



Agreed January 2024

Signed *Alan Brown* Head

Signed *Simon Barrowcliff* Chair of Governors

## Oldfield Primary School Behaviour Policy and Procedures

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#### 1. Policy statement

Oldfield Primary School is committed to creating an environment where exemplary behaviour is at the heart of effective learning. Everyone is expected to maintain the highest standards of personal conduct, to accept responsibility for their behaviour and to encourage others to do the same. At Oldfield we commit to employing a trauma informed approach to all interactions, recognising the physical, social and emotional impact of trauma on an individual. Our behaviour policy guides staff to teach self-discipline not blind compliance. It encompasses our core values of Cooperation, Achievement, Respect and Enjoyment; with a heavy emphasis on respectful behaviour, a partnership approach to managing conduct and interventions that support staff and learners.

“Getting the culture right is pivotal. With the right culture, the strategies that are used become less important. The culture is set by the way that the adults behave.”

Paul Dix. *When the Adults Change, Everything Changes.*

#### 2. Aim of the policy

- To create a culture of exceptionally good behaviour: for learning, for community, for life.
- To ensure all learners are treated fairly, shown respect and good relationships are promoted.
- To help learners take control over their behaviour and be responsible for the consequences of it.

- To build a community which values kindness, care, good humour, good temper, obedience and empathy for others.
- To support Oldfield school values:  
We **cooperate** with everyone.  
We try our best to **achieve** in everything we do.  
We **respect** ourselves, each other and the things around us.  
We **enjoy** school and life beyond school.

We **CARE**

### 3. Purpose of the policy

To provide simple, practical procedures for staff and learners that:

- Recognise and positively reinforce behavioural expectations
- Promote self-esteem and self-discipline
- Teach appropriate behaviour through positive interventions

Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Education Act 1996
- Education Act 2002
- Equality Act 2010
- Educations and Inspections Act 2006
- Health Act 2006
- The School Information (England) Regulations 2008
- DfE (2016) 'Behaviour and discipline in schools'
- DfE (2021) 'Sexual violence and sexual harassment between children in schools and colleges' (now merged into Keeping Children Safe in Education)
- DfE (2018) 'Mental health and behaviour in schools'
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2013) 'Use of reasonable force'
- DfE (2017) 'Exclusion from maintained schools, academies and pupil referral units in England. Statutory guidance for those with legal responsibilities in relation to exclusion'
- DfE (2020) 'Changes to the school exclusion process during the coronavirus (COVID19) outbreak'
- Voyeurism (Offences) Act 2019

This policy operates in conjunction with the following school policies

- Special Educational Needs and Disabilities (SEND) Policy
- Social Media Policy
- Computing Policy
- Exclusion Policy
- Physical Restraint and Reasonable Force Policy
- School Statement on Bullying
- Complaints Procedures
- Safeguarding Policy
- Equality Policy

#### **4. Roles and responsibilities**

##### **a. Governing body responsibilities:**

- Monitoring and implementing this Behaviour Policy and the behaviour procedures at the school.
- Ensuring that this policy, as written, does not discriminate on any grounds against protected characteristics.
- Supporting the Head Teacher in carrying out this policy.
- Handling complaints regarding this policy, as outlined in the school's Complaints Procedures Policy.

##### **b. Headteacher responsibilities:**

- Establishing the standard of behaviour expected by pupils at the school
- Managing the day-to-day implementation of this policy.
- Publishing this policy and making it available to staff, parents and pupils at least once a year.
- Reporting to the governing board on the implementation of this Behavioural Policy.
- Ensuring that this policy, as implemented, does not discriminate on any grounds because of protected characteristics.

##### **c. SENCO responsibilities:**

- Collaborating with the governing body, headteacher and colleagues, as part of the Senior Leadership Team (SLT), to determine the strategic development of the behaviour policy and provisions in the school.
- Supporting subject teachers in the further assessment of a pupil's strengths and areas for improvement and advising on the effective implementation of support
- Providing professional guidance to colleagues about SEMH difficulties and the links with behaviour, and working closely with key stakeholders including relevant outside agencies.
- Referring pupils with SEMH-related behavioural difficulties to external services, e.g. specialist Child and Adult Mental Health Services (CAMHS), to receive additional support and guidance where required.
- Overseeing Continuing Professional Development (CPD) to support staff in meeting the needs of the pupils in school.

