

Handsworth Grange Community Sports College

Exclusions Policy



Current Policy as of: September 2018

LT Responsibility: Sally Ruczenczyn

Governor Committee: Pupil Wellbeing

INTRODUCTION

The Minerva Learning Trust (MLT) asks all partner schools to adopt and use this policy unless a partner school and the Minerva Learning Trust have discussed and agreed alternative procedures that they both agree would better suit the partner school's particular circumstances.

Any reference in this policy to the Governing Body or the school relates to the independent governing bodies and schools of all Minerva Learning Trust partners. Partner schools and their respective Governing Bodies have full delegated powers from the Trust and have responsibility for the operational implementation of the policies and their associated procedures. They are encouraged to seek advice and support from Minerva Learning Trust on matters of policy and procedure in circumstances where decisions may potentially impact on the Trust as a whole, e.g. dismissing staff or making staff redundant. In such circumstances, at least one member of the relevant panel should be a member of the Trust.

At Handsworth Grange Community Sports College we expect all pupils to behave in a manner which encourages and motivates all to learn effectively. Pupils who are not meeting our expectations will be dealt with appropriately in order to help them address their behaviour or attainment issues. The standards of behaviour and expectations are set out clearly in the Home –School Agreement, which ALL partners are expected to sign, and our sanctions and rewards system which clearly reinforces the high expectations required from all pupils.

The first page of our Home – School Agreement states that:

'The school is a community in which ALL members are expected to treat each other with respect, consideration and courtesy.'

The policy will be reviewed annually.

LINKS

The exclusion policy should be read in tandem with the other policies listed below:

Behaviour for Learning Policy:

Searching pupils and Confiscation Policy

Anti - Bullying Policy

Detention Policy

Safeguarding& Child Protection Policy

The policy follows the guidance and legislation set out in:

The school Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012' and the DFE *Exclusions from maintained schools, Academies and pupil referral units in England* guide which refer to the following Education Acts:

The Education Act 2002, as amended by the Education Act 2011

The School Discipline (pupil Exclusions and Reviews (England) Regulations 2012

The Education and Inspectors Act 2006 and

The Education (Provision of Full-Time Education for Excluded pupils) (England) Regulations 2007

AIMS and OBJECTIVES

- The purpose of the policy is to briefly outline the schools approach to exclusion within the statutory framework as defined in *'The school Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012'* and the DFE *Exclusions from maintained schools, Academies and pupil referral units in England* guide.
- It outlines only where the school applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the school.
- To ensure there is a fair, reasonable, rigorous and robust system for dealing with exclusions consistently across school.

PRINCIPLES:

- Exclusion is a sanction used by the school only in cases deemed as serious breaches of the school behaviour policy. *(See appendix 1 for good practice guide for considering exclusions)*

A pupil may be at risk of exclusion for:

- I. Behaviour that places the pupil or others in danger.
 - II. Setting off the fire alarm other than in an emergency.
 - III. Any form of physical or verbal abuse, including gathering in a large group intending to intimidate others.
 - IV. Bringing into school any harmful or illegal substances, including tobacco, matches and lighters, alcohol and fireworks.
 - V. Bringing on the school premises any type of weapon, including any type of knife / penknife or any type of gun, including toy guns and replicas. This also applies to travel to and from school.
 - VI. Serious verbal abuse / foul language directed towards staff.
 - VII. Direct and continual refusal to follow reasonable requests.
 - VIII. Serious theft
 - IX. Serious racism
 - X. Serious bullying and or intimidation
 - XI. Malicious allegations against a member of staff.
 - XII. Continued breaches of the school behaviour policy.
 - XIII. Serious physical assault against another person (pupil or member of staff)
 - XIV. Any other extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.
 - XV. Poor behaviour of a pupil outside of school.
- Having agreed that the offence committed fits one or more of the above criteria further considerations will influence any decision about the exclusion these include:
 - I. The pupil's previous record
 - II. The threat to the safety and welfare of other pupils.
 - III. The threat to the safety of staff
 - IV. The effect on other pupils in terms of their learning entitlement.
 - V. The precedents – how other pupils have been treated in similar cases (when appropriate)

