



St. Breock Primary School Positive Relationships Policy Spring Term 2019



This policy is relevant for all members of our school community - adults, children, families and visitors.

The ethos of our school is caring and positive learning, love and laughter. We are invested in supporting the very best relationship health between:

- parent & child;
- child & child;
- child and school staff;
- parent & school staff;
- school staff;
- school staff & the senior leadership team;
- school staff & external agencies.

Rationale

We believe good behaviour results from children and adults feeling safe, secure and supported when they:

- feel valued;
- give and receive respect;
- are listened to;
- are encouraged to take responsibilities for their own actions.

We expect all members of the school community to behave in a considerate way towards others.

We believe that all teachers have a right to teach and all children have a right to learn.

In order to achieve the above we will work to a whole school Trauma Informed School approach and ensure that:

- we use consistent safety cues throughout the day, i.e. 'meet & greet' at classroom door to provide a happy, secure and supportive environment that enables all children to achieve their potential academically, socially and emotionally.
- interactions with children are socially engaging and not socially defensive.
- staff are trained in PACE modes of interaction, being warm, empathetic, playful & curious.
- pedagogic interventions which nurture positive relationships on an individual basis, e.g. I wish my teacher knew, dreams and goals, who is important to them.
- vulnerable children have easy access to at least one named emotionally available adult and know where to find them.
- staff adjust expectations around vulnerable children. Staff have an awareness of unwanted behaviours and the possible reason for them.
- nurture staff so they feel truly valued and emotionally regulated and in doing so support them to interact in positive engagement with children.
- staff adhere to non-negotiable behaviours and actions.

Alongside these points we will also:

- provide a well-structured, clear and accessible framework of behaviour expectations within which we all will operate.
- provide a curriculum that is challenging, stimulating, motivating and engaging.
- provide a curriculum, which will teach our children a clear and acceptable view of right and wrong, together with a real appreciation of the needs of others and the society around them

1 Aims and Expectations

- 1.1 It is a primary aim of our school that every member of the school community feels valued and respected, and that each person is treated fairly and well. We are a caring community, whose values are built on mutual trust and respect for all. The school behaviour policy is therefore designed to support the way in which all members of the school can live and work together in a supportive way. It aims to promote an environment where everyone feels happy, safe and secure.
- 1.2 The school has a number of rules - Our School Promises, but the primary aim of our Positive Relationships policy is not a system to enforce rules. It is a means of promoting good relationships, so that people can work together with the common purpose of helping everyone to learn. This policy supports the school community in aiming to allow everyone to work together in an effective and considerate way.
- 1.3 The school rewards good behaviour and uses the Olympic values to instil this. We believe that this will develop an ethos of kindness and co-operation which prepares children for life. This policy is designed to promote good behaviour, rather than merely deter anti-social behaviour.

2 Rewards and Sanctions

- 2.1 We praise and reward children for good behaviour in a variety of ways:
- teachers congratulate children;
 - teachers give children house points;
 - the successes of the children are celebrated through a house point system which forms part of celebration assemblies.
 - special awards are given each Friday for Personal, Premier Playground Player, Rossi's Reward & Captain's Table. These are all linked to our Jigsaw PSHE curriculum celebration of the week or Olympic values: courage, friendship, respect, excellence, equality, determination & inspiration.
 - Special certificates are given half termly to children who have kept our School Promises and/or made changes linked to the Olympic values. This is voted for by their peers.
 - Golden Book, proud camera, etc.

- 2.2 The school employs a number of sanctions to enforce the school rules, and to ensure a safe and positive learning environment. We employ each deterrent appropriately to each individual situation.

Children are expected to adhere to the School Promises. If they do not, deterrents will occur (see flow chart, Appendix 2).

- We expect children to listen carefully to instructions in lessons. If they do not do so, we ask them either to move to a place nearer the teacher, or to sit in a more appropriate place. Distractions are removed or, if on-going, fiddle toys are considered.
 - We expect children to try their best in all activities. If they do not do so, we may ask them to redo a task if we think they are capable of better.
 - The safety of the children is paramount in all situations. If a child's behaviour endangers the safety of others, the class teacher stops the activity and prevents the child from taking part for the rest of that session.
 - If a child threatens or hurts another pupil, the class teacher records the incident and the child is penalised. If a child repeatedly acts in a way that disrupts or upsets others, the school contacts the child's parents and seeks an appointment in order to discuss the situation, with a view to improving the behaviour of the child. Following that discussion, a behaviour plan may be implemented and/or external support sought.
- 2.3 In this way, every child in the school knows the standard of behaviour that we expect in our school. If there are incidents of anti-social behaviour, the class teacher discusses these with the whole class during Jigsaw PSHE sessions. Class teachers explicitly discuss School Promises with the children.