##### **d. Pupils' responsibilities:**

- Work to the best of their abilities and allow others to do the same.
- Follow the behaviour expectations of the school, following the CARE school values.
- Tell the truth when incidents do occur.
- Reporting any unacceptable behaviour to a member of staff.

##### **e. Parents' responsibilities:**

- Supporting the behaviour of their children outside of school.
- Modelling appropriate behaviour to their children.
- Supporting school staff in implementing the behaviour policy.
- Sharing information (education, welfare and behaviour) that will help their children at school.
- Take an interest in all that their children do in school and attend parents' evenings.
- Carrying out tasks, as agreed during the formulation and implementation of individual Behaviour Plans for pupils.
- Contacting their class teacher if they have any concerns. Parents should follow the guidance in the Complaints Policy if they feel their concerns are not being addressed.

##### **f. Staff responsibilities:**

- Use agreed school procedures and professional judgements to ensure a consistent approach to promoting positive behaviours.
- Seek to establish positive professional relationships when supporting pupils.
- Use praise for conduct that is over and above, promoting self-esteem and self-discipline.
- Make emotional acceleration difficult, using strategies to reduce escalations of unwanted behaviours.
- Display consistent models of emotional control.
- Reprimand in private where possible.
- Consider whether the misbehaviour indicates that a child is suffering from, or is likely to suffer, significant harm, or is as a result of unmet educational or other needs. Liaise with relevant staff to consider a multi agency assessment where necessary.
- Promote a supportive and high-quality learning environment.
- Model high levels of behaviour.
- Meet and greet at the door.
- Give pupils 'take up time' when going through the steps.
- Engage in reflective dialogue with learners.
- Never walk past learners who are not making positive behaviour choices.
- Use a TIP (Trauma Informed Practice) approach, recognising the physical, social and emotional impact of trauma on an individual: Recognise, Respond, Avoid re-traumatisation, Build resilience. Further information: <https://westcheshirechildrenstrust.co.uk/our-way-of-working/our-model/>
- Ensuring that this policy, as implemented, does not discriminate on any grounds because of their protected characteristics.
- Use Child Protection Online Management System (CPOMS) to record incidents of behaviour that have caused concern using the following headings:
  - ❖ Who
  - ❖ Where
  - ❖ When
  - ❖ What happened
  - ❖ Action taken
  - ❖ How was the incident followed up

#### **g. Senior Leaders**

Senior leaders do not deal with behaviour referrals in isolation. They work alongside colleagues to support, guide, model and show a unified consistency to the learners. Learners are held responsible for their behaviour. Staff deal with behaviour without delegating.

Senior Leaders will:

- Meet and greet learners at the beginning of the day, taking the time to welcome learners.
- Be a visible presence around the school site and especially at transition times.
- Celebrate staff, leaders and learners whose effort goes above and beyond expectations.
- Regularly share good practice.
- Support staff in managing learners with more complex or entrenched negative behaviours.
- Use behaviour data to target and assess school wide behaviour policy and practice.
- Regularly review provision for learners who fall beyond the range of written policies.

### **5. Rewarding behaviours**

We recognise and reward learners who go 'over and above' our standards alongside efforts towards making good choices. Although there are tiered awards, our staff understand that a quiet word of personal praise can be as effective as a larger, more public award.

The use of valued praise in developing a positive atmosphere in the classroom isn't underestimated. It is seen as the key to developing positive relationships, including positive relationships with those learners who are hardest to reach.

