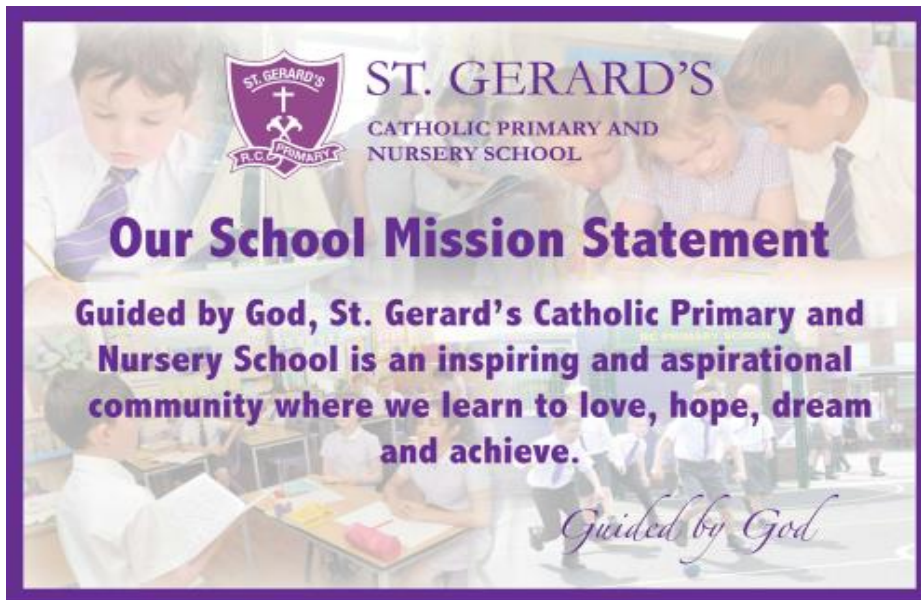




# St Gerard's Catholic Primary and Nursery School



*We learn to love, hope, dream and achieve*



## SAFEGUARDING STATEMENT



***“St Gerard’s Catholic Primary and Nursery School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment”.***

## **Exclusion**

The Department for Education confirms that good discipline in schools is essential to ensure that all pupils can benefit from education. They support Headteachers in using exclusion as a sanction where it is required. However, it is recommended that permanent exclusion should only be used as a last resort, in response to a serious breach, or persistent breaches, of the school's Behaviour for Learning Policy; and if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. (DfE: Exclusion from maintained schools, Academies and pupil referral units in England, 2012: 4).

At St. Gerard's Catholic Primary & Nursery School the sanction of exclusion is only to be used as the very last resort, when all other measures have failed to procure co-operation or when allowing the child to remain at school would be detrimental to the education or welfare of the pupil or of others at the school.

## **Linked Documents**

Behaviour Policy  
Health & Safety  
Safeguarding  
Attendance

## **Types of Exclusion**

There are two types of exclusion:

- ◆ fixed term exclusion
- ◆ permanent exclusion

## **Fixed Exclusion**

A fixed exclusion is anything up to 45 school days in any one school year. After the exclusion period the child can return to school.

## **Permanent Exclusion**

A permanent exclusion means that the child will never be allowed to return to the school unless the Headteacher's decision is reversed.

## **DETERMINING THE APPROPRIATENESS OF EXCLUSION AS A SANCTION**

A decision to exclude a child for a fixed period or permanently is taken only:

- ◆ in response to serious breaches of a school's Behaviour for Learning Policy; and
- ◆ once a range of alternative strategies have been tried and failed; and
- ◆ if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

## **Responsibilities of the Headteacher**

Only the Headteacher can decide whether or not to exclude a pupil, if the Headteacher is absent from school then the power rests with the most senior teacher who makes it clear that he/she is acting in the Headteacher's absence. Upon deciding to exclude a pupil the Headteacher:

