



This policy was updated in January 2021.

The policy will be reviewed and updated every two years.

Trustee with responsibility Jane Randle - Behaviour, Attitudes and Personal Development Team

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Introduction

The school aims to promote equality in all aspects of school life and with regard to all matters embraced by this policy. It will comply with relevant legislation relating to equal opportunities, race relations, sex discrimination and age discrimination.

This policy is to be read alongside the behaviour policy and the Department for Education's guidance 'Exclusion from maintained schools, Academies and pupil referral units in England'. The exclusion of a pupil, either for a fixed period or permanently, from The Treehouse School will only be used as a last resort. No exclusion will be initiated without first exhausting other strategies or in the case of a serious incident, a thorough investigation. Where a pupil's special educational needs are not met by appropriate learning interventions consideration should be given to an Education Health and Care Plan (EHCP).

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

Reasons for Exclusion

- A serious breach of the school's rules or policies
- A risk of harm to the education or welfare of the pupil or others in the school
- Physical or verbal assault against a pupil, member of staff or others in the school
- Serious damage to school property
- Theft
- Weapons in school
- Persistent disruptive behaviour
- Persistent bullying
- Indecent behaviour
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the child's behaviour.

Fixed Term (temporary) Exclusions

A fixed term exclusion will be for the shortest time necessary. An exclusion for a period of time from half a day to 5 days for persistent or cumulative problems will be imposed only when the school has offered and implemented a range of support and management strategies. Examples of some of the strategies used are:

- Discussion with the pupil
- Discussion with parents

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- Sanctions (consequences) in school e.g., time out
- Checking on any possible provocation
- Internal exclusions
- Referral to outside support agencies

Exclusion will not be used for minor incidents such as academic performance or lateness.

A fixed term exclusion may be used in response to a serious breach of school rules or policies. In such case the Director will investigate the incident thoroughly and consider all the evidence to support the allegation, taking account of all the school policies. The child will be encouraged to give their version of events and the Director will check whether the incident may have been provoked e.g. by bullying or racial harassment.

For the first 5 days of a fixed-term exclusion, the school must send homework for the pupil and arrange to have it marked. For fixed-term exclusions of more than 5 days, the school is responsible for arranging suitable alternative full-time education from the 6th day until the end of the exclusion.

Procedure for Making a Fixed Term Exclusion

- The director takes the decision to exclude a pupil for a fixed period.
- Parents/carers are contacted, ideally by telephone to arrange the collection and supervision of the pupil. The child's welfare must always be the prime consideration.
- The director must give written notice to the parents informing them of:
 - The precise period and the reasons for the exclusion
 - The parents' duties during the first 5 days.
 - The parents' right to make a representation to the Trustees, and how the pupil may be involved in this.
 - The person the parent should contact if they wish to make such representations.
 - The arrangement to set and mark work for the pupil during the initial 5 day period.
 - If relevant the school day on which they will be provided with full time education.
 - Details of the reintegration interview.

A model letter for this process can be found in Appendix 1.

The Director must inform the Trustees if a pupil is excluded for more than 15 days in any one term. Children can be excluded for 1 or more fixed periods, which when aggregated do not exceed 45 school days in any one school year. Parents have the right to make a representation to The Trustees for any fixed term exclusion.

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A reintegration interview (Welcome Back Meeting) will be arranged with the Director, Director of Teaching and Learning and the parent and child on the school premises. If the parent fails to attend, the school must keep a record of the failure as this could be taken into account at court in deciding whether to impose a parenting order.

Sending children home from school during lunchtime will also be considered a temporary exclusion. This applies even if the child needs a 'cooling off' period following an incident in school during the morning session.

The procedure for this is the same as above and there is a model letter to parents in Appendix 2.

Permanent Exclusions

A permanent exclusion is a very serious decision and the Director will investigate thoroughly before this decision is made. As with a fixed term exclusion, it will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach to school rules and policies such as:

- Serious actual or threatened violence against another pupil or a member of staff;
- Carrying an offensive weapon;
- Persistent bullying;
- Racial harassment.

Procedure for Making a Permanent Exclusion

- The Director takes the decision to exclude a pupil permanently.
- The parent/carer is contacted immediately, ideally by telephone.
- The Director must give written notice to the parents informing them of specific information found in the LA guidance.
- The Director must inform The Trustees within 1 day using the appropriate form (found on OCC Schools website).
- On receiving notice of the exclusion, the Trustees must convene a meeting between the 6th and the 15th school day to review the exclusion. They must invite the parent and the Director. Papers including written statements must be circulated at least 5 days before the meeting.
- The Trustees must make the decision alone, asking other parties to withdraw. The clerk may remain.

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- The Trustees must inform the parent and Director of their decision in writing within 1 day of the hearing stating reasons.
- The child will be removed from the register only when the review process is complete.

Behaviour Outside School

Pupils' behaviour outside school on school business e.g. on school trips at sports fixtures, is subject to the school's behaviour policy. Poor behaviour in such circumstances will be dealt with as if it has taken place in school.