Rewards can include:

- Quiet word of personal praise, where possible defining the behaviour being rewarded and being delivered as close to the time of the desired behaviour as possible.
- Recognition certificates
- Stickers for Cooperation, Achievement, Respect and Enjoyment which work towards certificates for each core value.
- Name written on CARE display in the classroom.
- Positions of responsibility.
- Class pebbles recognising whole class behaviour choices and individual behaviour choices which positively benefit the class. Class reward when this pebble container is full. Aim for 3 rewards over the academic year.
- Contact parents via face-to-face, telephone, email, note, postcard home.

Teachers encourage pupils to praise one another, and praise another pupil to the teacher, if they see them modelling good behaviour.

Positive mental wellbeing will be promoted through:

- Embedding the teaching of positive mental health and wellbeing into the curriculum, including through our PSHE curriculum, our myHappyMind programme and Zones of Regulation.
- Positive classroom management
- Developing social skills
- Working with parents
- Peer support
- Opportunities for pupils views and feelings to be used to support next steps

## **6. Unwanted Behaviours**

Unwanted behaviours may include (this is not an exhaustive list):

- Not following the rules of the classroom
- Not following the set task
- Distracting others from their learning
- Lack of cooperation
- Ignoring instructions
- Interrupting
- Shouting out at the detriment of others
- Slow to return to the classroom following breaks
- Disrespectful language to pupils and staff
- Repeated low level incidents
- Behaviours outlined in the School Bullying Statement.

## **What do we do if children display unwanted behaviours?**

### **The 5 Step approach**

School staff follow the agreed 5 step HAND approach, reminding and reinforcing positive behaviours, warning children, providing a last chance, facilitating a consequence and reflecting with pupils following unwanted behaviours. Staff move through to a partnership and final stage if unwanted behaviour choices continue. The 5 step HAND approach is displayed in all classrooms to remind everyone of the behaviour approach we take.

*See Appendix 1 5 step HAND approach*

Pupils are supported in taking responsibility for their behaviour. Staff deal with behaviour with the support of colleagues, where required, and without delegating. The school implements a range of strategies with pupils to modify their behaviour and support their decision making. Staff will use their professional judgement, taking into the context of the situation, pupils' age, the personal circumstances of the children involved and any special educational needs or disabilities they may have.

Step 1 - REMIND & REINFORCE

Step 2 - WARN

Step 3 - LAST CHANCE

Step 4 - CONSEQUENCE

Step 5 - REFLECT

Restorative partnership

Final

Step 1 - REMIND

- Remind pupils of the expectations for learners with reference to our core values of cooperation, achievement, respect and enjoyment.
- Delivered privately to the learner where possible.
- Teacher makes the pupil aware of their behaviour.
- Learner has a choice to make the right choice. "At Oldfield we respect everyone and everything ... please remember we respect property at Oldfield". "I need you to ..."
- Remind the learner of previous good conduct, affirming to them that they can make good choices.

Step 2 - WARN

- Clear, verbal caution delivered privately where possible, making the learner aware of their behaviour and outline the consequences if they continue
- Learners have a choice to make a positive choice.
- 30 second intervention.
- Gentle approach, personal, non threatening, side on, eye level or lower.
- State the behaviour that was observed and the rule/expectation that was contravened. Tell the learner the consequences of their action. Remind learners of previous good behaviour / choices.
- Walk away from the learner, allowing the learner time to decide what to do next. If there are comments as the adult walks away, write them down and consider following these up later.

*We resist endless discussions around behaviour and focus our energy on returning learners to learning.*

Step 3 - LAST CHANCE

Delivered privately where possible.

30 second intervention.

Learner is asked to speak to the teacher away from others.

Boundaries are reset.

Learner is asked to reflect on their next step. "I noticed ... if this carries on you will ..... Think carefully about your next step"

Reminders of previous good choices.

Learner is given a final opportunity to re-engage with the learning.

Step 4 - CONSEQUENCE

Delivered in a place where the pupil can calm down, breathe more calmly, reflect from a different perspective and compose themselves.

This may be in a quiet area of the classroom, outside of the classroom, away from the classroom.

If it is deemed necessary that the pupil needs to go to a place outside of the classroom, and an additional adult is not available to do this from the classroom, a different member of staff will accompany the learner to a workspace outside of the teaching room and facilitate support to regulate.

