

## Exclusion Policy

### Rationale

This policy 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:

- The first is to ensure the safety and well-being of all members of the School community and to maintain an appropriate educational environment in which all can learn and flourish.
- 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:-

- In response to a serious breach of the School's Behaviour Policy;
- If allowing the pupil to remain in School would seriously harm the education or welfare of the pupil or others in the school.

Exclusion is an extreme sanction and is only administered by the Headmaster (or, in the absence of the Headmaster, the Deputy Head who is acting in that role).

Exclusion, whether 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 Pupil Behaviour Policy:

- Verbal abuse to any member of the School Staff
- Verbal abuse to pupils
- Physical abuse to / attack on Staff
- Physical abuse to / attack on other pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Supplying an illegal drug or other substance
- Theft
- Sexual abuse or assault
- Carrying an offensive weapon
- Arson
- 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 Headmaster (or his Deputy) in conjunction with the Chair of Governors makes the judgment that exclusion is an appropriate sanction.

### Exclusion procedure

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

- Government regulations allow the Headmaster to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

- The Governors have established arrangements to review promptly all permanent exclusions from the School and all fixed term exclusions that would lead to a pupil being excluded for over 15 days in a school term or missing a public examination.
- For an exclusion to take place parents are contacted immediately where possible. A discussion with parents/carers/guardians will take place before a pupil is informed. 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 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, the Head of Year and other staff where appropriate.
- A fixed term exclusion may take the form of an 'internal' exclusion
- 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.
- Excluded pupils will be issued with work to be completed during the exclusion period.

### **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.

- 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 unsuccessful. 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.
- 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 the School Staff.
  - Sexual abuse or assault.
  - Supplying an illegal drug.
  - Carrying an offensive weapon \*.
  - Arson.

The School will consider police involvement for any of the above offences.

\*Offensive weapons are defined in the Prevention of Crime Act 1953 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"

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well being 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 Headmaster (or his Deputy) will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the Pupil Discipline, Equal Opportunity and Race Equality Policies.
- Allow the pupil to give her/his version of events.
- Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment.

If the Headmaster (or his Deputy) is satisfied that on the balance of probabilities the pupil did what he or she is alleged to have done, exclusion will be the outcome.

### **Exercise of discretion**

In reaching a decision, the Headmaster (or his Deputy) will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Headmaster will consider

- a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Pupil Discipline Policy and
- b) the effect that the pupil remaining in the School would have on the education and welfare of other pupils and staff.

Nonetheless, in the case of a pupil found in possession of an offensive weapon or illegal substances, whether there is an intention to use it or not, it is the School's usual policy in this particularly serious matter to issue a permanent exclusion.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Chair of Governors when considering the Headmaster's decision to exclude. The Headmaster (or his Deputy) will explain the reasons for the decision and will look at appropriate evidence, such as the pupil's School record, witness statements and the strategies used by the School to support the pupil prior to exclusion.

### **Behaviour Outside School**

Pupils' behaviour outside School on school "business" for example school trips and journeys, sports fixtures or a work experience placement is subject to the School's Behaviour Policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in School. For inappropriate behaviour outside School but not on school business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupil body as a whole. If pupils' behaviour in the immediate vicinity of the School or on a journey to and from school is poor and meets the School criteria for exclusion then the Headmaster (or his Deputy) may decide to exclude.

### **Drug Related Exclusions**

In making a decision on whether or not to exclude for a drug-related offence the Headmaster (or his Deputy) will have regard to the School's published policy on drugs and will also seek advice from the Chair of Governors. The decision will depend on the precise circumstances of the case and the evidence available. The Headmaster (or his Deputy) will make a judgment set against the criteria in the School's Misuse of Drugs Policy which is zero tolerance.

However, a pupil will be excluded permanently if the serious breach of the School's discipline/behaviour policies is such that allowing the pupil to remain in school would

seriously harm the education, safety and welfare of others in the School. It is expected that such cases will be rare and in those circumstances, the School's previous strategies to foster appropriate and responsible behaviour through the PSHE curriculum, the use of outside agencies, the Partnership Agreement and behaviour management would be deemed to have been tried and failed and therefore a contract would not be appropriate in those circumstances and the pupil would be excluded immediately.

**This policy was reviewed January 2018**

**This policy will be reviewed January 2019**