- a. notifies the parent/carer immediately, by telephone, if possible followed by a letter within one school day;
- b. notifies the Local Authority (LA) Education Welfare Officer with responsibility for exclusions
- c. informs the Governing Body's Governor Panel and the LA immediately of all permanent exclusions, and all exclusions which result separately or in total, in the pupil missing more than five school days in any one term, or which deny pupils the chance to take a National Curriculum Test or other public examination;
- d. provides documentary evidence to the Governor Panel on the events that led to the exclusion;
- e. if extending a fixed period exclusion or, exceptionally, converting a fixed period exclusion into a permanent exclusion, writes to the parents/carers explaining the reasons and advising them of their new right to make representations to the Governor Panel;
- f. makes alternative provision from day 6 for fixed term excluded pupils, and where appropriate arranges reintegration interviews for parents/carers at the end of a fixed period exclusion;
- g. complies with any direction of reinstatement from the Governor Panel.

## **Responsibilities of the Governing Body**

The Governing Body has general responsibility for the conduct of the school. The Governors' powers and responsibilities over pupil exclusions are as follows:

- a. to review school Policy on Exclusions and approve the procedures within the school to deal with exclusions;
- b. to set up a Governor Panel to consider each permanent exclusion;
- c. to hear parental representations on permanent or fixed period exclusions;
- d. to decide whether to uphold the Headteacher's decision or to reinstate the pupil;
- e. to notify the parent/carer and the LA of their decision, and advise the parent/carer of their right of appeal if the decision is to uphold the Headteacher's decision;
- f. to monitor exclusions in the school in the wider context of the school's Behaviour for Learning Policy.

## **The Parents/Carers**

Parents/carers are informed in writing by the school of any period of exclusion, the reasons for the exclusion, and of their right to make representations to the school's Governor Panel.

In the case of a pupil being permanently excluded, parents/carers also have the right to appeal to an independent appeals panel if the school's Governor Panel upholds the Headteacher's decision to permanently exclude the pupil from the school.

Parents/carers are fully advised of their responsibilities in the first five days of exclusion. The school must also advise the parents/carers of the date that full time education will be provided for following the exclusion.

Parents/carers have the right to choose an alternative school and that preference will be complied with unless:

the particular year group which the parent/carer is expressing a preference for is full in which case parents/carers will be notified of their statutory right of appeal to an independent appeal panel.

## **Responsibilities of the LA**

The LA has a legal duty to provide education for pupils of statutory school age appropriate to their age, aptitude, and ability.

The LA's role in the exclusion process is to give their view on the appropriateness of the exclusion to the Discipline Committee. The LA can make a statement to the Discipline Committee when it is considering whether to uphold an exclusion, for example about how other schools in the Authority have responded to similar events.

The LA ensures that, where possible, pupils are quickly re-integrated into mainstream schools.

The LA ensures that all pupils who are excluded for more than 15 days receive suitable full-time education.

## **Further Guidance**

When making the decision to exclude a pupil the Headteacher will refer to the guidance contained in:

- ◆ DfE document 'Exclusion from maintained schools, Academies and pupil referral units in England: DFE-57501-2012'
- ◆ Halton Borough Council's Education Directorate's "Guide for Headteachers and Governing Bodies on the Law and Procedures to be followed on Pupil Exclusions from School" including:

## **Review**

The Policy on Exclusion will be reviewed as part of the Behaviour for Learning Policy.

Name of Pupil:

DOB:

School:

Attendance:

**This form should be completed by a member of the school's leadership team with teacher involvement.**

*Supplementary information can be added to this form such as examples of Support Plans, details and minutes of meetings with parents, Boxall profiles and strategies which have been implemented over time.*

**Please briefly outline why the pupil is at risk of exclusion:**

	<b>Criteria</b>	<b>Supporting evidence</b>	<b>Impact and outcomes from this support and advice</b>
1	Please detail any additional attendance information. <i>i.e. If the pupil has attended different schools. Please include dates</i>		
2	When did this pupil's behaviour first become a concern?		
3	When was the pupil been discussed with the SENCO? What assessment has taken		

