

# Exclusions Policy

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Person Responsible for Policy      \_\_\_ Headteacher \_\_\_\_\_

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## **STATEMENT OF INTENT**

Stephenson Studio School endeavours to provide a safe and happy environment in which to study. Through working in partnership with students, parents and other agencies the school will ensure that all students are supported to reach their potential. This policy should be read in conjunction with the Behaviour for Learning Policy. The National Forest Hub is referred to throughout as NFH.

## **POWER TO EXCLUDE**

The decision to exclude a student, either fixed term or permanently, will usually be taken by the headteacher. In the absence of the headteacher, the deputy headteacher or assistant headteacher are also authorised to exclude students on a fixed term basis only.

The governing body can review the decision to exclude a student and consider appeals from parents of excluded pupils. They may direct the reinstatement of an excluded pupil, or uphold an exclusion after a review, but they cannot exclude a pupil themselves

## **REASONS FOR EXCLUSION**

There are two main reasons for exclusion: a serious breach of the school's behaviour policy, or a situation where it is feared that the safety and wellbeing, or education, of other students is at risk.

In line with the school's behaviour policy, the following actions constitute unacceptable behaviour and may result in permanent or fixed-term exclusions:

- verbal abuse (including serious inappropriate language) to staff and others
- verbal abuse of/to other students
- physical abuse to/attack on staff
- physical abuse to/attack on pupils
- indecent behaviour
- damage to property
- misuse of illegal drugs
- misuse of other substances (including legal drugs and alcohol, smoking, vaping)
- theft
- serious actual or threatened violence against another pupil or a member of staff
- sexual abuse or assault
- supplying drugs (This includes legal and illegal drugs and includes 'legal highs', prescription drugs and alcohol, smoking materials or vaping materials)
- carrying an offensive weapon
- repeatedly failing to modify behaviour or comply with reasonable instructions from staff

## PERMANENT EXCLUSION

Permanent exclusion is an extremely serious sanction, and a step taken by the school only as an absolute last resort. In most cases, permanent exclusion will be used only after various alternative strategies have been tried to improve behaviour but have been unsuccessful. There are, however, some situations in which permanent exclusion on the first offence is the only option. These include:

- serious, actual or threatened violence against another pupil or a member of staff
- sexual abuse or assault
- in possession of and/or supplying drugs on school site (this includes legal and illegal drugs and includes 'legal highs' prescription drugs and alcohol)
- carrying an offensive weapon (this includes knives of any kind, firearms or any other item that in the headteacher's considered opinion is being carried with the intention to injure).
- arson.

It may be necessary for the school to involve the police if the offence warrants it. All permanent exclusions will be reviewed by the governing body to ensure that they are justified and fair. The headteacher can withdraw an exclusion that has not yet been reviewed by the governing body.

The Governors' Discipline Committee must meet within 15 school days of a headteacher's decision to permanently exclude a child. Parents, guardians or carers will be invited to attend this meeting with a friend or legal representative as well as sending a written statement if necessary. The school will write to parents, guardians or carers with details and the arrangements for the meeting.

The Local Authority will receive a copy of the information sent by the school.

After the Discipline Committee's meeting, parents, guardians or carers will receive a letter from the Clerk to Governors' stating the decision reached by the Committee and the reasons why. If the Committee uphold the Headteacher's decision to exclude, then parents, guardians or carers have the right to appeal against this to an Independent Appeal Panel (IAP).

The role of the Independent Appeal Panel is, as an impartial body, to consider whether the Headteacher was right to permanently exclude the student and, if not, whether he /she should be reinstated. The panel will look at all the evidence and whether the correct procedures were followed when excluding the student. The school will write to parents, guardians or carers to advise the appeal deadline (within 15 school days of being officially notified of the Discipline Committee's decision in writing).

The IAP will relay its decision to parents, guardians or carers within 2 working days of the hearing. The panel can uphold the appeal, uphold the exclusion or decide that the exclusion was not justified, but that the relationship between home and school has broken down and not order reinstatement – but they must give good reasons.

If no appeal is made, you're the student will be taken off roll at the school from which they were permanently excluded, the day after the appeal period expires.

If an appeal is made against the decision, the student's name cannot be removed from the school roll until after the outcome of the appeal to an independent appeal panel or the period within which parents, guardians or carers right to appeal has elapsed (unless they have formally waived their appeal rights at an earlier date).

