

# *The Children's Garden*

## **EXCLUSION POLICY & PROCEDURES**

### **1 RATIONALE & GROUNDS FOR EXCLUSION**

1.1 Excluding children, whether for a fixed-term or permanently, is the last resort for dealing with difficult, disruptive or dangerous behaviour.

1.2 The decision to exclude a child will be taken in the following circumstances:

- If all other strategies to correct the child's disruptive behaviour have failed;
- If allowing the child to remain in Kindergarten would seriously harm the education or welfare of the child or others in the Kindergarten.

1.3 Exclusion may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the Kindergarten's Behaviour Policy:

- Verbal abuse of staff and others
- Verbal abuse of children
- Physical abuse of/attack on staff
- Physical abuse of/attack on children
- Indecent behaviour
- Unacceptable behaviour which has previously been reported and for which Kindergarten sanctions and other interventions have not been successful in modifying the child's behaviour

1.4 This is not an exhaustive list and there may be other situations where the Teacher in consultation with the Management Team makes the judgment that exclusion is an appropriate action.

1.5 The Kindergarten also reserves the right to exclude children on the grounds of nonpayment of fees.

### **2 TYPES OF EXCLUSION & PROCEDURES**

There are two types of exclusion:

- A fixed-term exclusion for a specific number of Kindergarten days (formerly known as suspension). Under this option a child cannot be excluded for a period totalling more than 15 days in one term.
- A permanent exclusion (formerly known as expulsion).

The teacher can also send a child home from Kindergarten because he/she is unwell. This is not the same as exclusion.

## **2.1 Fixed-Term Exclusions**

Fixed-term exclusions are used when other strategies have not been effective over time or when there has been a single clear and serious breach of discipline. A period spent out of Kindergarten is designed to give the excluded child time to reflect away from the Kindergarten environment. It also enables those children that remain in Kindergarten to learn free from the unsettling behaviour of their excluded friend.

Decisions on fixed-term exclusions will normally be made by the Teacher in association with at least one other person who must be a member of the Management Team.

After deciding to impose a fixed-term exclusion, the Teacher must:

- inform the child's parents/guardians immediately, this information to include the duration of the exclusion;
- keep the child apart from the group until arrangements are made for the child to leave the Kindergarten premises;
- record the exclusion in the Incident Book;
- confirm the exclusion in writing to the parents/guardians and set up a meeting with the parents to take place within 3 days of the exclusion being imposed;
- immediately place a copy of this, and any other correspondence, in the Kindergarten child file;
- inform the Trustees by email.

During the course of a fixed-term exclusion where the child is to be at home, parents are advised that the child is not allowed on the Kindergarten premises, and that daytime supervision is their responsibility, as parents/guardians.

It is Kindergarten practice to have a readmission meeting or talk with the parents prior to the child returning to Kindergarten. The child may return only after consultation with the Teacher and the child's parents/guardians. Where it is deemed necessary, a probationary agreement will be drawn up.

## **2.2 Permanent Exclusions**

The Kindergarten seeks to avoid permanent exclusions. These take place only for very

serious incidents or when all other strategies have been tried and have failed over time. The Teacher in consultation with a member of the Management Team makes the decision to proceed to permanent exclusion. Decisions for permanent exclusion are always notified to the Council of Trustees.

### **3 FACTORS THE KINDERGARTEN CONSIDERS BEFORE MAKING A DECISION ON PERMANENT EXCLUSION**

3.1 In considering whether permanent exclusion is the most appropriate sanction, the Management Team will consider:

- the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Kindergarten's Behaviour Policy;
- the effect that the child remaining in the Kindergarten would have on the education and welfare of other children and staff.

3.2 There are two main types of situation in which permanent exclusion may be considered:

3.2.1 The first is a final, formal step in a concerted process for dealing with disruptive behaviour 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 bullying) or causing actual physical injury to others.

3.2.2 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 child for a first or 'one-off' offence, such as serious actual or threatened violence against another child or a member of staff.

3.3 When a child is subject to permanent exclusion, the Kindergarten will inform the Education Welfare Officer within the local authority covering the child's home address in case alternative arrangements need to be made for the child's continuing education.

### **4 BEHAVIOUR OUTSIDE KINDERGARTEN**

4.1 Children' behaviour outside Kindergarten on Kindergarten "business" - for example, Kindergarten outings, is subject to the Kindergarten's Behaviour Policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in Kindergarten.

4.2 For behaviour outside Kindergarten but not on Kindergarten business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the child body as a whole. If a child's behaviour in

the immediate vicinity of the Kindergarten is poor and meets the Kindergarten criteria for exclusion then the Teacher in consultation with the Management Team may decide to exclude the child .

## **6 APPEALS AGAINST PERMANENT EXCLUSIONS**

6.1 You have the right to appeal against the permanent exclusion of your child. If you wish to appeal, you must write within 15 days of receiving notice of the permanent exclusion to:

The Chair of the Council of Trustees,  
c/o The Children's Garden  
26 Hazledene Road  
London W4 3JB

Your letter should include the reasons why the decision to permanently exclude your child should be overturned.

6.2 Within 6–15 Kindergarten days of the start of the exclusion, the Council of Trustees must meet to decide whether to uphold the exclusion decision. You are strongly advised to attend this meeting. You can present your case against the exclusion yourself, or ask a friend or legal representative to speak on your behalf.

6.3 The Council of Trustees has the power to:

- uphold the appeal and ensure that your child is immediately reinstated or reinstated at a future date (within a reasonable time frame)
- uphold the appeal but decide that it would not be appropriate for your child to return to the Kindergarten
- dismiss your appeal and uphold the Kindergarten's decision to permanently exclude your child.

If the appeal is upheld, details of this decision will be added to your child's record file. You can appeal against an exclusion even if you do not wish your child to return to The Children's Garden.

The decision of the Council of Trustees is final.