- 2.4 The school does not tolerate bullying of any kind. If we discover that an act of bullying or intimidation has taken place, we act immediately to stop any further occurrences of such behaviour. We do everything in our power to ensure that all children attend school free from fear. See Appendix 3.
- 2.5 All members of staff are aware of the regulations regarding the use of force by teachers, as set out in DfE Circular 10/98, relating to section 550A of the Education Act 1996: *The Use of Force to Control or Restrain Pupils*. Teachers in our school do not hit, push or slap children. Staff only intervene physically to restrain children or to prevent injury to a child, or if a child is in danger of hurting him/herself. The actions that we take are in line with government guidelines on the restraint of children. Appropriate members of staff have been trained in Team Teach.

3 The Role of the Class Teacher

Each class has its own system for rewarding good behaviour, class work, effort, etc. with house points, appropriate to the age and development of the children. All adults in the school are empowered to give house points to reward children. The head of school only is empowered to give five house points as a reward for particularly outstanding effort.

House captains are responsible for collecting house points from each classroom at the end of the week and they announce the results to the whole school in assembly on Fridays. In KS2 house points are collected for specific Olympic values and the number for each value is also announced in Friday's assembly.

Rossi gives Rossi's Reward for outstanding performances or effort.

The lunchtime supervisors award Premier Playground Players to Olympic values demonstrated on the playground. The Bistro staff choose children to sit at the Captain's Table for demonstrating Olympic values in the Bistro.

Class teachers are expected to adhere to the Non-Negotiables in Appendix 4.

- 3.1 It is the responsibility of the class teacher to ensure that the school rules are enforced in their class, and that their class behaves in a responsible manner during lesson time.
- 3.2 The class teachers in our school have high expectations of the children in terms of behaviour, and they strive to ensure that all children work to the best of their ability.
- 3.3 The class teacher treats each child fairly. The teacher treats all children in their class with respect, empathy and understanding.
- 3.4 If a child misbehaves repeatedly in class, the class teacher keeps a record of all such incidents. In the first instance, the class teacher deals with incidents him/herself in the normal manner – a warning followed by a yellow card, followed by a red card. On receipt of a red card the child is sent to the Head of School the next lunchtime. The child has lunch and work in the library instead of playing out. However, if misbehaviour continues, the class teacher seeks help and advice from the Head of School.
- 3.5 The class teacher will always look beyond the behaviour to the individual child and seek to understand why.
- 3.6 The class teacher liaises with external agencies, as necessary, to support and guide the progress of each child. The class teacher may, for example, discuss the needs of a child with the education social worker or LA behaviour support service.
- 3.7 The class teacher reports to parents about the progress of each child in their class, in line with the whole-school policy. The class teacher may also contact a parent if there are concerns about the behaviour or welfare of a child.

4 The Role of the Leadership Team

- 4.1 It is the responsibility of the Leadership Team to implement the school behaviour policy consistently throughout the school, and to report to Hub Councillors, when requested, on the effectiveness of the

policy. It is also the responsibility of the Head of School to ensure the health, safety and welfare of all children in the school.

- 4.2 The Leadership Team supports the staff by implementing the policy, by setting the standards of behaviour, and by supporting staff in the implementation of the policy.
- 4.3 The Leadership Team keeps records of all reported serious incidents of misbehaviour.
- 4.4 The Leadership Team has the responsibility for giving fixed-term exclusions to individual children for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Leadership Team may permanently exclude a child. Fixed term exclusions will be notified to the Hub Councillors as will all permanent exclusions.