The school has to provide education for the student for the first five school days of the exclusion. This is usually done by work being sent home to complete. The school, in conjunction with the NFH, will contact parents,

guardians or carers in order to arrange provision from the 6th day and to discuss the student's needs to continue his/her education.

Parents, guardians and carers have the right to see their child's school records. They will need to contact the school directly if they wish to see these records.

### **MAKING THE DECISION TO EXCLUDE**

Exclusion of any sort, for any period of time, is taken very seriously by the school, and the decision to exclude is not taken lightly. Various alternative strategies to manage behaviour will be tried before exclusion, as this sanction is only used as a last resort unless there is an immediate threat to safety within the school.

If it is decided that exclusion is necessary, the parents or carers of the pupil will be notified, and the circumstances surrounding the exclusion will be formally recorded.

### **MAJOR INFRINGEMENTS OF EXPECTATIONS OF BEHAVIOUR**

These rarely, if ever, happen but it is important for staff and students to be aware of the school's position on these matters.

- Lying, cheating, theft and bullying

This will be dealt with initially by the tutor, staff member or member of the leadership team. Students must expect their parents to be informed and invited into school to discuss matters.

In serious cases, students will be segregated or excluded for a fixed term at the discretion of the Headteacher or in his/her absence the Deputy Headteacher or in their absence, the designated senior member of staff.

- Smoking

Pupils are considered to be guilty of smoking if:

- They are caught smoking
- They have smoking materials in their possession
- They are in the company of those smoking
- Their breath smells of cigarette smoke

This will be dealt with initially by the tutor, staff member or member of the leadership team. Students must expect their parents to be informed and invited into school to discuss matters.

In serious cases, students will be segregated or excluded for a fixed term at the discretion of the Headteacher or in his/her absence the Deputy Headteacher or in their absence, the designated senior member of staff.

Parents should be aware that the school will exercise its legal right to enact a search of students to establish whether students have illicit items (including smoking materials, drugs or drug related paraphernalia) in their possession where there is reasonable suspicion this may be the case.

Parents will be invited to work with the school to produce an action plan to insure this does not happen again. Dependent upon the severity of the circumstances this offence may lead to permanent exclusion at the discretion of the Headteacher.

Any student involved in the supply of drugs and alcohol, violence, threats of violence or sexual misconduct will be excluded for a period of time which may be permanent to be decided by the Headteacher.

- Harmful and disruptive behaviour

This will be dealt with initially by the tutor, staff member or member of the leadership team. Students must expect their parents to be informed and invited into school to discuss matters.

In serious cases, students will be segregated or excluded for a fixed term at the discretion of the Headteacher or in his/her absence the Deputy Headteacher or in their absence, the designated senior member of staff.

Any student exhibiting extreme behaviour that causes disruption to learning or that may endanger themselves or others will be segregated or excluded for a fixed term (and potentially permanently) at the discretion of the Headteacher or in his/her absence the Deputy Headteacher or in their absence, the designated senior member of staff.

- Repeated low-level disruption and poor behaviour

Students who repeatedly cause low level disruption or discomfort to others will be segregated or excluded for a fixed term (and potentially permanently) at the discretion of the Headteacher where all reasonable efforts fail to engage the student concerned.

## **TYPES OF EXCLUSIONS**

### Fixed Term Exclusion

Fixed period exclusions are either a set number of days or during lunch time. During this time the student must not return to school or enter the school premises. Only the Headteacher or in his/her absence the Deputy Headteacher, or in their absence, the designated senior member of staff has the right to exclude a child from school.

Parents, guardians or carers will be notified immediately of an exclusion (usually by phone) and a letter must be sent to you within one school day of the Headteacher's decision. The letter should state the reasons for the exclusion (it should explain clearly what has happened), the length of the exclusion (in school days) and the date and time when the student must return to school. Parents, guardians and carers will be invited to a readmission meeting at school; this is a good time to talk about any concerns and what can be done to help support the student.

Work will be provided for students by the school, where appropriate, using Microsoft Teams for support and to facilitate assessment. Where the exclusion is longer than 5 consecutive days the school will undertake coaching at home during the School Day or on School premises after the end of the timetabled school day. Where this isn't feasible, alternative arrangements will be put in place.

A student cannot be excluded from school for a period of more than 45 school days in any school year (either as a single sanction or cumulative).

### Long term fixed period exclusions

If a student has been excluded for 15 school days or more over a term (long-term fixed period exclusion), then the Governors' Disciplinary Committee must meet to review the exclusion between the 6 and 15 school days after the exclusion. The Discipline Committee can decide to uphold the Headteacher's decision or allow the student back to school (called reinstatement). If the student would miss a public examination, the governors will try to hold the meeting before the date of the examination.

