

## **Exclusion of Pupils Policy**

### **Background**

This document deals with the policy and practice which informs the school's use of exclusion. It 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 education 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 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 of School or the Deputy Head in the absence of the Head of School). 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 assault against a pupil  
*Includes: fighting, violent behaviour, wounding, obstructing and jostling*
- Physical assault against an adult  
*Includes: violent behaviour, wounding, obstructing and jostling*
- Verbal abuse/ threatening behaviour against a pupil  
*Includes: threatened violence, aggressive behaviour, swearing, homophobic abuse and harassment, verbal intimidation*
- Bullying  
*Includes: verbal, physical, homophobic and racist bullying*
- Sexual misconduct  
*Includes: sexual abuse, sexual assault, sexual harassment, lewd behaviour, sexual bullying, sexual graffiti*
- Drugs and alcohol related incidents  
*Includes: possession of illegal drugs, inappropriate use of prescribed drugs, drug dealing, smoking, alcohol abuse, substance abuse.*
- Damage  
*Includes: damage to school or personal property belonging to any member of the school community, vandalism, arson and graffiti*
- Theft  
*Includes: stealing school property, stealing personal property (pupil or adult), stealing from local shops or on a school outing*

- Persistent disruptive behaviour  
*Includes challenging behaviour, disobedience, persistent violation of school rules*
- Other  
*Includes: incidents which are not covered by the categories above*
- Possession of an offensive weapon

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

## **Exclusion Procedure**

### **Internal Exclusion**

An Internal Exclusion will be implemented for misdemeanors of sufficient seriousness as to warrant a pupil being removed from class, but not so serious as to warrant exclusion from school. All efforts will be made to keep the pupil in school, so as to support his/her education and it will only be in the most severe circumstances or repeated serious breaches of the School's Behaviour Policy that will lead to Fixed Term or Permanent Exclusions. Pupils who have been internally excluded will spend the day out of class, including their break and lunchtime, working with a member of the Leadership Team.

Most exclusions are of a fixed term nature and are of short duration, usually between one and five days.

The DfE regulations allow the Head of School to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

The Governors will review promptly all permanent exclusions from the school and all fixed term exclusions that would lead to a pupil being excluded for more than 15 days in a school term or missing a public examination.

The Governors will review fixed term exclusions which would lead to a pupil being excluded for more than five days but not more than 15 days in a school term where a parent has expressed a wish to make representations.

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 Local Authority 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 Leadership Team and other staff where appropriate.

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.

Records relating to exclusions will be stored confidentially.

## **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 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) 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' offence. These might include:
  - Serious actual or threatened violence against another pupil or a member of staff
  - Sexual abuse or assault
  - Supplying an illegal drug
  - Carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act 1993 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him".
  - Arson
  - Behaviour which poses a significant risk to the child's own safety.

The school will involve the police for any relevant offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of the school.

### **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 pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Head of School may:

- Take advice from outside agencies in the borough who support children displaying challenging behaviour
- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the Behaviour Policy, Special Needs Policy, Equal Opportunity and Equality Policies
- Allow the pupil to give her/his version of events
- Explore the wider context, taking into consideration how much the behaviour may have been provoked (for example by bullying or by racial or sexual harassment).

If the Head of School 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.

## **Informing the governing body**

The law states that the Head of School must, without delay, notify the governing body and the local authority of:

- 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; and
- exclusions which would result in the pupil missing a public examination or national curriculum test.

For all other exclusions the head teacher must notify the local authority and governing body once a term. Notifications must include the reasons for the exclusion.

This policy has been written in accordance with DfE guidance.

Further information can be found at:

<https://www.gov.uk/government/publications/school-exclusion>