- VI. The threat to the school standards and behaviour.
- VII. The threat to the image of the school within the local community.
- The above considerations will also determine whether the exclusion is for a fixed term or a permanent exclusion.
 - When establishing facts in relation to the exclusion the head teacher must apply the civil standard of proof i.e. 'on the balance of probabilities' it is more likely than not that the fact is true, rather than the criminal standard of 'beyond reasonable doubt'
 - A pupil may be excluded for one or more fixed periods up to 45 school days in an academic year or permanently.
 - **A fixed term Exclusion** from school can only be authorised by the Head Teacher or one of the Deputy Head Teachers acting on their behalf. If none are available to authorise the exclusion a decision should be deferred until the opportunity for authorisation is available. *(See Appendix 2 for flow chart for fixed term exclusion).*
 - In the case of a **permanent exclusion** this can only be authorised by the Head Teacher and must only be done after consulting the Chair of Governors of the intention to impose this sanction, although the final decision rests with the Head Teacher of the school. *(see Appendix 3 – Flow chart for permanent exclusion).* Once the Head Teacher has decided on a permanent exclusion the pupil and parents will be informed in writing, a face to face meeting may be called or a phone call made where this is not possible.
 - Heads of Year should use the Exclusion checklist to ensure all aspects related to exclusion have been covered.
 - The **governor panel** will meet to hear the case of the **permanent exclusion** from both the school and the parents and upon hearing the evidence presented they will decide to overturn or uphold the permanent exclusion.
 - A governor panel must consist of at least 3 governors and have representation from the parents, the Head Teacher and a representative from the LA.
 - All relevant parties will be notified of this meeting and they will receive all the relevant paperwork at least 5 days before the governor panel is due to meet.
 - Where parents dispute the decision of the governing body not to reinstate a PX pupil they can ask for the decision to be reviewed by an independent review panel. The independent panel cannot direct the governing body to reinstate but they can ask for the decision to be reconsidered.
 - The school seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the school *(See Behaviour for Learning policy).*
 - The school regularly monitors the number of fixed term and permanent exclusions to ensure that no group of pupils is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met. Reports are sent to the LA and presented to the governing body at least termly.

NOTIFICATION OF EXCLUSION (SEE APPENDIX 5 - EXCLUSIONS PROCESS FLOWCHART)

- Parents will be notified as soon as possible of the decision to exclude a pupil and the reason for the exclusion. This will be done on the day of the exclusion being authorised by either direct phone contact or a face to face meeting. A written confirmation of the reasons for the exclusion will be sent to parents the same day.
- Work will be provided by school for the pupil to complete during the fixed term exclusion period. This should be completed by the pupil and returned to school for marking and feedback.

- Pupils who are excluded will also have the reason for exclusion explained to them so that they understand the nature of their misbehaviour.
- All exclusion paperwork will be completed by the relevant Head of Year. Letters will then be prepared by the office staff and all documents linked into pupils files via Sims.
- Copies of documents for fixed term and permanent exclusions should be forwarded to the authority immediately. Sarah Kelly will be informed immediately of all permanent exclusions.
- In the case of a permanent exclusion a risk assessment and referral form should be completed and sent to Sarah Kelly along with an up to date CAF to enable the authority to provide suitable education on the 6th day of the exclusion.

PUPILS RETURNING FROM A FIXED TERM EXCLUSION

- All pupils returning from fixed term exclusion are required to attend a reintegration meeting, accompanied by a parent. This meeting will seek to establish practical ways in which further exclusions can be avoided and behaviour modified to acceptable standards in partnership between pupil, parents and school. (*see re admission paperwork*).
- In some instances, on the return from fixed term exclusion pupils will be required to attend the Learning Centre so that a phased reintegration of the pupil can take place.

APPEALS (SEE APPENDIX 4 FLOW CHART FOR EXCLUSION APPEALS)

- All correspondence regarding exclusion will inform parents of their right to appeal to the Governing Body against the decision to exclude. The procedure is clearly set out in the statutory guidance.
- The person who should be contacted to initiate an appeal is the clerk to the governors

APPENDICES:

Taking Statements

Equality Impact Assessment (EIA)



Approved by

Governor: **Date:**

Signature: