

Exclusion of Pupils Policy

Background

This policy is underpinned by the shared commitment of all members of the school community to achieve two important aims:

1. To ensure the safety and well-being of all members of the school community and to maintain an appropriate education environment in which all can learn and succeed;
2. 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 a pupil to remain in school would seriously harm the education or welfare of other persons or the pupil him/herself in the school.

Exclusion is an extreme sanction and is only administered by the Head Teacher, or the person covering their absence. Exclusion, whether for a '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:

- Physical or verbal abuse to any member of the school community
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs or substances
- Supplying an illegal drug or substance
- Theft
- Sexual abuse or assault
- Carrying an offensive weapon
- Arson
- Identity fraud
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour

This is not an exhaustive list and there may be other situations where the Head Teacher makes the judgement that exclusion is an appropriate sanction.

At times, the Head Teacher will decide not to use the extreme sanction of an exclusion but will decide that a Pastoral Support Plan should be drawn up to try to avoid the sanction of an exclusion in the future. This might be accompanied by an internal exclusion.

Exclusion procedure

Most exclusions are of a fixed nature and are for a short duration.

The DFE regulations allow the Head Teacher to exclude a pupil for a fixed period, not exceeding 45 school days in one academic year.

The Governors have established arrangements to review promptly all permanent exclusions from the school and of all fixed term exclusions that would lead to a pupil being excluded for more than 15 days in a school term.

Following an exclusion, parents are contacted immediately. A letter will either be given to the parent, or posted later that day, giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body 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 a member of the Senior Management Team and other staff where appropriate. During this meeting a Pastoral Support Plan may be drawn up, which will include a review date.

During the course of a fixed term exclusion, where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises and that daytime supervision is their responsibility as parents/guardians. The school will provide the pupil with work to be completed for the first 5 school days. For a fixed period exclusion of more than five school days, the governing body will arrange suitable full-time education for any pupil of compulsory school age (for example; home tutoring, a pupil referral unit or online studies). This provision must begin no later than the sixth day of the exclusion.

Records relating to exclusion will be stored confidentially on SIMS.

Permanent Exclusion

The decision to exclude a pupil 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 acknowledgment 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) or repeated possession and/or use of an illegal drug on school premises.
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 pupil for a first or 'one off' offense. These might include:
 - a. Serious actual or threatening violence against a member of the school community
 - b. Sexual abuse or assault
 - c. Supplying an illegal drug
 - d. Carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act 1993 as 'an article made or adapted for causing injury to the person; or intended by the person having it with him/her for such use.
 - e. Arson
 - f. Behaviour which poses a significant risk to the child's own safety, or to that of another person

The Governors of the school

The governing body has a duty to consider parents' representations about an exclusion. The extent of this duty and how it is exercised depend on the length and nature of the exclusion.

The governing body **must** consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if:

- 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; or
- It would result in a pupil missing a public examination or national curriculum test.

Where an exclusion would result in a pupil missing a public examination or national curriculum test there is a further requirement for a governing body to consider exclusion before the date of the examination or test. If this is not possible, the chair of governors may consider the exclusion independently and decide whether or not to reinstate the pupil. These are the only circumstances in which the chair can review an exclusion decision alone. In such cases parents still have the right to make representations to the governing body and must be made aware of this right.

If a child has been excluded for a period of more than 5 school days, but not more than 15, in a single term then the parents can request that the Governing Body consider the reinstatement of the child. In these circumstances the Governing Body must consider the reinstatement within 50 school days of receiving notice of the exclusion. This may

not affect the actual exclusion as the child is likely to have completed their exclusion prior to the Governing Body considering reinstatement, but if the Governing Body did decide to overturn the exclusion and direct reinstatement a record to this effect would be added to the child's school records.

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 Governing Body must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

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 to the pupil concerned. Before deciding whether to exclude permanently or for a fixed period, the Head Teacher will:

- Explore a placement at another setting for children displaying challenging behaviour (Woodstock)
- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations, taking into account the Behaviour Policy and Equalities Policy.
- Allow the pupil to give his/her version of events
- Explore the wider context, taking into consideration how much the incident may have been provoked (for example: bullying, racial or sexual harassment).

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