



# Exclusion Policy

<b>Date Written</b>	<b>Reviewed</b>	<b>Approved by Governors on</b>	<b>Signature of Chair of Governors</b>	<b>Next review</b>
Nov 09	Nov 17	22 <sup>nd</sup> Nov 2009		July 2019

## **Exclusion Policy**

Alston Moor Federation's Schools is committed to being a fully accessible and inclusive organisation welcoming and respecting the diversity of its pupils, staff, community and visitors to the school.

### **Rationale**

This policy is underpinned by the commitment of all at Alston Moor Federation's Schools to ensure the safety and well-being of the whole school community and to maintain an appropriate educational environment in which all can learn and achieve.

We have an overall aim of reducing the need to use exclusion as a sanction.

### **Introduction**

The decision to exclude a pupil will be taken by the Headteacher in the following circumstances:-

- (a) In response to a serious breach of the School's Behaviour Policy;
- (b) 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 used by the Headteacher (or, in the absence of the Headteacher, an Assistant Headteacher who is acting in that role).

Exclusion will be used when 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 Headteacher will ensure appropriate investigations have been carried out, considering all the evidence available.

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 Behaviour Policy:

- Verbal abuse to Staff and others
- Verbal abuse to pupils
- Physical abuse to/attack on Staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs or other substances including supplying
- Theft
- Serious actual or threatened violence against another pupil or a member of staff.
- 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 Headteacher makes the judgment that exclusion is an appropriate sanction.

### **Exclusion procedure**

- Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).
- The DCFS regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.
- Following exclusion parents are contacted immediately where possible. 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 and the LA 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 the pupil, parent, a member of the Senior Leadership Team, and other staff where appropriate.
- It is school practice to monitor behaviour and work of the pupil very closely for the period following exclusion. This may mean the use of a report or close support of staff.
- If the fixed term exclusion is greater than five days or an accumulation of exclusions exceed five days, a Pastoral Support Plan may be drawn up. This needs to be agreed with the School, pupil, parents and any agencies involved.
- 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.

### **Fixed term exclusions over five days**

According to Local Authority guidance school is obliged to provide full time education from the sixth day of any period of fixed term exclusion of six days or longer.

The school will consult with the LA officers for any exclusion of more than five days in order that the right full time education and transport is arranged.

The school will provide education from the following agencies:

- NPLP Trust Partner Schools
- Pupil Referral Unit
- Rural Academy partner Schools
- Eden Area Partner Schools
- Connexions Cumbria

The school will liaise with the outside education provider to ensure that the pupil continues with their programme of study. In most cases the school will set the work to be completed and ensure that it is completed appropriately.

## **Permanent Exclusion**

The decision to exclude a pupil permanently is a very 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 issues following the use of a wide range of other strategies, which have been used without success. 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 could 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 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.

## **Exercise of discretion**

In reaching a decision, the Headteacher or Assistant 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 the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour Policy and the effect that the pupil remaining in the School would have on the education and welfare of other pupils and staff.

In line with its statutory duty, these same tests of appropriateness will form the basis of the deliberations of the Governors' Pupil Discipline Committee, when it meets to consider the Headteacher's decision to exclude.

## **Alternatives to Exclusion**

The School works closely with other local secondary schools to undertake managed moves where such a course of action would be of benefit both to the pupil and the two schools

concerned. However, the threat of a permanent exclusion will never be used as the means to persuade parents to move their child to another school.

### **Lunchtime Exclusion**

Pupils whose behaviour at lunchtime is disruptive may be excluded from the School premises for the duration of the lunchtime period. This will be treated as fixed term exclusion and parents will have the same right to gain information and to appeal.

### **Behaviour Outside School**

Pupils' behaviour outside School on school "business" for example school trips and journeys, away school 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. If pupils' behaviour in the immediate vicinity of the School or on a journey to and from school is inappropriate and meets the School criteria for exclusion then the Headteacher may decide to exclude.

### **Drug Related Exclusions**

In making a decision on whether or not to exclude for a drug-related offence the Headteacher will have regard to the School's published policy on drugs and will also seek advice from the LA's Drugs Education Advisor.