	<p>place and what does this show?  <i>Give examples. E.g. Have you completed additional observation around the child? Have you completed any assessment around their literacy skills? Have you completed a Boxall profile and implemented strategies?</i></p>		
4	<p>Please outline how you have implemented the school's behaviour policy.</p>		
5	<p>Is this a pupil in care? Have you spoken to the Headteacher of the Virtual School? What support is in place through the PEP to help this pupil?  <i>The Headteacher of the Virtual School should be informed of <u>any</u> exclusion of a child in care <u>prior</u> to the exclusion taking place. Please provide details of the actions agreed.</i></p>		
6	<p>Please describe the pupil's SEN status  <i>E.g. First identified as SEN support, primary need, date of most recent SEN support plan, current support in place.</i></p>		

7	<p>Please describe how you have involved the parents/carers in the support and planning for this pupil?  <i>Please include dates of any structured conversations, planning meetings that has taken place</i></p>		
8	<p>Does this child have enhanced provision?  Does the child have an EHC?  <i>How much funding is allocated?  How long has this been in place? How is this funding used?</i></p>		
9	<p>Has the CARE schedule been completed?  <i>Please include dates and how you have addressed the areas identified.</i></p>		
10	<p>Has the pupil been discussed with any Specialist Teacher?  <i>Please include dates and detail the strategies and suggestions made and how you have acted on them.</i></p>		
11	<p>Has the pupil been discussed at consultation with an Education Psychologist?  <i>Please include dates and detail the strategies and suggestions made and how you have acted on them.</i></p>		

12	<p>Has the pupil received any support from the Attendance and Behaviour Service?  <i>Please detail an overview of the help provided.</i></p>		
13	<p>Are you aware of any health needs that may impact upon the pupil?</p> <p>Has the child been referred to the School Nurse Service? Is the pupil open to any specialist services such as CAMHS, Speech and Language, Woodview, etc?</p> <p><i>Please summarise a list of any health services that are working with the pupil and any advice, guidance or strategies that have been provided to support their health needs. Please describe how you have implemented this guidance and what the outcomes have been.</i></p>		
14	<p>What support is in place for the wider family?  <i>E.g. Has the family's level of need been identified? Is there a CAF? Family Support Worker? Are there any social care needs identified? Please briefly outline involvement.</i></p>		



15	Has the pupil had any fixed term exclusions? <i>Please include dates and reasons for exclusion and a brief outline of the reintegration plan.</i>		
16	Has the pupil been discussed with the Chair of Governors? Have they suggested any further actions?		

Name of person completing this form:

Role in school:

Signature: \_\_\_\_\_

Headteacher signature: \_\_\_\_\_

## Protocol for pupils with SEMH (including pupils with challenging behaviour)

### What legislation does this protocol relate to?

- ◆ The Special Educational Needs and Disability code of practice 0 – 25 January 2015
- ◆ Exclusion from maintained schools, academies and pupil referral units in England Sept 2017
- ◆ Mental health and behaviour in schools (Departmental advice for school staff) March 2016
- ◆ Promoting the educational outcomes of looked after children – statutory guidance July 2014
- ◆ (For specific supporting relevant references other than those directly indicated in the main body of the protocol, please see Annex A).

### How does this protocol relate to the experience of Halton pupils?

- ◆ In 2015-16 there were 25 permanent exclusions of Halton pupils. In 2016-17 this figure rose to 53 permanent exclusions of Halton pupils

2015-16		2016-17	
Key Stage	Reason for Exclusion	Key Stage	Reason for Exclusion
KS2 = 4	Weapon related = 1	KS2 = 5	Weapon related = 6
KS3 = 8	Drug related = 2	KS3 = 27	Drug related = 6
KS4 = 13	Assault = 7	KS4 = 22	Assault = 7
	Behaviour = 15		Behaviour = 34

