

**EXCLUSIONS POLICY**

This document should be used in conjunction with 'Exclusion from maintained schools, academies and pupil referral units in England - Statutory guidance for those with legal responsibilities in relation to exclusion', September 2017.

**Rationale**

Exclusion from school is used as a sanction for a serious breach of school discipline.

The Principal can exclude a student on disciplinary grounds. The behaviour of students outside school may be relevant and can be considered as grounds for an exclusion decision.

Exclusions are used sparingly; alternative sanctions are always considered and used whenever they are more appropriate.

Permanent exclusion will only be used as a last resort and when allowing the child to remain in school would be seriously detrimental to the education or welfare of the student, of others at the school, or where this would seriously undermine the good discipline of the school.

This document is intended to give a clear indication to staff, parents and students of the typical circumstances within which the principal will consider using the powers to exclude and the procedures that will be followed in exercising them.

For those students at risk of exclusion, the school will put additional intervention measures into place as a **graduated response**, to try and stop this from happening. These can be either support or sanctions and could include, but are not limited by:

**Alternative Support:**

1. Engaging with parents
2. Change in teaching class or set
3. Liaison with the SENCO to consider possible interventions within school
4. Personalised timetables
5. Student support plan
6. Allocation of a key worker
7. Allocation of a mentor
8. Referral for specialist internal or external support e.g. counsellor, ELSA, THRIVE assessment, EP support
9. Referral to Panel for Excluded and Vulnerable Pupils.
10. Managed Transfer to another school
11. Referral to Alternative Provision, e.g. REACH
12. Extended Work Experience placement (KS4 only).
13. Reduced timetable (only with Early Help Assessment, Risk Assessment and parental consent in place).
14. Referral to Access Support provision in school

**Alternative Sanctions/Actions**

- Detention
- Monitoring Cards with YC, HOY, AP/VP, Principal
- Internal Exclusions within school
- Internal Exclusion at a partner school
- Restorative Justice
- Mediation
- Extended/ altered school day
- Community Service
- Behaviour contracts
- Student support plan, negotiated with parents
- Other sanctions

**Consideration of preliminary Factors**

- Student's age and health
- Student's response to the incident
- Previous behavioural record
- Extenuating circumstances such as medical, disability or SEND
- Other influences that may have contributed to the behaviour
- Degree of severity and frequency of the behaviour and likelihood of it recurring
- Effects on learning and/ or the school community
- Whether the incident happened within school or on way to/from school

**Fixed-term Exclusions**

Whilst having regard to the circumstances of each individual incident, the Principal will be likely to consider the use of a fixed-term exclusion in the following instances:

- Assault
- Verbal abuse
- Persistent or ongoing disruption to the learning environment
- Defiance of staff by sustained challenge to the authority of a member of staff
- Possession and use of drugs
- Intimidating behaviour, bullying or harassment (including on the grounds of race, ethnicity, religion or sexual orientation)
- Persistent defiance of a school rule
- Dangerous or potentially dangerous behaviour
- Acts of vandalism
- Conduct that is likely to bring the school into disrepute
- Breaking the smoke free policy
- Returning to the school site during an exclusion following a previous warning/offence
- Failure to engage positively in a reintegration meeting

This list is not exhaustive; it is designed to give an indication of the behaviour for which a fixed-term exclusion may be considered. The severity and frequency of incidents will be looked at and the length of fixed-term exclusion will reflect this. In the case of a one-off incident that is deemed to be extremely severe, then a permanent exclusion may be applied instead of a fixed-term exclusion.

A fixed-term exclusion will usually be from 1 and 5 days in length in order to minimise the disruption to learning that results from extended absence within schools. Occasionally a longer exclusion of between 6 and 45 days may be given. The Academy has a duty to arrange education from the sixth day of a fixed period exclusion. A fixed-period exclusion can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be excluded from the school premises for the duration of the lunchtime period.

The exact length of the fixed-term exclusion will depend on the:

- Number of incidents that have occurred and are being considered.
- Severity of incident(s).
- History of previous incidents or fixed-term exclusions/IER. Repeated fixed-term exclusions for similar incidents may increase in length if progress is not evident.