#### Sanction examples

- Not achieve reward they were working towards
- Stay in and finish work (supervised)
- Move places
- Time out from learning (supervised)
- Miss part of break time (supervised)
- Stand with adult on duty at break time
- An Internal Exclusion where the pupil accesses learning outside of the classroom or away from their peer group, if this is deemed in the best interests of the individual pupil or the pupils and / or staff around the pupil.

Staff will always deliver consequences calmly and with care. It is in nobody's interests to confront poor behaviour with anger and frustration.

#### Step 5 - REFLECT

Brief, informal discussion or formal meeting, depending on the needs of the pupils and the circumstances.

Reparation meetings at Oldfield are a core part of repairing the damage of trust between staff and learners. Reparation meetings cover:

- What has happened?
- What was each party thinking?
- How did this make you feel?
- Who feels harmed and why?
- What has each party thought since?
- What should we do to put things right?
- What behaviours will each of us show next time?
- Reaffirm your commitment to building a trusting relationship.

Staff at Oldfield take responsibility for leading the Reparation meeting and will record this on CPOMs at their earliest opportunity. Senior Leaders support and will attend if deemed beneficial to the parties involved.

Learners' behaviour will be monitored by staff to show progress towards agreed targets. This is done discreetly. We do not use coloured reports, or seek to advertise poor behaviour to other learners or to give fame to those who choose not to meet our high standards of behaviour.

#### Restorative partnership

The restorative partnership approach will be implemented where there is a cause for concern. This may include attendance, behaviour, progress concerns which aren't being resolved with a consistent approach to steps 1-5 or where there wasn't the opportunity to work through the 5 steps.

Incidents will be recorded by staff using CPOMS

- The pupil will be allocated a link member of staff who will act as their mentors and will: support, and if necessary facilitate, a restorative meeting to include, where possible, the teacher, learner, mentor, parent/carer and a member of SLT.
- Key staff supporting the pupil will develop an appropriate Behaviour Plan with the learner and parents.
- Agree both the consequences for the learner if they are and are not meeting the required action and reinforce the positive outcomes for everyone if the concerned area improves.
- Ensure clarity in expectations with all stakeholders.
- Key staff supporting the pupil will monitor, review and mentor using the Behaviour Plan. Regular review meetings will take place to address the learners' progress and achievement, learning needs, attitude, behavioural routines and personal organisation with a particular focus on progress towards the agreed targets. A reflection will take place during this meeting of the targets - are they SMART (Specific, Measurable, Achievable, Realistic, Timely)?

If the learner does not achieve the required change in conduct agreed within the Behaviour Plan they will move to the Final stage.

*See Appendix 2 - Guidance on completing reports on CPOMS*

*See Appendix 3 - Blank Behaviour Plan*

Although challenging behaviour does not necessarily mean a pupil has SEND, an assessment will be carried out at this stage to determine whether there are any undiagnosed learning or communication difficulties, or mental health issues that may be contributing to the pupil's behaviour. The Local Authority Behaviour Pathway guidance will be followed.

## Final

The Head Teacher will review the progress through the stepped approach, and in consultation with key stakeholders, will consider whether it is appropriate for the pupil to be excluded and the length of the exclusion (for a fixed term, an exclusion of anything totalling up to 45 school days in any one school year is permitted, after the exclusion period the child can return to school), or whether the pupil should be permanently excluded (when a child is not allowed to return to that school unless the headteachers' decision is reversed), following Local Authority guidance.

<https://www.cheshirewestandchester.gov.uk/residents/education-and-learning/pupil-exclusion-from-school.aspx>

*Appendix 4 - Sample Exclusion letter to parents*

*Appendix 5 - Further information on fixed-term and permanent exclusions*

## Exceptional circumstances

Pupils may move directly to the Final stage for serious misbehaviours which may include (this list is not exhaustive) the following (see below). In these circumstances, these incidents would be formally recorded using CPOMS.

