



St George's
School Edgbaston

EXCLUSION POLICY

Revised: September 2024



Rationale

The school's exclusion policy 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
- The school's Exclusion policy has been written with regard to the following principal legislation and guidance:
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 - Suspension and permanent exclusion from maintained schools, academies, and Pupil referral Units in England, including pupil movement DfE August 2024
 - the Education Act 2002, as amended by the Education Act 2011;
 - the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
 - the Education and Inspections Act 2006;
 - the Education Act 1996;

and

- the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014.

Despite looking to reduce the need to exclude students as a sanction where possible, the policy has been reviewed and updated to reflect the government's ambition to create high standards of behaviour in schools. Although school exclusions are considered as a last resort, it also recognises that they can be an essential behaviour management tool to ensure these high standards, so that children and young people are protected from disruption in a calm, safe and supportive environment that allows all students to reach their potential.

Introduction

The decision to exclude a student will be taken in the following circumstances:

- In response to a serious breach or repetitive breaches of the school's Behaviour Policy
- If allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school community

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Headteacher, the Deputy Head who is acting in that role). Exclusion, whether Internal, Fixed term or Permanent, may be used for any of the following (not an exhaustive list), all of which constitute examples of unacceptable conduct, and are infringements of the School's Student Behaviour Policy:

- Bullying or intimidation of other members of the school community including incidents of cyberbullying
- Racist Abuse
- Abuse relating to sexual orientation or gender reassignment
- Abuse relating to disability or any other protected characteristic
- Peer on Peer Abuse of any form including online, physical, sexual and verbal
- Create a threat of abuse to staff, students or any member of the St. George's Community
- Inappropriate use of ICT and/or Social Media
- Emotional or verbal abuse to students or staff
- Physical assault or abuse to adults or students
- Stealing or causing deliberate damage
- Smoking/Vaping or having cigarettes/e-cigarettes/lighters in their possession
- Dealing or being in possession of drugs
- To supply, be in possession of, carry or distribute any weapon, real or imitation
- Sexual abuse or assault (including 'Sexting')
- Arson
- Unacceptable behaviour which has been previously reported and for which school sanctions and other interventions have not been successful in modifying the student's behaviour

There may be other situations where the Headteacher (or his Deputy) in conjunction with other senior staff make the judgment that exclusion is an appropriate sanction.

Exclusion Procedure

Investigation and Communication with Parents

While the Headteacher will be informed of incidents, investigations are usually conducted by Heads of Year, Senior Pastoral Leaders, other members of the SLT and the relevant Designated Safeguarding Leaders (DSLs). Investigations are conducted in a fair and unbiased manner. Parents are informed of decisions as soon as it becomes practicable.

Internal Exclusion

An Internal Exclusion is when a student is excluded from the rest of the school and must work away from their class for a fixed amount of time. This will be in a different classroom/room.

An Internal Exclusion is a discretionary measure, where a student's behaviour may be escalating and more serious measures need to be taken but there are not yet grounds for an external/Fixed Term exclusion. Typically, a student receiving a consequence of this level should also receive additional support for their behaviour as this is intended to avoid escalation to a point where a Fixed Term or Permanent Exclusion is necessary.

Fixed Term Exclusion

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

- Government regulations allow the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year
- The Trustees have established arrangements to promptly review all permanent exclusions and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term or missing a public examination
- When exclusion takes place, parents and the Local Authority are contacted as soon as possible depending on the nature of the incident. A letter will also be sent by email and post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations (an appeal) to the Governing Body/Trustees as directed in the exclusion letter
- A return to school meeting will be held following the end of the fixed term exclusion and this is likely to involve a member of the SLT, Senior Pastoral Leaders, Heads of Year and other staff where appropriate

- During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on the school premises and that daytime supervision is their responsibility as parents / guardians
- Excluded students will be issued with work to be completed during the first 5 days of any exclusion period

Permanent Exclusion

The decision to exclude a student 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/ behavioural issues 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 and may include bullying such as racist, homophobic or peer on peer bullying
- 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 student for a first or 'one off' offence

These might include:

- Serious or threatened violence/abuse against a member of the school community
- Sexual abuse or assault
- Possession or supply of illegal drugs or materials
- Arson
- Possession or supply/carrying of an offensive weapon*
- Any of the aforementioned examples on page 2 of this policy

The school will also have to consider police involvement for any of the above offences as part of its statutory duty.

**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

Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher (or his Deputy) will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations and take into account other relevant school policies
- Allow the student 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 Headteacher (or his Deputy) is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion is likely to be the outcome.

Exercise of Discretion

In reaching a decision, the Headteacher (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 Headteacher will consider:

- a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the school's Student Behaviour Management Policy and
- b) the effect that the student remaining in the school would have on the education and welfare of other students and staff

Nonetheless, in the case of a student 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 Appeals Panel when considering the Headteacher's decision to exclude.

Behaviour Outside School

A students' behaviour outside school on school "business" for example travelling to and from school, school trips and journeys, sports fixtures or a work experience placement is subject to the school's Behaviour Management and Exclusions Policy.

Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in school. If students' behaviour in the vicinity or school community, or on a journey to and from school is below expectation and meets the school criteria for exclusion then the Headteacher (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 Headteacher (or his Deputy) will make any decision based on the circumstances of the incident and the information available. The Headteacher (or his Deputy) will make a judgment set against the school's stance on Drugs which is zero tolerance.

Appeals

If parents wish to appeal the decision to permanently exclude the matter will be referred to the Board of Trustees Appeals Panel. There is no right of appeal for fixed term exclusions; however, if the parent or student feels aggrieved, they should refer to the school's Complaints Policy.

The Appeals Panel will normally consist of three persons. However, providing there is an agreement from the Parent(s)/Guardian who is/are making the appeal, an Appeals Panel may be convened and constitute less than three persons. This would need to be confirmed in writing to the Chair of the Board of Trustees. Appeal Panel hearings would normally be convened within 15 school/working days from the date of the exclusion.

**To be reviewed September 2025
or as and when statutory
guidance / legislation changes**