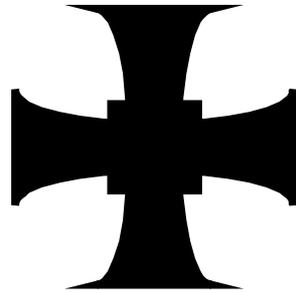


TRINITY SCHOOL



A CHURCH OF ENGLAND ACADEMY

EXCLUSION POLICY

**Pastoral Committee**

**Reviewed:** February 2016

**Ratified by the full Governing Body:** March 2016

**Next review:** February 2018

## INTRODUCTION

Exclusion is an extreme and serious sanction and one we seek to use only as a last resort. We do not see exclusion as a simple punishment, rather a means of maintaining good order and discipline in the school. Following an exclusion, working with the student and their family, we seek to restore our working relationship and avoid any reasons for a further exclusion.

Exclusion is only administered by a Co-Headteacher. A Deputy Headteacher acting in the Co-Headteacher's place may exclude a student for a serious offence for an initial period of no more than five days and normally only for sufficient time to allow the Co-Headteacher to consider the appropriate length of exclusion on returning to school. It should be made clear that such an exclusion can be extended, within the 5 days, or even made permanent upon the Co-headteacher's return.

A fixed term exclusion means that a student is not allowed into school or onto school grounds for a set number of days. It is a legal procedure whereby the student becomes the responsibility of the parent rather than the school for the duration of a fixed term exclusion.

The purpose of this policy is to ensure that:

1. exclusion from school is only used when it is necessary, in maintaining good order in the school, and in keeping with clear guidelines;
2. all students are treated fairly with respect to exclusion,
3. parents/carers feel that their children have been treated fairly,
4. when exclusion is necessary, the legal procedures are properly carried out and all concerned know what part they have to play,
5. appropriate records of exclusions are kept, and that the Governors are kept aware of the pattern of exclusions and can monitor this pattern, through the Pastoral Committee;
6. exclusion is understood by students and parents to be a legitimate and necessary sanction which can be applied if students do not conform to the standards which the school expects whilst students are under the care and discipline of the school.

## LEADING UP TO THE DECISION TO EXCLUDE

1. Following a serious incident which is drawn to the attention of the Head of House (HoH)/House Tutor, or other senior staff, consideration may be given to the use of exclusion as an appropriate sanction.

The school uses the following guidelines; however each incident is looked at individually and in deciding upon the length of the fixed term exclusion, the individual student's behaviour over time is likely to be a factor. It is likely that fixed term exclusions (between 1-5 days), will happen in the following circumstances:

**Bullying** – physical or verbal

**Damage** – vandalism, graffiti, arson

**Drug and Alcohol related** – possession of illegal drugs/supply or dealing/alcohol abuse/inappropriate use of prescribed drugs/smoking/substance misuse

**Persistent Disruptive Behaviour** – repeated refusal to follow reasonable instructions/long term challenging behaviour/persistent violation of school rules

**Racist Abuse** – racist taunting and harassment/racist bullying/swearing that can be attributed to racist characteristics/derogatory racist statements/racist graffiti

**Theft** – stealing school property/selling and dealing in stolen property/stealing personal property (student or adult)/stealing on a school outing

**Physical Assault against adult** – Actual violent behaviour/obstruction and jostling/wounding

**Physical Assault against a student** – Fighting/wounding/actual violent behaviour/obstruction and jostling

**Verbal abuse/threatening behaviour against an adult** - threatened violence/swearing/intimidation/aggressive behaviour/homophobic abuse and harassment/carrying an offensive weapon

**Verbal abuse/threatening behaviour against a student** – threatened violence/swearing/intimidation/aggressive behaviour/homophobic abuse and harassment/carrying an offensive weapon

**Sexual Misconduct** – sexual abuse/harassment/bullying/assault/lewd behaviour/sexual graffiti

A student could be at risk of permanent exclusion for the following reasons:

- Possessing, using, possessing with intent to supply, or supplying any drugs or illegal substances in school.
- Any physical assault on a member of staff.
- Possessing a weapon in school, let alone threatening to use one. Trinity deems that any knife, irrespective of length, constitutes an offensive weapon and should not be brought into the School. In addition to knives, BB guns, air guns, catapults, slings, etc, will also be deemed to be offensive weapons. Other types of offensive weapons will include lengths of pipe, bats, other blunt instruments, or items judged by the Co-headteachers or Governors to be carried with the intention to inflict injury on another individual.
- Other serious offences, such as lighting a fire in the school, however small.
- Deliberate activation of the fire alarm without good intent, including smoking inside the building.
- Repeated or serious misuse of the school computers by hacking or other activities that compromise the integrity of the computer network.
- Regular refusal to be controlled by the staff of the school including persistent defiance and disruption.
- Posing a threat to any other members of the school community.
- Any sexual abuse or assault.
- Action which led to serious potential danger to another pupil or to a member of staff or passers by.
- Racial abuse, assault, or harassment.
- The repeated use of foul language directed at a teacher or other adult in school.
- Demanding money with menaces.

