeals Committee or endeavour to influence the decisions made by the Appeals Committee. The Headteacher would however, submit a report showing the recorded evidence that informed the decision to exclude a pupil.

## Monitoring arrangements

The school's head teacher monitors the number of exclusions every term and reports to the governing board. They also liaise with the local authority to ensure suitable full-time education for excluded pupils. This policy will be reviewed every two years. At every review, the policy will be shared with the governing board.

## Conclusion

At Kingshill School we adhere to Herts County recommendations and DfE guidance when considering any possible exclusion. It is the intention of this policy to re-affirm exclusion as an ultimate consequence within the school's Positive Behaviour Policy.

## Appendix 1: Updated in May 2024:

- The headteacher **must** notify of a suspension or exclusion, and when:

In addition to notifying parents, you must now also notify the governing board and (as appropriate) the pupil's social worker, the virtual school head (VSH) and the local authority (LA), for all suspensions and exclusions, regardless of length and even if cancelled/rescinded.

- New requirements for involving pupils in the suspension/exclusion process

Information on what constitutes off-rolling (i.e. unlawful exclusions)

- Additional responsibilities for managing pupils who have a social worker, including looked after children (LAC) and previously LAC
- Clarity on the designated safeguarding lead's (DSL's) role:
  - In cases where there are safeguarding implications (e.g. child-on-child abuse) ○ In managing a pupil's child-protection file following that pupil's move to a new school
- Clarity on the roles of the VSH and social worker
- More detailed steps for schools to take to reintegrate a pupil following suspension or exclusion
- Information on how to use off-site direction and managed moves as preventative measures to exclusion.

**For governing boards**, this updated guidance includes:

- Information on how your board should monitor and use suspension and exclusion data
- Some changes to the board's procedures when reviewing a suspension or exclusion, including:
  - An updated list of who **must** be invited to a meeting of the governing board to consider an exclusion and whose views must be taken into account
- When the governing board cannot direct reinstatement of a suspended pupil.