



# King's Infant School

## *The British School of Madrid*

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Chamartin

### Exclusion Policy

22/23

#### Rationale

Exclusion is one of the severest sanctions the school can impose and is used when a pupil's behaviour does not warrant their inclusion, either temporarily or permanently in the normal operation of the school.

#### Purpose

- To ensure that pupils who do not comply with the clear guidelines on behaviour are removed from the school premises and made aware of the severity of their actions.
  - To ensure that other pupils' welfare and learning can take place in a safe and undisturbed manner.
  - 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

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](#)

## Guidelines

### The decision to exclude

Only the Headteacher on approval from the CEO 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 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).
- Exclusion will not be used for isolated minor offences.
- Members of the Senior Leadership Team should ensure they investigate and recommend a course of action to the Headteacher, or Deputy Head in the absence of the Headteacher. The decision to exclude temporarily can only be made by the Headteacher (or Deputy Head in her absence). Permanent exclusion requires the approval of the Chief Executive or Chairman of the Board.
- When an incident has occurred which merits exclusion, the pupil and his/her parents are notified with minimal delay. This is usually by telephone.
- If attitude/ behaviour meriting exclusion occurs early in the day, the pupil is usually isolated for the rest of the day (or at least until their parents can collect them).
- There is no "tariff" of offences for which exclusion may be used. Each situation and student will be treated individually.
- Most exclusions are for one or two days and are designed as a warning. Longer exclusions are the exception.
- It should be noted that in any case under investigation that may lead to an exclusion (internal or external) the Headteacher or Deputy Head, as appropriate must contact the parent of the children under investigation to alert them to the fact that an investigation is taking place. This contact must take place on the day the investigation commences or as soon as possible thereafter.

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- In any case leading to a permanent exclusion the Headteacher (or Deputy Head if the Headteacher is absent) will consult the Directora Técnica before the sanction is applied.

### **Internal Exclusion**

This should be authorised by the EYFS Leader, KS1 Leader or Deputy Head after consultation with the Headteacher, Or the Deputy Head in the absence of the Headteacher. Work should be collected from the class teacher with communications to all staff involved as to when the pupil is to be readmitted to mainstream class. A pupil internally excluded should be supervised by the EYFS Leader, Wellbeing and Community Leader or Deputy Head as appropriate. The parents of the pupil will be contacted by phone by either the Deputy Head or Headteacher and be given details of why the exclusion has been enforced.

### **Fixed Period Exclusion**

Once authorised by the Headteacher, the Deputy Head or Headteacher should inform the parents by phone of the exclusion and a detailed letter or email should be sent, signed by the Headteacher, which includes the reasons for suspension, the length of suspension, the right to appeal and the means by which a student will be readmitted to the school.

Arrangements should be made for a readmission interview conducted by an appropriate senior member of staff.

### **Permanent Exclusion**

In extreme cases, usually as a final resort and after a final warning, it may be necessary to exclude a student permanently. This will be the result of extensive discussions with the Headteacher. When notifying parents of a permanent exclusion from school, reference will be made to previous relevant warnings, fixed terms suspensions or other disciplinary measures which preceded the exclusion. The Headteacher will only permanently exclude a pupil after reference to the Chief Executive Officer or the Chairman of the Board.

### **Appeal against Temporary Exclusion**

Parents wishing to appeal against the temporary exclusion of their son/daughter should arrange to meet with the Headteacher upon notification of the exclusion order. In extreme circumstances the right to appeal may be carried out retrospectively in cases where the temporary exclusion is with immediate effect. A successful appeal would result in the matter being expunged from the pupil's school record. Temporary exclusions are not carried out lightly and in all cases, parents will receive advanced written and telephone communication of the decision. Temporary exclusions can range from part of a day up to and including five school days. Generally, these are incremental starting

with one day's exclusion. Having served a temporary exclusion, pupils are readmitted to the school only after being interviewed by a senior member of staff; parents may be required to be present at this interview. The Headteacher's decision regarding all temporary exclusions is final.

### **Appeal against Permanent Exclusion**

Parents wishing to appeal against the permanent exclusion of their son/daughter should write to the Chief Executive Officer within 72 hours of the exclusion setting out the reasons for the appeal. This should be sent to the school, where it will be forwarded by the Headteacher.

The Chief Executive Officer will acknowledge receipt of the appeal normally within five working days of the receipt of the request. The Chief Executive Officer's decision regarding the appeal will be final. This may be made immediately, but if the Chief Executive Officer needs to gather further evidence or requires more time for deliberation, the decision may be delayed. The outcome of the appeal will be communicated to the parents, Headteacher and Chairman of the Board within ten working days of receipt of the appeal.

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