

Graham School Exclusion Policy



Fixed Term Exclusion

'Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports headteachers in using exclusion as a sanction where it is warranted.' (DfE 'Exclusion from maintained schools, Academies and pupil referral units in England 2012)

The Headteacher is permitted to exclude a student for one or more fixed term periods not exceeding 45 school days in one academic year. After 45 days in an academic year, a permanent exclusion will be enforced. All decisions to exclude are serious and only taken as a last resort or where the breach of the school rules is serious. The following are examples where exclusion may be considered;

- Failure to comply with a reasonable request from a senior member of staff
- Breaches of health and safety rules.
- Verbal abuse of staff, other adults or students.
- Possession of drugs and/or alcohol related offences.
- Failure to comply with the requirements of the 'Internal Exclusion'.
- Willful damage to property.
- Homophobic or racist bullying.
- Bullying.
- Sexual misconduct.
- Theft.
- Smoking or vaping
- Making a false allegation against a member of staff.
- Behaviour which calls into question the good name of the school
- Persistent defiance or disruption.
- Minor assaults or fighting that is not premeditated or planned.
- Other serious breaches of school rules.

Procedures:

Decision

- Ensure that appropriate investigation has been conducted and relevant evidence considered
- Give the student the opportunity to be heard
- Exclusion request form completed

Having considered these matters, the Head teacher will make a decision based normally on the 'balance of probability, having regard to any current guidance from the LA and DfE.

Parents will be informed by the Director of Progress/SLT/inclusion staff by telephone giving the following information:

- Length and reason for exclusion
- Date and time of when student returns to school
- Arrangements for setting and marking work

Reintegration meetings are not compulsory but Graham School see this as good practice and will take place before the return from exclusion

Duties of Parents

Parents will be responsible for supervising their child during the first five days of any period of exclusion up to 5 days and will face a fixed penalty notice if their child is found in a public place in school hours without reasonable justification during this period.

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Permanent Exclusion -

A decision to exclude a pupil permanently should only be taken:

- in response to serious or persistent breaches of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or others in the school'.

(DfE 'Exclusion from maintained schools, Academies and pupil referral units in England 2012)

The headteacher will make the judgement, in exceptional circumstances, where it is appropriate to permanently exclude a child for a first or 'one-off' offence. These offences might include:

- serious actual or threatened physical assault against another student or a member of staff or visitor;
- sexual abuse or assault;
- supplying an illegal drug;
- possession of an illegal drug with intent to supply;
- carrying an offensive weapon;
- making a malicious serious false allegation against a member of staff;
- potentially placing students, staff and members of the public in significant danger or at risk of significant harm.
- Repeated or serious misuse of the School computers by hacking or other activities that compromise the integrity of the computer network, or are illegal in nature.

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the School community.

The headteacher may also permanently exclude a student for:-

- one of the above offences; or
- persistent disruption and defiance including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug or drug paraphernalia on school premises;

or

- an offence which is not listed but is, in the opinion of the headteacher, so serious that it will have a detrimental effect on the discipline and well-being of the school community.

The Headteacher reserves the right to make differing judgements than those suggested by this guidance.

Policy adopted: November 2017

Reviewed :

Next review Date: July 2019

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Pre exclusion: ask the LA for advice and, if in any doubt, consider fixed term exclusion pending further consideration, maintaining the right to make the exclusion permanent



Organisation following the exclusion – again, contact LA with any queries

- Immediate notification to parents/carers – type, length, reasons for exclusion (use model letters provided)
- Notification to Local Authority use appropriate notification form – within 1 school day or immediate if permanent
- Refer to Behaviour Collaborative or EMS if permanent exclusion *or* notify Home LA if not North Yorkshire
- Refer to Local Prevention Service to support family through the process (permanent exclusions only – Parental consent not required)
- If SEN EHCP/statement, contact the ARO for permanent exclusion to initiate interim review (multiple fixed term exclusions too)
- Carry out any on-going investigations – adult and pupil witnesses, excluded pupil statement, parental/carer viewpoint
- Offer the parents/carers access to the CAF process
- Make arrangements for setting and marking work for the first 5 days of the exclusion
- Make arrangements for educational provision from day 6 – if fixed term (LA arranges when permanent) – inform parents
- Notify clerk to governors and check that they are up to speed with their role: ‘Clerking A Pupil Discipline Committee’ (doc)
- Notify governors & arrange meeting of Pupil Discipline Committee (3), pupil, parents/carers, LA* - mutually convenient time
- Produce Headteacher report & gather all relevant documentation
- Circulate documentation, with agenda and list of those attending 5 school days prior to meeting – paper copies to parents
- Encourage excluded pupil and parents to attend the meeting

* Academies do not have to invite LA – parents can request LA representation at meeting, speak if panel requests

Documents- to be distributed - all parties must receive the same information

History of Challenging Behaviour/Provision – especially important if persistently challenging behaviour

- Record or plan of current provision/interventions/strategies/targets: IPM, IEP, or Risk Assessment
- Record and impact assessment of provision over time: Inclusion Passport
- Incident/response/rewards log
- Whole school provision map for behaviour

Records/reports related to the incident/exclusion

- Headteacher’s report – reason for the exclusion and the case behind this
- Statement from the excluded student – signed and dated – with Prevention Service support if necessary
- Witness statements from staff and students, LA pro forma available (if good reason for doing so, student versions can be anonymised prior to circulation, with signed, dated versions kept on file - may be required at Independent Review Panel)
- Local Authority Statement of Case – the exclusion in how it relates to the guidance

Policies (or sections of policies) - as relevant to the specific exclusion/student

- E.g. Behaviour/exclusion, SEND, Anti-bullying, Drugs, Restrictive Physical Intervention, Single Equalities Scheme

On the day – most of this is for the clerk and governors to organise

- Arrange the room so that the pupil and parents do not feel intimidated
- Have a spare set of papers available in case family do not bring their set to the meeting
- Allow reading time for any papers that have not been circulated prior to the meeting
- Only the governors and clerk meet prior to the start of the meeting – everyone else remains outside the room
- Allow time for parents to arrive if they are not present at the start – try to contact to remind/check attendance (clerk)
- Introduction by the Chair – stick to the agenda with clerk taking notes
- Encourage pupil to contribute to the meeting
- All leave the room, except clerk, whilst governors deliberate and come to their decision
- Outcome can be fed back at the time **and/or** via written notification – same day or second working day if posted
- If upheld, the letter of notification must advise on the parents’ right to request an independent review of the decision plus right to request for an SEN expert to be present at the Independent Review Panel for a Permanent exclusion



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