- ◆ These figures show that there is a concerning increase in the number of exclusions taking place in Halton, with verbal abuse and persistent behaviour being the predominant reasons.
- ◆ Proportionally we have much higher levels of permanent exclusions than many other boroughs.
- ◆ The vast majority of these children and young people have SEMH difficulties as defined by the SEND Code of Practice (Paras 6.32).
  - ◇ Children and young people may experience a wide range of social and emotional difficulties which manifest themselves in many ways. These may include becoming withdrawn or isolated, as well as displaying challenging, disruptive or disturbing behaviour. These behaviours may reflect underlying mental health difficulties such as anxiety or depression, self-harming, substance misuse, eating disorders or physical symptoms that are medically unexplained. Other children and young people may have disorders such as attention deficit disorder, attention deficit hyperactivity disorder or attachment disorder.

### Purpose of the protocol:

The protocol will

- ◆ Support schools to carry out the 'Assess, Plan, Do, and Review' cycle of the SEND COP for children with SEMH difficulties. (Paras 6.45 – 6.54).
- ◆ Underpin the partnership work between schools and Halton LA to ensure that there is good discipline in schools, as it is agreed that this is essential in ensuring that all pupils can benefit from the opportunities provided by education (Exclusions Guidance September 2017 page 6).
- ◆ Support schools in the early identification of unmet needs of children and young people and to remove barriers to engagement and learning (Exclusions Guidance Point 19).
- ◆ Support schools to promote positive mental health by supporting them to use best practice as outlined in the advice document 'Mental health and behaviour in schools'.
- ◆ Ensure that schools have a robust, clear and evidence-based approach to the identification of and response to SEN (SEN COP Para 6.14).
- ◆ Ensure that everyone fulfils their responsibilities and is accountable in meeting the needs of children and young people with SEMH and in sustaining them in mainstream provision, if this is assessed as being appropriate by multi-agency professionals.
- ◆ Ensure that there is no drift in providing advice, support and, where robustly evidenced and assessed as appropriate, additional resources in meeting the needs of children and young people with SEMH.
- ◆ Ensure that resources across schools and the LA are being used to create an inclusive ethos of all Halton pupils.
- ◆ Identify any critical urgent issues as they are emerging in order to utilise the combined resources of schools and the LA to address these and remove barriers.

### **Which pupils are covered by this protocol?**

- ◆ It is appropriate to use this protocol when reviewing the needs of any child in a mainstream setting.
- ◆ This means that the remit of the protocol covers all children whether they have previously identified SEN, are on SEND Support or Enhanced Provision.
- ◆ This is an acknowledgement of SEN COP Para 6.20 which states;
  - ◇ For some children SEN can be identified at an early stage. However, for other children and young people difficulties become evident only as they develop. All those who work with children and young people should be alert to emerging difficulties and respond early.
- ◆ Previously looked after children (those adopted from care or who have left care as a result of Special Guardianship or a Child Arrangement Order) should be considered under this protocol. However, with the agreement of the child or young person's parents/guardians advice should be sought from the Headteacher of the Virtual School (Children and Social Work Act 2017)

### **Which pupils sit outside of this protocol and why?**

- ◆ If there are behaviour concerns about a Child in Care please discuss this first with the Headteacher of the Virtual School.
- ◆ It is not appropriate to use this protocol for pupils with an EHCP. If there are concerns around the behaviour of a child or young person with an EHCP, schools should request an early annual review or an interim emergency review.
- ◆ This is in accordance with both Exclusions Guidance (Points 23 and 25) and also statutory guidance on Promoting the education of looked after children (Para 28)

### **How will this protocol work?**

This protocol is to allow schools to:

- ◆ Reflect on what they have provided to date
- ◆ Prompt them to fully utilise the resources they have at their disposal
- ◆ To seek advice where appropriate.

It is only when they have done this would the LA expect to see the Evidence of action for pupils with SEMH (including with persistent behaviour) form being completed.