The committee will have a clerk to record what is said and to ensure that everybody can state their case fairly.

### Short term fixed period exclusions

If the student has been excluded for between 5.5 - 15 school days in a term (adding together all the exclusions that term), the Governors' Discipline Committee will meet between the 6th and the 50th school day, but only if the parent, guardian or carer requests to do so to review the exclusion. Parents, guardians or carers are entitled to attend this meeting. Even if the student has returned to school, Governors can still say if they would have upheld the exclusion or not and place a statement of their views on record. The school will write to parents, guardians or carers with details and the arrangements for this meeting.

### **DURING AN EXCLUSION**

Although the school has made the decision to exclude a student, we maintain responsibility for the education of that student and will do everything that we can to minimise the disruption to their education.

For the first five days of any type of exclusion, the school will set and mark work that the student should complete at home under parental supervision.

From the sixth day onwards, if the exclusion is fixed-term, the school will arrange for alternative full-time educational provision. If the exclusion is permanent, the NFH will arrange for this provision having assessed the child's needs. Alternative provision might be arranged at:

- another school in the area
- a shared joint facility
- a pupil referral unit
- a private provider
- a local FE college.

If the student has a statement of special educational needs, the alternative provision will meet those needs. If the student has been excluded for up to 5 school days, then the Governors' Disciplinary Committee do not have to meet with parents, guardians or carers. However, they can make written representations if they wish which must be considered within 6 – 50 days of the decision to exclude. The decision will be placed on the student's file.

There is no right to an independent appeal for fixed period exclusions.

- Details of the exclusion will be entered on their school records.
- Parents, guardians and carers have a right to see a student's school record. If they would like to do so, they will need to contact the school direct.
- During the first 5 days of an exclusion, parent / guardians and carers must ensure that the student is not in a public place during normal school hours without good reason (This applies whether or not the parent is with the child). A failure to comply with this is an offence and you can be given a fixed penalty notice from the Local Authority.

### **PUPILS WITH SEND**

Our school's full SEN provision is outlined in our special educational needs policy. We work hard to accommodate students who have behavioural difficulties or difficulties with elements of social interaction as part of their SEN. The school will try every practical alternative to exclusion, but there may be some cases where it cannot be avoided.

If a permanent exclusion is made, the headteacher will use the time between the initial decision and the governing body's review to see whether a change of circumstances might enable the school to withdraw the exclusion. It may be the case that more support is needed for the student, or that it is in the child's best interest that their statement be changed to name a different school, in which case the school will work with the NFH and the student's parents, guardians or carers to make the transition as smooth as possible.

## **PUPILS WITH A DISABILITY**

If a pupil with a disability is under consideration for exclusion, the headteacher will ensure that all other possible outcomes have been tried. To justify excluding a pupil with a disability for a reason related to their disability, there must be material and substantial reason. The erosion of order and discipline in the school may be material and substantial justification, but only if reasonable adjustments have been made for the pupil's disability. You can find more information on reasonable adjustments in our school accessibility plan.

## **ALTERNATIVE BEHAVIOUR STRATEGIES**

### Internal exclusion

If a pupil needs to be removed from a lesson that is in progress, or a social situation, for disruptive behaviour or to calm down, it may be necessary to place that pupil elsewhere in the school. This may occur over break times and will be used in circumstances where it is not necessary to remove the pupil from the school site, but separation is needed. They will be placed in the school reflection room or somewhere where appropriate support and supervision can be provided.

### Mediation

If there is a conflict between two or more pupils, a member of staff will sit down with those involved and attempt to mediate the situation through discussion. This strategy may also be used if there is a conflict between a teacher and a pupil.

### Restorative justice

This strategy is dependent on the cooperation of all parties involved in an incident or situation and will usually be used where one person has done something to upset or harm another. It can be helpful for the offender to redress the harm that they have done and hopefully learn from their mistakes. It can also provide closure for those who have been harmed.

### Managed move

It may be in the best interest of a pupil to have a chance of a fresh start by moving to another school. This will only occur in consent with parents, the NFH, the headteacher, and the school's governing body. The new school will be asked by the headteacher to accept the pupil.

Parents will not be put under any pressure to agree to a managed move, especially in fear of a permanent exclusion, and the school will do everything it can to ensure that the transition is as smooth as possible.