5 The Role of Parents

- 5.1 The school works collaboratively with parents, so children receive consistent messages about how to behave at home and at school.
- 5.2 We explain the school promises in the school prospectus, and we expect parents to read these and support them.
- 5.3 We expect parents to support their child's learning, and to work with the school. We aim to build a supportive dialogue between the home and the school, and we inform parents immediately if we have concerns about their child's welfare or behaviour.
- 5.4 If the school has to use reasonable deterrents to punish a child, parents should support the actions of the school. If parents have any concern about the way that their child has been treated, they should initially contact the class teacher. If the concern remains, they should contact the Leadership Team and if not resolved the school Hub Councillors. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented.

6 The Role of Hub Councillors

Hub Councillors are expected to adhere to the code of conduct in Appendix 5.

- 6.1 The Hub Council has the responsibility of setting down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness. The Hub Councillors support the Leadership Team in carrying out these guidelines.
- 6.2 The Leadership Team, has the day-to-day authority to implement the school behaviour and discipline policy, but Hub Councillors may give advice to the Leadership Team about particular disciplinary issues. The Leadership Team must take this into account when making decisions about matters of behaviour.

7 Fixed-term and Permanent Exclusions- a brief overview.

Please refer also to protocol Appendix 6.

The following key legislation has been used to support this policy

- The Education Act 2002, as amended by the Education Act 2011.
 - The School Discipline (Pupil Exclusions and Reviews) Regulations 2012.
 - The Education and Inspections Act 2006.
 - The Education (Provision of Full-Time Education for Excluded Pupils) Regulations 2007.
 - European Convention on Human Rights (ECHR).
- 7.1 Only the Leadership Team has the power to exclude a pupil from school and that must be on disciplinary grounds. The Leadership Team may exclude a pupil for one or more fixed periods, for up to

45 days in any one school year. The fixed period exclusion does not have to be for a continuous period. The Leadership Team may also exclude a pupil permanently. It is also possible for the Leadership Team to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this. Pupils may be excluded for the duration of the lunchtime period if their behaviour is too disruptive. If this occurs the Leadership Team still has a duty to notify parents.

Lunchtime exclusions are counted as half a school day for statistical purposes & in determining whether a Hub Council meeting is triggered.

Behaviour of pupils outside school grounds can be considered as grounds for exclusion

- 7.2 If the Leadership Team excludes a pupil, s/he informs the parents immediately, giving reasons for the exclusion. At the same time, the Leadership Team makes it clear to the parents that they can, if they wish, appeal against the decision to the Hub Council. The school informs the parents how to make any such appeal.
- 7.3 The Leadership Team informs the Aspire MAT Board about any permanent exclusion, and about any fixed-term exclusions beyond five days in any one term.
- 7.4 The Hub Council itself cannot either exclude a pupil or extend the exclusion period made by the Leadership Team.
- 7.5 The Hub Council has a discipline committee which is made up of between three and five members. This committee considers any exclusion appeals on behalf of the Hub Councillors.
- 7.6 When an appeals panel meets to consider an exclusion, they consider the circumstances in which the pupil was excluded, consider any representation by parents and the LA, and consider whether the pupil should be reinstated.
- 7.7 If the Hub Councillors appeals panel decides that a pupil should be reinstated, the Leadership Team must comply with this ruling.
- 7.8 The Leadership Team will consider exclusions in line with the 'Exclusion Protocol' (Appendix 3)
- 7.9 The Leadership Team may withdraw an exclusion that has not been reviewed by the Hub Council.

8 Monitoring

- 8.1 The Leadership Team monitors the effectiveness of this policy on a regular basis. S/he also reports to the Hub Council on the effectiveness of the policy and, if necessary, makes recommendations for further improvements.
- 8.2 All incidents of misbehaviour at lunchtime should be reported to the class teachers who will then take the appropriate action if the situation has not already been dealt with. Class teachers may keep records of children who have persistently poor behaviour as a way of tracking trigger factors. The Leadership Team will record more serious incidents of mis-behaviour, in particular those where the parents are asked to come into school to discuss their child's behaviour.
- 8.3 The Leadership Team keeps a record of any pupil who receives a fixed-term exclusion, or who is permanently excluded.
- 8.4 It is the responsibility of the Hub Council to monitor the rate of exclusions, and to ensure that the school policy is administered fairly and consistently.

9 Positive Behaviour and Encouraging High Self-Esteem

- 9.1 At St Breock Primary School we aim to promote good behaviour by encouraging high self-esteem for all, managing behaviour using positive methods.