For behaviour outside school, not on school business, the Director may exclude a pupil if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupils as a whole, or if it is deemed to be damaging to the reputation of the school.

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. There is a duty under the Disability Discrimination Act 1995 not to discriminate against disabled pupils by excluding them from school for behaviour related to their disability. The Headteacher will make reasonable steps to ensure that the school responds to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

Reasonable steps could include:

- Differentiation in the school's behaviour policy;
- Developing strategies to prevent the pupil's behaviour;
- Requesting external support for the child;
- Staff training.

Temporary Reduced Timetable

In some cases, the Director and Director of Learning and Teaching, may consider it appropriate to the needs of a particular child, to offer a reduced timetable for a limited period. In these instances, paramount consideration is given to safeguarding the child and a thorough risk assessment is carried out. Any reduced timetable is planned within a pastoral support plan (PSP), is time-limited with a clear plan to increase attendance back to full time, may involve professionals working with the child/family, and parents have given their full consent.

A proforma for a temporary reduced timetable can be found in Appendix 3. The documents below should be read when considering a reduced timetable.

The 'Oxfordshire Guidance for Schools on Reduced Timetables' can be found at this link:

<http://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/socialinclusion/GuidanceforSchoolsonReducedTimetables.pdf>

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And the Ofsted 'Pupils Missing Out on Education' can be found at this link:

<http://www.ofsted.gov.uk/resources/pupils-missing-out-education>

Marking Attendance Registers Following Exclusion

When a pupil is excluded, he/she should be marked absent using Code E. Where alternative provision is made, and pupils attend it, they will be marked using either code B (education off site).



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Appendix 1

Model Letter 1 - Fixed period exclusion of less than 6 days in one term FROM DIRECTOR

Dear **[Parents Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[period of exclusion]**. This means that **[he/she]** will not be allowed in school for this period. The exclusion begins on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **(Reason for Exclusion)**.

[Use this paragraph only where there is consideration of permanent exclusion]

In view of the nature of the incident, I feel that it is necessary to conduct further investigation before deciding whether it is appropriate to exclude **[Child's Name]** permanently.

[Use this paragraph for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion 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. If so, it will be for you to show reasonable justification.

We will set work for **[Name of child]** during the **[..... days]** of the exclusion **[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 present your case about this decision to exclude **[Name of child]** to The Trustees. If you wish to do so please contact **[Name of Contact]** on/at **[Contact Details-Address, Phone Number, email]** as soon as possible. Whilst the Trustees have no power to direct reinstatement, they must consider any existing evidence presented by yourself and may place a copy of their findings on your child's school record.

You should also be aware that if you think this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal and/or make a claim to First-tier Tribunal (Special Educational Needs and Disability). The address to which appeals should be sent is HM Courts and Tribunals Services, Special Educational Needs and Disability Tribunal, First Floor, Darlington Magistrates Court, Parkgate, Darlington, DL1 1RU.
(<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>) or the

County Court in the case of other forms of discrimination. Making a claim would not affect your right present your case to The Trustees. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

You also have the right to see and have a copy of **[Name of Child]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a

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copy of **[Name of Child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Statutory exclusions guidance can be found at:

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

[Name of Child]'s exclusion expires on **[Date]** and we expect **[Name of Child]** to be back in school on **[Date]** at **[Time]**.

Yours sincerely



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Appendix 2

Lunchtime half-day exclusion FROM DIRECTOR

*** Delete as appropriate

Dear **[Parents Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** during lunchtimes for **[number of days]** days from **[date]** to **[date]**. **[Child's Name]** can return for lunchtime as from **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **(Reason for Exclusion)**.

This exclusion covers the lunch period only from **[time]** to **[time]** and you are asked to please make arrangements for your child's supervision away from school during this period.

Each lunchtime exclusion will count as a half-day exclusion and will be added to your child's record of exclusions.

The total number of days of exclusion from this period of lunchtime exclusion is **[number of days]**.

[Use this paragraph for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion 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. If so, it will be for you to show reasonable justification.

You have the right to challenge this decision before The Trustees. If you wish to make representations please contact **[Name of Contact]** on/at **[Contact Details-Address, Phone Number, email]** as soon as possible. Whilst The Trustees have no power to direct reinstatement, they must consider any submissions you make and may place a copy of their findings on your child's school record.

You should also be aware that, if you think this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal and/or make a claim to First-tier Tribunal (Special Educational Needs and Disability). The address to which appeals should be sent is First-tier Tribunal (Special Educational Needs and Disability), Mowden Hall, Staindrop Road, Darlington, DL3 9BG.

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>) or the County Court in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded. Making a claim would not affect your right to make representations to The Trustees.

You also have the right to see and have a copy of **[Name of Child]**'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 **[Name of Child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

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The statutory exclusions guidance can be found at:
<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

[Child's Name] exclusion expires on **[Date]** and we expect **[Child's Name]** to be back at lunchtimes on **[Date]** at **[Time]**.