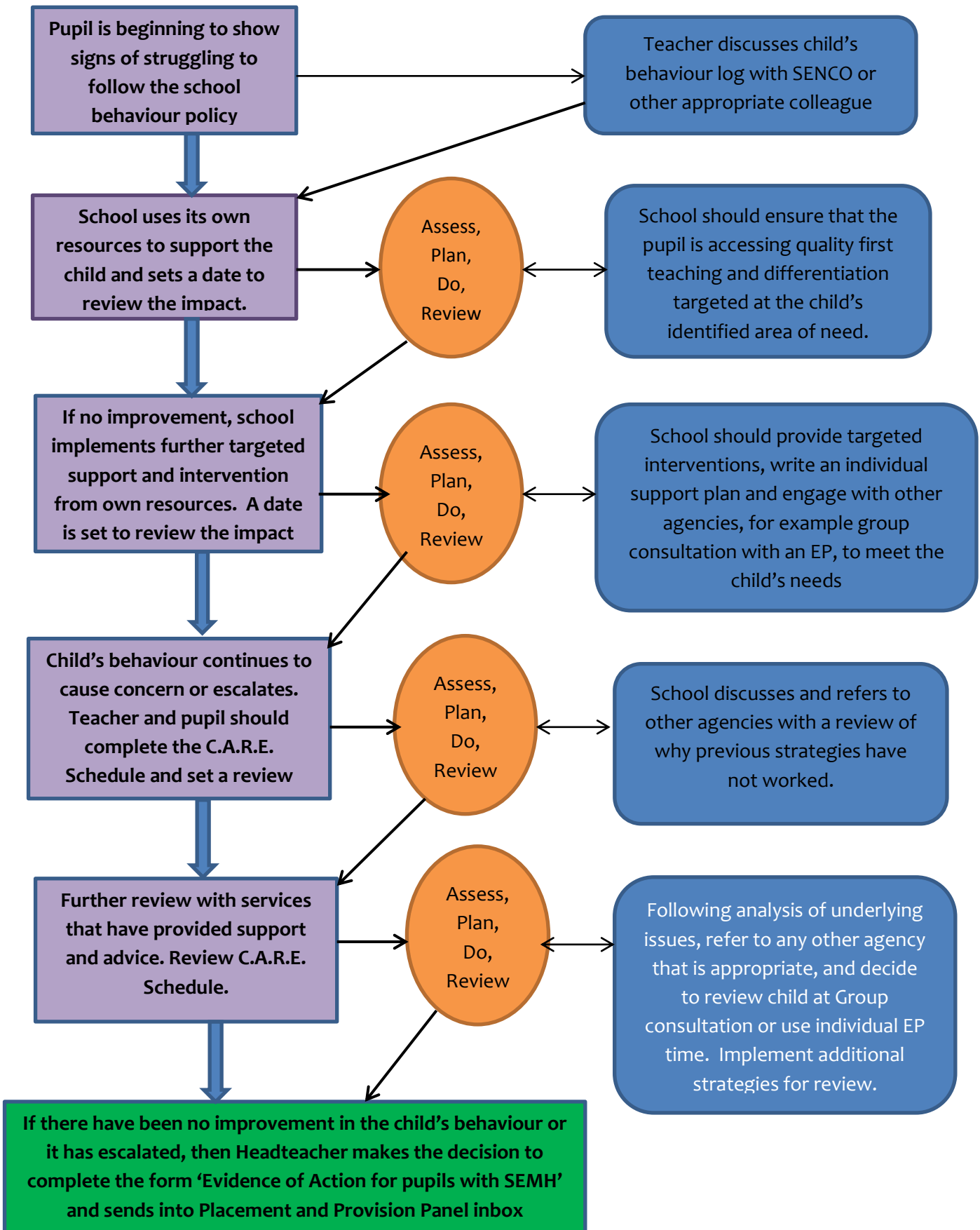
The Children At Risk of Exclusion (C.A.R.E.) Schedule is to be completed by the child or young person and the teacher. The completed schedule should be reviewed by the teacher and the SENCO, with support from the school EP if this is required. The higher the score on each factor the more important the factor is in exclusion risk. There is a separate Primary and Secondary schedule and both cover the following factors:

- ◆ Wellbeing
- ◆ Learning
- ◆ Social Skills and performance
- ◆ General behaviour pattern
- ◆ General attitude/coping
- ◆ Family Parenting.