10 Review

- 10.1 The Hub Council reviews this policy every two years. They Hub Councillors may, however, review the policy earlier than this, if the government introduces new regulations, or if the governing body receives recommendations on how the policy might be improved.

APPENDIX 1 NON NEGOTIABLE BEHAVIOURS

APPENDIX 2 BEHAVIOUR CHART (attached)

APPENDIX 3 HUB COUNCILLORS CODE OF CONDUCT

If a parent approaches a Hub Councillor about behaviour, the procedure should be:

- * Ask the parent if s/he has taken their concern to the teacher and / Leadership Team. If they have not, encourage them to do so, offering to accompany them if necessary.**
- * If the parent has already spoken to the teacher and head and says that they are still unhappy, then the Hub Councillor may discreetly ask to see the head in order to explain that they have been approached and to establish the facts. At this stage they may feel that they are clear about the matter and the issue is resolved.**
- * If after talking to the Head, the Hub Councillor still has a major worry concerning the parent's case, then they might need to inform and consult the Chair of Hub Councillors. The chair would need to judge whether the matter was sufficiently serious to be taken further at a governing body meeting.**

Throughout the procedure it is important that Hub Councillors:

Remain impartial

Be clear that they have no power as an individual Hub Councillor

Be careful about confidentiality

To remember that although Hub Councillors would wish to listen to parents' views, they have no direct role in terms of the day to day management of the school.

APPENDIX 4 EXCLUSION PROTOCOL

Rationale

This Behaviour, Discipline and Exclusion Policy is underpinned by the shared commitment of all members of the School community to achieve two important aims:

- 1) The first is 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;
- 2) The second is to realise the aim of reducing the need to use exclusion as a sanction.

Introduction

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

- (a) In response to a serious breach of the School's Behaviour Policy
- (b) If allowing the student to remain in School would seriously harm the education or welfare of the student or others in the School.

Exclusion is an extreme sanction and is only administered by the Leadership Team.

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the School's Behaviour Policy:

- Verbal abuse to Staff and others
- Verbal abuse to students
- Physical abuse to/attack on Staff
- Physical abuse to/attack on students
- Indecent behaviour
- Damage to property
- Theft
- Serious actual or threatened violence against another student or a member of staff.
- Sexual abuse or assault.
- Unacceptable behaviour which has previously been reported and for which School sanctions and other interventions have not been successful in modifying the student's behaviour.

This is not an exhaustive list and there may be other situations where the Leadership Team makes the judgment that exclusion is an appropriate sanction.

The school will make the following publication available to parents/ carers

A guide to education welfare services for parents and carers – Exclusion from School