Each incident will be considered and dealt with individually and only the Principal (or the Vice Principal in their absence), can exclude a student. *\*In extreme or urgent cases, this can be actioned by an Assistant Principal and the decision later reviewed by the principal.*

### **Permanent Exclusion**

A decision to exclude a child permanently is a serious one. It can either be taken for a one off offence which is deemed to be extremely serious and have a seriously damaging effect on the life of the school or the well-being of other students or staff.

This can include, but is not limited by:

- Serious actual or threatened violence against another student or member of staff.
- Carrying an offensive weapon.
- Possession of or supplying an illegal drug.
- Sexual abuse or assault.

Alternatively it can be the final step in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried, without success.

### **Making a decision on an exclusion**

There are clear procedures in the school for investigating incidents that occur and collecting statements. Where possible, statements will be collected the same day from the student, the victim, other witnesses and staff. Where necessary, witness statements will be made anonymous, if this information needs to be presented to governors in a review meeting. Following a full investigation, the Principal will review what has taken place and use the 'balance of probabilities' argument if there are any discrepancies in the statements collected.

It is sometimes necessary to fixed-term exclude a student for a short period of time (usually between 1 and 5 days) pending further investigation into an incident, or consideration of the evidence collected. As soon as possible, the Principal will make the decision to:

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- Not extend the exclusion further.
- Extend the exclusion so that it becomes a longer fixed-term exclusion.
- Make the exclusion permanent.

The decision to exclude will be taken:

- Only by the Principal or the deputised Vice Principal.\*
- On all the evidence available at the time.
- On the balance of probabilities.

During a fixed-term exclusion, the excluded student is not permitted to be on or directly outside the school site at any time. An additional fixed-term exclusion may be issued to students who are in breach of this regulation. In addition, an excluded student should not be in a public place during school hours, which includes directly outside the school site. A parent may receive a fixed penalty fine if their child is found in a public place without good reason. ~~If an excluded student is found in breach of these regulations then the matter will be reported to the legal department at Somerset County Council.~~

**Informing parents/carers of the exclusion**

Parents/carers will be informed by telephone on the day that the decision to exclude has been taken. This decision will be communicated in writing and a letter posted by the school in accordance with the guidance.

If exclusion will prevent a student from taking a public examination, arrangements may be made for the exam to be taken if there is not another opportunity for the student to sit the exam.

**The Review and Appeals procedure**

For all exclusions totalling 6 days or more, but not more than 15 days, the parents/carers have the right to request a meeting of the Governors to review the Principal's decision to exclude if they are unhappy with the school's decision. For exclusions totalling 5 days or less, the Governors do not review the decision of the Principal to exclude.

For exclusions totalling over 15 days in one school term or for permanent exclusions the Governors will automatically meet to review the Principal's decision to exclude.

The Governors have the power to:

- Uphold exclusions if they believe that the evidence presented indicates that, on the balance of probabilities, the student was involved in the incident(s).
- Overturn the exclusion if they believe that there is not enough evidence to confirm that, on the balance of probabilities, the student involved in the incident and direct reinstatement of the student either immediately or on a specified date.

The Governors do not have the power to reduce or increase the length of any exclusion that the Principal has applied.

If the Governors uphold a permanent exclusion, then the parent/carer has the right to request an independent appeal meeting.

**Work for Excluded Students**

The school will provide work for students who are excluded from 1 to 5 days. Parents are expected to contact the school to arrange to receive the work set.

For fixed-term exclusions of 6 or more days, the school will organise education off site.

**Reintegration**

Students returning to school after fixed-term exclusion are expected to attend a reintegration meeting at the school with their parent/carer. The purpose of this meeting is to ensure that the student has a successful return to school by reminding the student of the school's expectations and identifying the support or intervention that is needed. Parents or designated carers are required to attend the reintegration meeting. Where a parent/ carer does not attend, the decision to re-admit the student into general lessons may be postponed and he or she may be kept in internal isolation until an alternative meeting has been arranged.

Where a student returning from exclusion does so via the school's isolation room, the decision will be made on an individual basis.

For repeat offenders receiving numerous fixed-term exclusions, appropriate support will be set up.

If an Independent Appeal Panel directs the reinstatement of a student, an appropriate reintegration package will be put into place.