The following flowchart demonstrates the process to be followed as part of this protocol.

**Step by step Process**

**Suggested action/response**

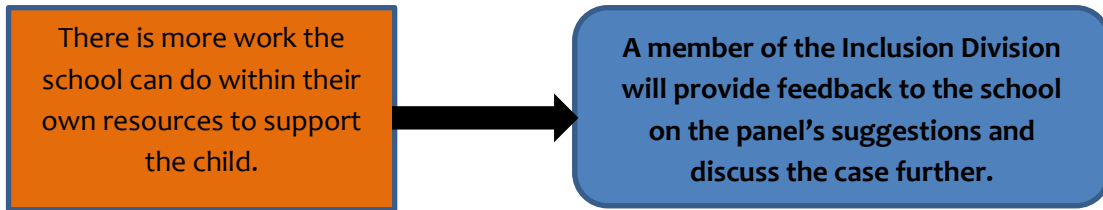


### Next steps

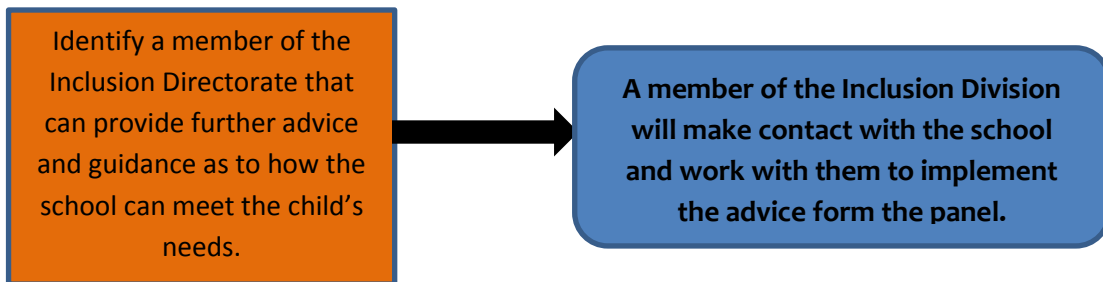
School e-mail the completed form to the following generic e-mail box [preventingexclusions@halton.gov.uk](mailto:preventingexclusions@halton.gov.uk). Placement and Provision Panel will meet to review any completed 'Evidence of action for pupils with SEMH (including with persistent challenging behaviour)' forms. The following are possible decisions and outcomes that the panel may reach:

#### Panel Decision

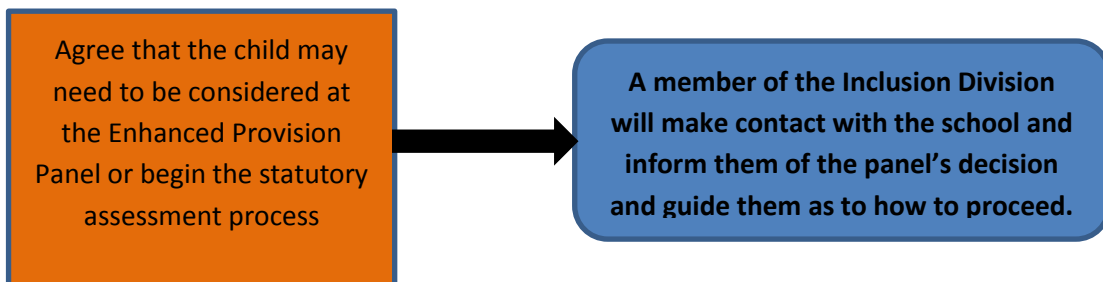
#### Outcome



OR



OR EXCEPTIONALLY



The Placement and Provision Panel will analyse all completed forms for trends and new priorities in terms of providing additional training for school and for discussion at SENCO network meetings.