There may be other reasons for which a permanent exclusion is the right response by the school and where such incidents can be seen as being on the same level of disruption as those described above.

Any incidents, which are governed by the law of the land, such as theft, common assault, harassment, threatening behaviour, are likely to be reported to the police, as well as the school acting to exclude the student.

If incidents happen off the school site, or out of school hours, or when the student is not in school uniform, the school still reserves the right to act, where the incident concerns members of the school community, or where the school's good name is being brought into disrepute, and where the good discipline of the school is an issue.

2. A thorough investigation should be conducted into the incident, talking to any witnesses, staff and/or students as soon as possible, and independently. Signed and dated witness statements will be gathered, including the student's version of events, for all issues serious enough to warrant a fixed term exclusion. Once the facts have been established or while this is taking place, the student(s) involved may be isolated, as a means of minimising the after effects of the action. The person dealing with the incident should find out from the student if there was any reason for the behaviour and any extenuating circumstances or provocation.

In the case of pupils with statements of special educational needs or who are known to have significant learning difficulties, the Curriculum Leader for Learning Support should also be consulted.

In the case of Looked After Children, the designated teacher should also be consulted.

3. Before decisions are taken with regard to a recommendation to exclude, the person dealing with the incident should normally consult the Head of House (HoH)/House Tutor (HT). The HoH/HT should consult with Assistant Head, Behaviour and Welfare, to seek a second opinion on the proposed action. Only a Co-headteacher can exclude from school – it should be clear that any action is a proposal or a possibility. The threat of an exclusion is a powerful thing, and needs to be voiced carefully with a student, if at all.
4. In dealing with such incidents we should take into account the degree of danger or disruption involved, and how many other students were aware of the incident. Where there is some doubt as to the course of action to be followed, great care must be used to make sure that the investigation is at all points sound. The student's recent record of conduct should be also taken into account in deciding the appropriate punishment, as should the consistency of the action through the school.
5. Where exclusion is felt to be the appropriate response then a case should be made to the Co-headteacher(s) at the first available opportunity. The Co-headteacher(s) will wish to be reassured that all the above points have been taken into account and may wish to hear the student's story in person before agreeing to an exclusion. The length of exclusion will depend on the seriousness of the offence, and usually the student's past record of behaviour.
6. For any form of exclusion exceeding five days, full time education will be provided by the school for pupils from the sixth day. Such provision will be arranged through Carlisle Inclusion Panel.
7. For a permanent exclusion, the Local Authority has responsibility for the education of a student from the sixth day.

All investigations and processes undertaken in the school, which may lead to an exclusion, will be conducted in the context of natural justice. The school excludes on the 'balance of probabilities.'

## **Re-admission**

Following any Fixed Term Exclusion a re-admission meeting will be held by the School which the parent/carer and the student must attend. Depending on the nature of the incident and the behavioural history of the student Trinity School will ensure when necessary that the appropriate paperwork and supportive strategies are implemented and offered to ensure a successful re-admission to the School. Where appropriate, outside agencies or representatives from the Local Authority will be invited to attend. For evidence purposes, both the student and parent/carer will be asked to sign a copy of the notes taken during the re-admission meeting.

A number of interventions/support strategies should be considered during readmission meetings. A minimum expectation is that all students will be placed on report following an exclusion. Students with repeat exclusions may well be encouraged to engage with external agencies. This could be through the 'Early Help' process.

At each readmission meeting, the current provision/strategies and their success/failings should be discussed, in order that appropriate decisions regarding wider strategies are well placed. Conversations should be clearly documented and signed as ongoing evidence of intervention/support offered. Evidence should document declined interventions.

## **Repeat Exclusion(s)**

In any school year:

If a student receives a third fixed term exclusion in their school career, then the parent/carer and their child will be expected to attend a meeting with a member of the Senior Leadership Team prior to their re-admission to the School unless other intervention plans are in place. The parent/carer will be made aware of the breaches of the School Behaviour Policy and given a right to reply. Before re-admission the parent/carer and their child will be required to sign and agree to a behaviour contract (which includes school, student and parent/carer undertakings) that is representative of the School's Behaviour Policy.

If a student reaches 10 days of exclusion in a term, then they and their parent/carer will meet with a Co-headteacher and be informed that further exclusions may initiate a Governors Hearing Panel Meeting with their parent/carer. If 15 days of exclusion are accrued in any one term then a Governors Hearing will be held with representatives from the Local Authority.