Exclusion Protocol
Any decision of the school, including exclusion, must be made in line with the principles of administrative law? I.e. that it is lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention of Human Rights); rational; reasonable; fair and proportionate.
The Leadership Team must take account of their legal duty of care when sending a pupil home following a period of exclusion.
When establishing the facts in relation to an exclusion decision, the Leadership Team must 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 a reasonable doubt'.
Under the Equality Act 2010, schools must not discriminate against, harass or victimise pupils because of their: sex; race; disability; religion or belief; sexual orientation; because of a pregnancy or maternity; or because of a gender reassignment. For children with disabilities, this includes the duty to make reasonable adjustments to policies and practices.
In carrying out our functions under the Equality Act 2010, the public sector equality duty means that your school must have regard to the need to: <ul style="list-style-type: none"> • Eliminate discrimination and other conduct prohibited by the Equality Act 2010. • Advance equality of opportunity between people who share a protected characteristic and people who do not share it. • Foster good relations across all characteristics – between people who share a protected characteristic and people who do not share it.
The above duties must be taken into account when deciding whether to exclude a pupil.
The Leadership Team and HC must take account of their statutory duties in relation to special educational needs (SEN), including under the SEN Code of Practice, when administering the exclusion process.
The school will not exclude or increase the severity of exclusion for non-disciplinary reasons. For example, it would be unlawful for a school to exclude a pupil simply because they have additional needs or a disability that the school is unable to meet.
'Informal' or 'unofficial' exclusions, such as sending pupils home 'to cool off,' are unlawful, regardless of whether they occur with the agreement of parents or carers
That any exclusion of a pupil, even for short periods of time, must be formally recorded.
The threat of exclusion must never be used to influence parents to remove their child from the school.
The decision to exclude a pupil permanently should only be taken in response to a serious breach, or persistent breaches, of the school's behaviour policy and where allowing the pupil to remain in school would seriously harm the welfare of the pupil or others in the school.
Where practical, the Leadership Team should give pupils the opportunity to present their case before taking the decision to exclude.
While exclusion may be an appropriate sanction, the Leadership Team should take account of any contributing factors that are identified after an incident of poor behaviour has occurred I.e. where it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying.
Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEN or disability that a pupil may have.
Where a pupil has received multiple exclusions or is approaching the legal limit of 45 schools days of fixed exclusions in an academic year, the Leadership Team should consider whether exclusion is providing an effective sanction.
The exclusion rates for: pupils with SEN; pupils eligible for free school meals; looked after children; and children from certain ethnic groups, are consistently higher than average. The Leadership Team should consider what extra support might be needed to identify and address the needs of such groups of pupils in order to reduce their risk of exclusion.
There are certain groups, such as those with education, health and care (EHC) plans and looked after children, that not only have disproportionately high rates of exclusion, but who are also particularly vulnerable to the impacts of exclusion. The Leadership Team should, as far as possible, avoid permanently excluding such children.
The school should proactively engage with parents in supporting the behaviour of pupils with additional needs.
Where the school has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a pupil with an EHC plan or looked after child, it should consider what additional support or alternative placement may be required.
Whenever the Leadership Team excludes a pupil, he or she must, without delay, provide written notification to parents of the period of exclusion and the reasons for it.
The Leadership Team must also, without delay, provide parents with the following information:

<ul style="list-style-type: none"> • The reasons for the exclusion. • The period of fixed period exclusion or, for a permanent exclusion, the fact that it is permanent. • Their right to make representations about the exclusion to the HUB COUNCIL and how the pupil may be involved in this. • How representations should be made. • That they have a right to attend any meeting where there is a legal requirement for the HUB COUNCIL to consider the exclusion, to be represented at this meeting, and to bring a friend.
Where an excluded pupil is of compulsory school age, the Leadership Team must notify parents without delay, and by the end of the afternoon session.
For the first five days of an exclusion, parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, and that parents may be given a fixed penalty notice or prosecuted if they fail to do so.
Where alternative provision is being arranged, the following information must be included with the written notice to parents: <ul style="list-style-type: none"> • The start date for any provision of full-time education that has been arranged for the pupil during the exclusion. • The start and finish times of any such provision, including the times for morning and afternoon sessions where relevant. • The address where the provision will take place. • Any information required by the pupil to identify the person he or she should report to on the first day
Where information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent written notice, but it must be provided without delay and no later than 48 hours before the provision is due to start.
The only exception to the above is where alternative provision is to be provided before the sixth day of exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.
The failure of the Leadership Team to give written notice of the above information by the required timeframe does not relieve the Leadership Team with their duty to serve the notice.
Where a fixed period exclusion has been extended or converted to a permanent exclusion, the Leadership Team must write again to the parents explaining the reasons for the change and providing any additional information required.
When notifying parents about an exclusion decision, the Leadership Team should set out what arrangements have been made to enable the pupil to continue his or her education prior to the start of any alternative provision or the pupil's return to school.
When notifying parents of an exclusion decision, attention should be drawn to the relevant sources of free information.
When providing information, the Leadership Team should ensure that it is clear, easily understood and, where the parent's first language is not English, that consideration should be given to translating the letter.
The Leadership Team must, without delay, notify the HUB COUNCIL and the local authority (LA) of: <ul style="list-style-type: none"> • A permanent exclusion (including where a fixed-period exclusion is made permanent). • Exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term. • Exclusions which would result in the pupil missing a public examination or national curriculum test.
For all other exclusions not outlined above, the Leadership Team must notify the HUB COUNCIL and LA once a term.
Notifications to the HUB COUNCIL and the LA must include the reasons for the exclusion and the duration of any fixed period exclusion
Within 14 days of a request, the HUB COUNCIL must provide to the Secretary of State and (in the case of maintained schools and PRUs) the LA, information about any exclusions within the last 12 months
For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Leadership Team must also advise the pupil's 'home authority' of the exclusion without delay.
For a fixed period exclusion of more than five school days, the HUB COUNCIL must arrange suitable full-time education for any pupil of compulsory school age, beginning no later than the sixth day of the exclusion.
Educational provision does not have to be arranged by either the school or the LA for pupils in the final year of compulsory education who do not have any further public examinations to sit.
Where it is not possible, or appropriate, to arrange alternative provision during the first five days of exclusion, the school should take reasonable steps to set and mark work for pupils.
The HUB COUNCIL has a duty to consider parents' representations about an exclusion.
The HUB COUNCIL may delegate their functions with respect to the consideration of an exclusion decision to a designated sub-committee consisting of at least three Hub Councillors?