## **Annex A – Legislation/advice relevant to this protocol:**

- ◆ The identification of SEN should be built into the overall approach to monitoring the progress and development of all pupils (SEND COP Para 6.5)
- ◆ Schools support pupils with a wide range of SEN. They should regularly review and evaluate the breadth and impact of the support they offer or can access. Schools must cooperate with the local authority in reviewing the provision that is available locally. (SEND COP Para 6.8)
- ◆ All schools should have a clear approach to identifying and responding to SEN. The benefits of early identification are widely recognised – identifying need at the earliest point and then making effective provision improves long-term outcomes for the child or young person (SEND COP Para 6.14)
- ◆ For some children, SEN can be identified at an early stage. However, for other children and young people difficulties become evident only as they develop. All those who work with children and young people should be alert to emerging difficulties and respond early. (SEND COP 6.20)
- ◆ Persistent disruptive or withdrawn behaviours do not necessarily mean that a child or young person has SEN. Where there are concerns, there should be an assessment to determine whether there are any causal factors such as undiagnosed learning difficulties, difficulties with communication or mental health issues. If it is thought housing, family or other domestic circumstances may be contributing to the presenting behaviour a multi-agency approach, supported by the use of approaches such as the Early Help Assessment, may be appropriate. In all cases, early identification and intervention can significantly reduce the use of more costly intervention at a later stage.
- ◆ High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered. (SEND COP Para 6.37)
- ◆ In deciding whether to make special educational provision, the teacher and SENCO should consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectation of progress. This should include high quality and accurate formative assessment, using effective tools and early assessment materials. For higher levels of need, schools should have arrangements in place to draw on more specialised assessments from external agencies and professionals. (SEND COP Para 6.38)
- ◆ Schools may involve specialists at any point to advise them on early identification of SEN and effective support and interventions. (SEND COP Para 6.59)
- ◆ Schools should work closely with the local authority and other providers to agree a range of local services and clear arrangements for making appropriate requests. This might include schools commissioning specialist services directly. Such specialist services include, but are not limited to educational psychologists; CAMHS; specialist teachers or support services; therapists. (SEND COP Para 6.61)
- ◆ The SENCO and class teacher, together with the specialist, and involving the pupil's parents, should consider a range of evidence-based and effective teaching approaches, appropriate equipment, strategies and interventions in order to support the child's progress. They should agree the outcomes to be achieved through the support, including a date by which progress will be reviewed. (SEND COP Para 6.62)
- ◆ The Headteacher and governing board must comply with their statutory duties in relation to SEN when administering the exclusion process. This includes having regard to the SEND Code of Practice. (Exclusions Guidance Point 12)
- ◆ 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. The head teacher should also consider the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour. Such assessments may p[pick up the unidentified SEN but the scope of the assessment could go further, for example, by seeking to identify mental health or family problems. (Exclusions Guidance point 19)
- ◆ As well as having disproportionately high rates of exclusion, there are certain groups of pupils with additional needs who are particularly vulnerable to the impacts of exclusion. This includes pupils with EHC plans and looked after children. The head, should as far as possible, avoid permanently excluding any pupil with an EHC plan or a looked after child. (Exclusions Guidance Point 23)
- ◆ Where a school has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a pupil with an EHC plan or a looked after child, it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has an EHC plan, schools should consider requesting an early annual review or interim emergency review. (Exclusions Guidance Point 25)

- ◆ Where a school has concerns about a looked-after child's behaviour, the VSH should be informed and, where necessary, involved at the earliest opportunity. This is to enable the VSH, working with others, to:
  - ◇ consider what additional assessment and support (such as additional help for the classroom teacher, one-to-one therapeutic work or a suitable alternative placement) needs to be put in place to address the causes of the child's behaviour and prevent the need for exclusion
  - ◇ Make any additional arrangements to support the child's on-going education in the event of exclusion. (Promoting the educational achievements of looked after children July 2014 Para 28)



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