If exclusions continue to occur after 15 days in a term, then a second disciplinary panel will be held. At this stage the parent/carer will be invited to attend a hearing and will be informed that their child is now at risk of permanent exclusion.

If students reach 45 days exclusion in the school year, the Co-Headteacher's and Governors recognise that the School is likely to have exhausted the strategies available to it to deal with the persistent disruption to the learning of others presented by these students. In addition Governors recognise that the individual concerned will have lost at least 45 days learning through this process and it would be unlikely that the school could offer any other reasonable support at this time. At this point or at any other time in this process the Co-headteachers may seek a managed move if this has not been previously explored. If this move breaks down then the school will permanently exclude.

## **EXCLUSION PROCEDURES**

### **ADMINISTRATIVE PROCEDURES RE: EXCLUSIONS**

1. Letters informing parents of the exclusion will be typed by the Pastoral Admin Manager, from a brief prepared by the HoH/House Tutor and the Assistant Headteacher (Behaviour & Welfare). An exclusion pack will also be generated which corresponds to the reason for exclusion.
2. Early contact with parents is important and a phone call must be made to make sure that the letter of exclusion does not arrive cold. This is the duty of the HoH/House Tutor or the Assistant Headteacher (Behaviour & Welfare). In the event of the decision to exclude being taken so late in the day that a letter cannot be guaranteed to arrive before the student leaves for school, then the parent should be informed by telephone of the decision to exclude. This is to avoid students arriving in school and having to be sent home again or isolated for the day because a parent has not received a letter in time.
3. The letter indicating the decision to exclude will be copied to the following:
  - Chair of the Pastoral Committee.
  - Co-headteacher(s).
  - HoH/House Tutor/Form Tutor.
  - Clerk to Governors.
  - In the case of permanent exclusion a copy will also go to the Chair of Governors.
  - LEA.
4. The letter must include the information about the right to appeal and the means of exercising this right and the other legally required information from Department of Education guidelines.
5. The Pastoral Admin Manager will ensure that a note indicating that the student has been excluded, and for how long, and for what reason, is placed in the bulletin to staff at the first available opportunity.
6. An interview with the parents/carers and the student should normally precede a reintegration to school after exclusion, according to variance linked to 'consecutive exclusions'. An inability or unwillingness of a parent or carer to attend a reintegration meeting should not delay a student's return to school. The reintegration of a student will normally be dealt with by HOH and if requested by the HOH, the Assistant Headteacher (Behaviour & Welfare), although for particularly serious or repeated offences a Co-headteacher or a Deputy may be involved. This should be decided at the time of exclusion and when the appointment with parents is made.
7. The Pastoral Admin Manager and Clerk to the Governors' Discipline Committee will keep records of all exclusions so that an overview of the position in the school as a whole and for individual students can be easily obtained. A summary will be provided to the Governors' Pastoral Committee [who also act as the Discipline Committee] by the Assistant Headteacher (Behaviour & Welfare) at the end of each academic year.
8. In circumstances where a student would miss an external examination as a result of an exclusion then an alternative means of taking the examination will be found by the Assistant Headteacher (Behaviour & Welfare), unless this would compromise the integrity of the examination for this or other candidates, or unless the reasons for the exclusion are very serious, or the exclusion is permanent.

## **GOVERNORS INVOLVEMENT IN EXCLUSIONS**

1. The Chair of the Discipline Committee will receive copies of all exclusion letters and will keep a record of all exclusions.
2. The governor members of the Pastoral Committee will be those normally called on to form a Discipline Committee, should it be required. Three members other than a Co-headteacher will form a quorum.
3. Where the Chair of Discipline Committee receives notice of an exclusion which:
  - a) is for more than fifteen days in aggregate in any one term; **or**
  - b) would mean that a student would miss an examination; **or**
  - c) is the subject of a parental appeal or representation to the Clerk to the Governors;then a meeting of the Discipline Committee will be called to consider the school's exclusion/s.

The latest date the Discipline Committee can meet is 15 school days after notification of the exclusion.

## **PERMANENT EXCLUSION**

The Discipline Committee will meet within fifteen school days of the Co-headteachers decision to recommend permanent exclusion. The meeting will be held within the context of the school's disciplinary policies, the Department for Education's guidelines, and within the proper framework of the law. In reaching a decision, the Discipline Committee must be satisfied that the school has made every effort to fulfil its policies in spirit and in letter.

The purpose of the meeting is to consider the Co-headteachers' recommendation to exclude permanently, to clarify issues raised in reports and to enable parents/carers and/or students to put forward their views. Parents/carers will be encouraged to ask the Local Authority's Reintegration Co-ordinator to support the presentation of their case at the meeting.

Appeals against a decision by the above committee to exclude permanently will be heard by an Independent Review Panel.