<p>The HUB COUNCIL must consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if:</p> <ul style="list-style-type: none"> • The exclusion is permanent. • It is a fixed-period exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term. • It would result in a pupil missing a public examination or national curriculum test.
<p>If requested to do so by the parents, the HUB COUNCIL must consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if a pupil would be excluded from school for more than five school days, but not more than 15, in a single term.</p>
<p>Where an exclusion would result in a pupil missing a public examination or national curriculum test, there is a further requirement for the HUB COUNCIL, as far as is reasonably practicable, to consider the exclusion before the date of the examination or test.</p>
<p>Where the above is not practical, the chair of Hub Councillors may consider the exclusion independently and decide whether or not to reinstate the pupil. This is the only circumstance whereby the chair of Hub Councillors can review an exclusion decision alone.</p>
<p>The parents, Leadership Team and, where applicable, a representative from the LA, have the right to attend a meeting of the HUB COUNCIL and allowed to make representations.</p>
<p>The HUB COUNCIL must make reasonable endeavours to arrange the meeting for date and time convenient for all parties, but in compliance with the relevant statutory time limits.</p>
<p>In the case of a fixed-period exclusion which does not bring the pupil's total number of days of exclusion to more than five in a term, the HUB COUNCIL must consider any representations made by parents, but that it cannot direct reinstatement and is not required to arrange a meeting with parents.</p>
<p>Where the HUB COUNCIL is legally required to consider the decision of a Leadership Team to exclude a pupil, they should:</p> <ul style="list-style-type: none"> • Not discuss the exclusion with any party outside the meeting. • Ask for any written evidence in advance of the meeting. • Circulate any written evidence and information to all parties at least five school days in advance of the meeting. • Allow parents and pupils to be accompanied by a friend or representative. • Consider what reasonable adjustments need to be made to support the attendance and contribution of parties to the meeting. • Identify the steps they will need to take to enable and encourage the excluded pupil to attend the meeting and speak on his or her own behalf, or how he or she may feed in his or her views by other means if attendance is not possible.
<p>While there is no automatic right for an excluded pupil to take an examination or test on the excluding school's premises, the HUB COUNCIL should consider whether they allow the pupil on the premises for this sole purpose.</p>
<p>Where the HUB COUNCIL is legally required to consider a period of exclusion, they must consider the interests and circumstances of the excluded pupil, and have regard to the interests of other pupils and people working at the school.</p>
<p>When establishing the facts in relation to an exclusion decision, the HUB COUNCIL must apply the civil standard of proof, and determine whether to uphold the exclusion decision or reinstate the pupil.</p>
<p>Where reinstatement is not practicable, for example, the pupil has already returned to school following the expiry of a fixed-period exclusion, the HUB COUNCIL must still consider whether the Leadership Team's decision to exclude was justified based on the evidence.</p>
<p>The HUB COUNCIL should identify the steps they will take to ensure all parties will be supported to participate in their consideration and have their views properly heard</p>
<p>The HUB COUNCIL should ensure that clear minutes are taken of the meeting as a record of the evidence that was considered</p>
<p>The HUB COUNCIL should ask all parties to withdraw before making a decision</p>
<p>When reaching a decision on whether or not to reinstate a pupil, the HUB COUNCIL should consider whether the decision to exclude was lawful, reasonable and procedurally fair, taking into account the Leadership Team's duties.</p>
<p>The HUB COUNCIL should note the outcome of their consideration on the pupil's educational record, along with relevant copies of the evidence.</p>
<p>In cases where the HUB COUNCIL considers parents' representations, but does not have the power to direct a pupil's reinstatement, they should consider whether it would be appropriate to place a note of their findings on the pupil's record.</p>