Yours sincerely

Head teacher



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Appendix 3

Reduced Timetable Proforma

Pupil Name	DOB
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Date of meeting when plan for reduced timetable discussed	
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Reason for Reduced Timetable (please tick)	1. Part of in school support package
	2. Medical Reasons (supported by medical professionals)
	3. Reintegration
	4. Other

If 'Other', state reason	
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Weekly Timetable - Number of Teaching Hours Allocated – Week 1	
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<i>Please state number of hours teaching time per morning/afternoon session each day</i>		Monday	Tuesday	Wednesday	Thursday
	AM				
	PM				

Weekly Timetable - Number of Teaching Hours Allocated – Week 2 (for schools operating a 2 week timetable or where timetable changes)	
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<i>Please state number of hours teaching time per morning/afternoon session each day</i>		Monday	Tuesday	Wednesday	Thursday
	AM				
	PM				

Please state the total number of hours teaching time per week (Attendance Code C should be used for times pupil not expected in school/alternative provision)
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Reduced Timetable Start Date	
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Review Date of Reduced Timetable	
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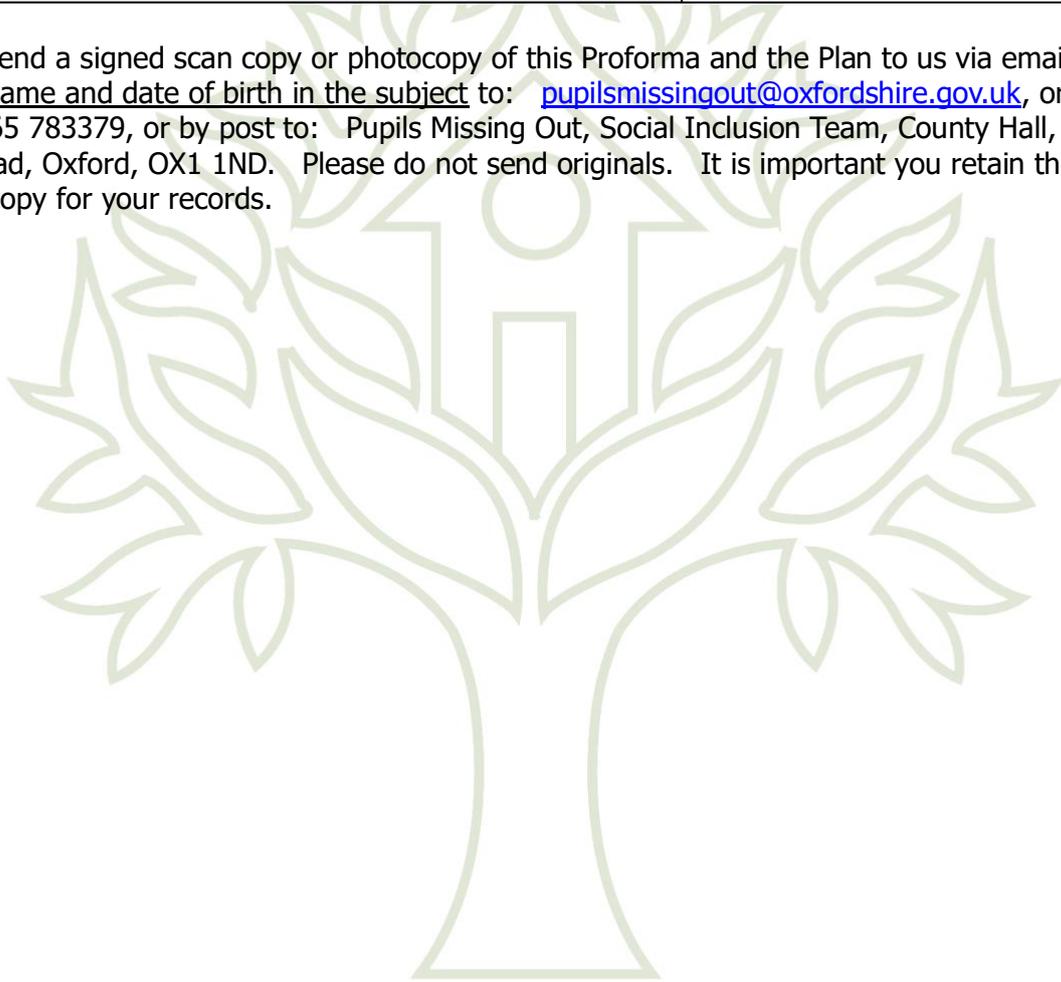
Date pupil will return to Full Time Provision	
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Parental Agreement: I/We hereby confirm my/our consent to the reduced timetable as outlined.

Parent's signature:

Name of school contact and telephone number:

Please send a signed scan copy or photocopy of this Proforma and the Plan to us via email with the Pupil's name and date of birth in the subject to: pupilsmissingout@oxfordshire.gov.uk, or by fax to: 01865 783379, or by post to: Pupils Missing Out, Social Inclusion Team, County Hall, 3rd Floor, New Road, Oxford, OX1 1ND. Please do not send originals. It is important you retain the original signed copy for your records.



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