- Physical aggression towards staff, to other pupils or to members of the school community
- High levels of intentional damage to property
- Bullying through deliberate, hurtful behaviour repeated over a period of time
- Prejudiced behaviour including racism, sexism, use of sexual innuendos, homophobia, transphobia, biphobia, disability prejudice and sexually inappropriate material.
- Verbal abuse
- Theft



- Leaving the classroom or the school environment without permission
- Deliberately ignoring safety, hygiene and security rules

## **7. Pupils with increased vulnerabilities, including pupils with SEND**

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 or because of gender reassignment. For pupils with additional needs, reasonable adjustments will be made to support pupils in making positive behaviour choices, in light of their individual needs. Individual Behaviour and Strategy Plans will be used to support adults in managing learners with more complex needs and to support learners with increased vulnerabilities.

## **8. Use of Reasonable Force**

In line with the school's Physical Restraint and Reasonable Force Policy, all members of staff have the legal right to use reasonable force to prevent pupils from committing an offence, injuring themselves or others, or damaging school property, and to maintain good order and discipline in the classroom.

Physical restraint may be appropriate in the following situations:

- To prevent a pupil causing an accident or injuring themselves, others or property
- To prevent a pupil injuring themselves or another person
- To maintain good order and discipline in the classroom
- To prevent a pupil leaving the school environment at an unauthorised time – only where doing so may lead to a risk of injury, property damage or serious disruption

Physical restraint will only be used as a last resort and as a method of restraint. Staff members will use their professional judgement of the incident to decide whether physical intervention is necessary.

All staff will attempt to use de-escalation strategies before the use of physical intervention; however, the school understands that intervention may be the only resolution in some severe incidents, such as violence or where there is an immediate risk of injury.

Staff follow the most up-to-date non-statutory guidance from the Department for Education (currently July 2013):

[Use of reasonable force in schools - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/242222/Use_of_reasonable_force_in_schools_-_GOV.UK.pdf)

## **9. Recording and Reporting**

Behaviour is regularly monitored and evaluated through reviewing formal behaviour records on CPOMS, professional dialogue, observing behaviour during learning walks, observations and around school and through pupil voice.

The Headteacher will report to the Governing body three times per year on behaviour and exclusion data. This will include any patterns or trends, any incidents of unwanted behaviour that are serious and records of exclusions. The Headteacher will also update governors on current self evaluation school judgements on behaviour and attitude against the Ofsted criteria.

## **10. Monitoring and Reviewing**

This policy will be reviewed annually. The governors or SLT may, however, review the policy more frequently than this if the government introduces new regulations, if the governing body

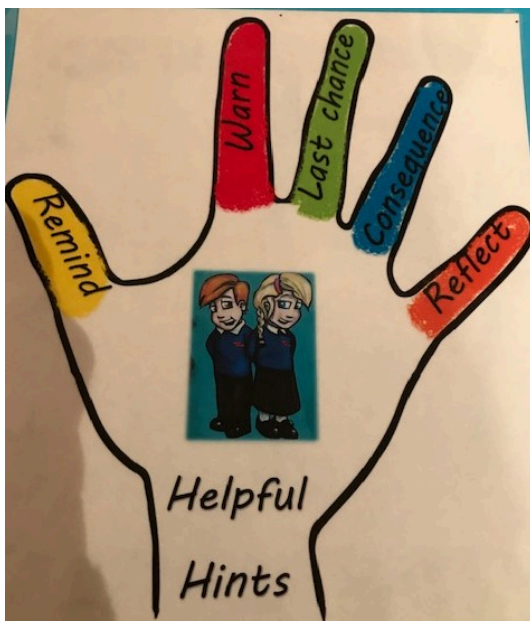
receives recommendations on how the policy might be improved or if a need to review is deemed necessary.

This policy will be formally reviewed in September 2024.