Claims of discrimination to the First-tier Tribunal or County Court can be made up to six months after the discrimination is alleged to have occurred.
Where practicable, the school should retain records and evidence relating to a period of exclusion for at least six months in case such a claim is made.
Where legally required to consider a period of exclusion, the HUB COUNCIL must notify the parents, the Leadership Team and the LA of their decision, and the reasons for their decision, in writing and without delay.
The HUB COUNCIL must also inform the pupil's 'home authority' where the pupil resides in a different LA to the one that maintains your school.
<p>In the case of a permanent exclusion, the HUB COUNCIL's notification must also include: the fact that it is permanent and notice of parents' right to ask for the decision to be reviewed by an independent panel and the following information:</p> <ul style="list-style-type: none"> • The date by which the application for a review must be made. • The name and address to whom an application for a review should be submitted. • That any application should set out the grounds on which it is being made and that, where appropriate, this should include reference to how the pupil's special educational needs (SEN) are considered relevant to the exclusion. • That, regardless of whether the pupil has recognised SEN, parents have a right to require the LA/academy trust to appoint a SEN expert to attend the review. • Details of the role of the SEN expert, and that there will be no cost to parents for this appointment. • That parents must make clear if they wish for a SEN expert to be appointed in any application for a review. • That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and that parents may also bring a friend to the review?
If parents believe that the exclusion has occurred as a result of discrimination, they may also have the right to make a claim to the First-tier Tribunal or the County Court.
A claim to the First-tier Tribunal or the County Court must be made within six months of the date in which the discrimination is alleged to have taken place.
Notice is deemed to have been given on the same day if delivered directly, or on the second working day after posting if it is sent by first class mail.
The HUB COUNCIL should set out the reasons for their decision in sufficient detail to enable all parties to understand why the decision was made.
Where relevant, it is for schools to confirm the details of where the parents' application for an independent review panel should be sent? This is usually the clerk of the panel.
Where the HUB COUNCIL upholds an exclusion decision, they should draw the attention of parents to relevant sources of free and impartial information
<p>The Leadership Team must remove a pupil's name from the school admissions register if:</p> <ul style="list-style-type: none"> • 15 school days have passed since the parents were notified of the HUB COUNCIL's decision to uphold a permanent exclusion and no application has been made for an independent review panel. • The parents have stated in writing that they will not be applying for an independent review panel
Where an application for an independent review panel has been made within 15 school days, the Leadership Team must wait until the review has been determined or abandoned before removing a pupil's name from the register.
Where a pupil's name is removed from the school register and a discrimination claim is subsequently made, the First-tier Tribunal or County Court has the power to direct that the pupil should be reinstated.
While an excluded pupil's name remains on a school's admissions register, the pupil should be marked using the appropriate attendance code, which in this case is 'E'.

Exclusion procedure

- Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).
- The DfE's regulations allow the Head teacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year.
- The Hub Councillors have established arrangements to review promptly all permanent exclusions from the School and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term.
- Following exclusion parents are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body and the LA as directed in the letter.
- A return to School meeting will be held following the expiry of the fixed term exclusion and this will involve the Head teacher or Assistant Leadership Team in their absence.
- During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on the School premises, and that daytime supervision is their responsibility, as parents/guardians.

Permanent Exclusion

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

1. The first is a final, formal step in a concerted 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 would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying)
2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a student for a first or 'one off' offence. These might include:
 - Serious actual or threatened violence against another pupil or a member of staff.
 - Sexual abuse or assault.

The School will consider police involvement for any of the above offences.

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well being of the School. Other incidents may lead to permanent exclusion and will be considered on an individual basis.

General factors the School considers before making a decision to exclude

- Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the School or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period the Head will:
- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the relevant policies.
- Allow the student to give her/his version of events.

- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

If the Head is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion will be the outcome.

Exercise of discretion

In reaching a decision, the Head will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Head will consider a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour Policy and b) the effect that the student remaining in the School would have on the education and welfare of other students and staff.

Lunchtime Exclusion

Students whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. This will be treated as a fixed term exclusion and parents will have the same right to gain information and to appeal.