



## Exclusion Policy

### Statement of Intent

As stated in other policies we are committed to providing a caring, friendly and safe environment for all of our young people so they can live and learn in a relaxed and secure atmosphere.

However, when the behaviour of a young person is deemed to be so totally unacceptable as to cause damage to property or injury to themselves or others, exclusion will be considered and applied as the only possible alternative. This policy is to be used as guidance for the implementation of exclusions.

### The decision to exclude

A decision to exclude a pupil, either for a fixed period or permanently, is seen as a last resort by the school. The school is responsible for communicating to pupils, parents/carers and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct. No exclusion will be initiated without first exhausting all other strategies or, in the case of a serious single incident, a thorough investigation.

### Reasons for exclusion

- Serious breach of the school's rules or policies
- Risk of harm to the education or welfare of the pupil or others in the school
- Breakdown of the relationship between the school and parents/carers

Any exclusion will be at the recommendation of the Head teacher and at the discretion of the Directors.

### Temporary exclusion

A temporary exclusion should be for the shortest time necessary; evidence suggests that 1-3 days is usually enough to secure benefits without adverse educational consequences.

### Persistent or cumulative problems

Exclusion for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when the school had already offered and implemented a range of support and management strategies.

*These could include:*

- Discussion with the pupil
- Mentoring (Tutor support)
- Report card (Encouragement Card)
- Discussions with parents/carers
- Target setting
- Checking on any possible provocation
- Detention
- Mediation
- Counselling
- Internal exclusion

Exclusion will not be used for minor incidents (e.g. lateness, poor academic performance or breaches of minor rules), except where these are persistent and defiant.

## **Single incident**

Temporary exclusion may be used in response to a serious breach of school rules and policies or a disciplinary offence.

In such cases the Head will investigate the incident thoroughly and consider all evidence to support the allegation, taking account of the school's policies. The pupil will be encouraged to give his/her version of events and the Head of Education will check whether the incident may have been provoked, for example by bullying or racial harassment.

If necessary, the Head of Education will consult the Operations Manager or a Director but not the Director who may have a role in reviewing the Head's decision.

## **Permanent exclusion**

A permanent exclusion is a very serious decision and the Head of Education will consult with the Manager or a Director before enforcing it.

As with a temporary exclusion, it will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of school rules and policies or a disciplinary offence such as:

- Serious actual or threatened violence against another pupil or a member of staff
- Possession or use of an illegal drug on school premises
- Carrying an offensive weapon
- Persistent bullying
- Racial harassment

## **The decision to exclude**

*If the Head of Education decides to exclude a pupil she will:*

- Ensure that there is sufficient recorded evidence to support the decision.
- Explain the decision to the pupil
- Contact the Parents / carers, explain the decision and ask that the child be collected

- Send a letter to the Parents / carers confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion, the length of the exclusion and any terms or conditions agreed for the pupil's return
- In cases of more than a day's exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked
- Plan how to address the pupil's needs on his/her return
- Plan a meeting with parents/carers and pupil on his/her return

An exclusion should not be enforced if doing so may put the safety of the pupil at risk. In cases where parents/carers will not comply by, for example, refusing to collect the child as the child's welfare is the priority.

## Behaviour outside school

Pupils' behaviour outside school on school business e.g. on school trips, at sports fixtures, is subject to the school's behaviour policy. Bad behaviour in such circumstances will be dealt with as if it had taken place in school.

For behaviour outside the school, not on school business, the Head may exclude a pupil if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupil body as a whole, or if it is deemed to be damaging to the reputation of the school.

### **The school must take account of any special educational needs when considering whether or not to exclude a pupil.**

We have a legal duty under the Disability Discrimination Act 1995 as amended not to discriminate against disabled pupils by excluding them from school for behaviour related to their disability. The Head should ensure that reasonable steps have been taken by the school to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability. 'Reasonable steps' could include:

- differentiation in the school's behaviour policy
- developing strategies to prevent the pupil's behaviour
- requesting external help with the pupil
- staff training

Where reasonable adjustments to policies and practices have been made to accommodate a pupil's needs and to avoid the necessity for exclusion as far as possible, exclusion may be justified if there is a material and substantial reason for it. A specific incident affecting order and discipline in the school may be such a reason.

## Marking attendance registers following exclusion

When a pupil is excluded temporarily, he/she should be marked as absent using Code E.

## Managed move

In cases where the Head and parents/carers agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parent/carer has treated the school or

members of its staff unreasonably the Head of Education may require the parents/carers to remove the pupil at the end of a term. This is not exclusion and in such cases the Head will assist the parents/carers in placing the pupil in another school.

## **Removal from the school for other reasons**

The Head of Education may send a pupil home, after consultation with that pupil's parents/carers and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time.

## **Procedure for appeal**

If parents/carers wish to appeal the decision to exclude, the matter will be referred to the Directors. Two Directors/consultants, who were not involved in the initial decision to exclude, will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within five days.

Records relating to the decision to exclude and the parents/carers' complaint will be copied to all parties not later than two days prior to the hearing. In no circumstances whatsoever will the school or its staff be required to divulge to parents/carers or others any confidential information on or the identities of pupils or others who have given information which has led to the exclusion or which the Head of Education has acquired during an investigation.

The parents/carers may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

If possible the Directors will resolve the parents/carers' complaint without the need for further investigation. Where further investigation is required, the Directors will decide how it should be carried out. After due consideration of all the facts they consider to be relevant, the Directors will reach a decision on whether to uphold or rescind the exclusion or they may make other recommendations. This decision will be made within ten days of the hearing.

The Directors will write to the parents/carers informing them of the decision and the reasons for it. The decision of the Directors will be final. The Directors findings and, if any, recommendations will be sent in writing to the Parents / carers, the Head of Education and the other Directors.