## APPENDICES

- 1) HAND approach
- 2) Guidance on using CPOMS
- 3) Blank Behaviour Plan
- 4) Sample Exclusion Letter
- 5) Further information on fixed-term and permanent exclusions

### Appendix 1- HAND approach



## Appendix 2 - Guidance on using CPOMS

CPOMS training CPOMS helpline: 01756 797 766

### Record incidents as soon as possible after the incident on CPOMS

#### Incident

- Record full names for pupils, as the pupil is named on their CPOMS file
- When reporting adult involvement, refer to the adults with their title, initial and surname e.g. Mrs J Smith
- Consider the language you use when recording incidents. Keep incident reports factual.
- When quoting pupils directly, use CAPITAL LETTERS to denote the words the pupil actually used
- If you need to quote parents directly, use speech marks and lower case lettering to denote the words the parent actually used.
- To record incidents of behaviour that have caused concern use the following headings:
  - ❖ Who
  - ❖ Where
  - ❖ When
  - ❖ What happened
  - ❖ Action taken
  - ❖ How was the incident followed up

#### Categories

- Choose the category or categories relevant to the incident you are reporting on.

#### Linked students

- If any other pupils were involved in this incident, add their names here.

#### Body map

- Use this to identify parts of the body to support your written incident report.

#### Date/Time

- Record the date and time of your involvement in the incident.

#### Files

- Upload any relevant documents which support your incident report. This can include scanned documents.

#### Alert staff members

- Always alert the Safeguarding Team (AB, NB, FW) to every incident recorded.
- Consider who else NEEDS to know. Consider if this should be all staff in a year group – if this is in the case then click the relevant year group. Type individual staff names if this is more relevant.

#### Add to planner

- You can add a reminder if you need to.

#### Actions taken

- Actions you have taken as a result of the incident.

#### Add incident

- Click **Add incident** to finalise this report and make it available for viewing.

## Appendix 3 - Blank Behaviour Plan example

### Individual Behaviour Plan

Pupil name:

Class/Year Group:

<b>Targets:</b>	
<b>Methods and resources to meet targets:</b>	
<b>Success criteria:</b>	
<b>Rewards:</b>	<b>Consequences:</b>

This plan will be shared with parents, members of the Year X team, SENDCO and our Headteacher.

#### Behaviour plan signed by:

Parent: \_\_\_\_\_ Date: \_ \_ \_\_\_\_\_

Class teacher: \_\_\_\_\_ Date: \_ \_ \_\_\_\_\_

Key worker: \_\_\_\_\_ Date: \_ \_ \_\_\_\_\_

To be reviewed on: \_\_\_\_\_

## Appendix 4 - Sample Exclusion Letter

Dear NAME OF **PARENTS / CARERS**  
**PUPIL'S FULL NAME - PUPIL'S DATE OF BIRTH**

I am writing to inform you of my decision to exclude **PUPIL'S NAME** for a fixed period of **NUMBER OF DAYS**. This means that **HE/SHE** will not be allowed in school for this period. The exclusion began at **TIME AND DATE** and ends on **TIME AND DATE**, returning to school on **TIME AND DATE**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **PUPIL'S NAME** has not been taken lightly. **PUPIL'S NAME** has been excluded for this fixed period because of a breach of the school's Behaviour Policy in an act of serious violence towards staff.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion between **DATES** unless you can show reasonable justification for this. If you ignore this I must advise you that you may receive a penalty notice from the local authority.

We will set work for **NAME OF PUPIL** to be completed on the days specified in the previous paragraph. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the governing body/management committee. If you wish to make representations please contact Chair of Governors, Mr Simon Barrowcliff [chair@oldfield.cheshire.sch.uk](mailto:chair@oldfield.cheshire.sch.uk) or through contacting the school office on 01244 292426, as soon as possible. Whilst the governing body/management committee has no power to direct reinstatement, they must consider any representations 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 the exclusion has occurred as a result of discrimination then you may make a claim to the First- tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Such a claim must be lodged within 6 months of the date **PUPIL'S NAME** was excluded.

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

You and **NAME OF PUPIL** are requested to attend a reintegration meeting with me at **DATE AND TIME** at school. The purpose of the meeting is to discuss how best your child's return to school can be managed.

You also have the right to see a copy of **PUPIL'S NAME** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **PUPIL'S** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0300 3305485 or on <http://www.childlawadvice.org.uk/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24<sup>th</sup> December to the 1<sup>st</sup> January.

Other alternative links to relevant services which you may find useful are:

Statutory guidance on exclusions can found by visiting

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1181584/Suspension\\_and\\_permanent\\_exclusion\\_guidance\\_september\\_23.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181584/Suspension_and_permanent_exclusion_guidance_september_23.pdf)

Information Advice and Support Service:  
(formerly known as the Parent Partnership Service)

<http://www.westcheshirelocaloffer.co.uk/>

Telephone: 0300 1237001

Email: [iasservice@cheshirewestandchester.gov.uk](mailto:iasservice@cheshirewestandchester.gov.uk)

If you require further guidance on any of the advice mentioned in our letter please contact: Mrs Wendy Williams (Education Infrastructure – floor3, Nicholas House), Cheshire West and Chester Council, 4 Civic Way, Ellesmere Port. CH65 0BE. Telephone 01244 972825 or email [Exclusions@cheshirewestandchester.gov.uk](mailto:Exclusions@cheshirewestandchester.gov.uk)

**NAME OF PUPIL** exclusion expires on **DATE** and we expect **NAME OF PUPIL** to be back in school on **DATE AND TIME** following our meeting.

Yours sincerely,

Headteacher

## **Appendix 5** - Further information on fixed-term and permanent exclusions

Fixed-term and permanent exclusions

Summary of the DfE documents:

*Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion Sept 2017*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/921405/20170831\\_Exclusion\\_Stat\\_guidance\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/20170831_Exclusion_Stat_guidance_Web_version.pdf)

*Changes to the school exclusion process during the coronavirus (COVID19) outbreak. Updated 5th October 2020:*

<https://www.gov.uk/government/publications/school-exclusion/changes-to-the-school-exclusion-process-during-the-coronavirus-outbreak>

Only the head teacher has the power to exclude a pupil from school. The head teacher may exclude a pupil for one or more fixed periods, for up to 45 days in any one school year. The head teacher may also exclude a pupil permanently. It is also possible for the head teacher to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this.

If the head teacher excluded a pupil, s/he informs the parents immediately, giving reasons for the exclusion. At the same time, the head teacher makes it clear to the parents that they can, if they wish, appeal against the decision to the governing body. The school informs the parents how to make any such appeal. The head teacher informs the LEA and the governing body about any permanent exclusion, and about any fixed-term exclusions beyond five days in any one term.

The governing body itself cannot either exclude a pupil or extend the exclusion period made by the head teacher. The governing body has a discipline committee which is made up of between three and five members. This committee considers any exclusion appeals on behalf of the governors. 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 LEA, and consider whether the pupil should be reinstated. If the governors' appeals panel decides that a pupil should be reinstated, the head teacher must comply with this ruling.

Factors to consider before excluding a pupil.

What has happened previously with all involved?

What happened in the incident/s?

What are the implications to the individuals involved?

What are the possible sanctions available other than exclusion?

What sanction will be imposed? Why?

The decision to permanently exclude a pupils 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 education or welfare of the pupil or others in the school.

Although the decision to exclude remains the head teachers decision, he/she should give pupils the opportunity to present their case. Head teachers should take account of any contributing factors that are identified after an incident of where poor behaviour has occurred. These might include where a pupil has suffered bereavement or has been subject to bullying.

### **Unlawful reasons for exclusion**

It is unlawful to exclude a pupil, or increase the severity of exclusion, for non-disciplinary reasons such as:

- The actions of the pupil's parents
- The pupil having additional needs or a disability that the school feels unable to meet
- Academic ability or attainment
- The pupil failing to meet specific conditions before he / she is reinstated
- Pupils who "repeatedly disobey their teachers' instructions" could be subject to exclusion.

- 'Informal' or 'unofficial' exclusions, such as sending pupils home 'to cool off', are unlawful, regardless of whether they occur with the agreement of parents / carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded.