



All Souls' Catholic
PRIMARY SCHOOL

EXCLUSION POLICY

JULY 2022

<u>Review Programme:</u>	
Ratified by Governors at:	Fully Governing Body Meeting 06/07/2022
Date for next review:	September 2024
Signed – Chair of Governors: <i>Shirley Langford</i>	<i>S. Langford</i>
Signed – Headteacher: <i>Andrew Cooke</i>	<i>A. Cooke</i>

All Souls' Catholic Primary School

Exclusion Policy

(see also Behaviour Policy)

Rationale

It is a primary aim of our school that every member of the school community feels valued and respected, and that each person is treated fairly and well. We are a caring community, whose values are built on mutual trust and respect for all. The school's exclusion policy therefore works in conjunction with the behaviour policy to promote good relationships so that its members can live and work together with the common purpose of helping everyone to learn. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

- to ensure the safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed
- to realise the aim of reducing the need to use exclusion as a sanction

Introduction

The decision to exclude a student will only be taken in one or more of the following circumstances:

- In response to a serious breach of the school's Positive Behaviour Policy
- Where continuous breaches of the behaviour policy and subsequent sanctions have not resulted in an improvement in behaviour
- If allowing the student to remain in school would seriously harm the education or welfare of the student or others in the School

It is recognised that Exclusion is a 'last resort' and can only be sanctioned by the Headteacher

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 of staff or others
- Verbal abuse of pupils
- Physical abuse/aggression directed towards staff
- Physical abuse/aggression directed towards pupils
- Indecent behaviour
- Damage to school property or the property of another
- Misuse of illegal drugs or other substances
- Theft
- Serious actual or threatened violence towards a member of staff or pupil
- Sexual abuse or assault
- Possession of or supplying an illegal drug
- Carrying or bringing onto the school site 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.

The above list is not exhaustive and there may be other situations where the Headteacher makes the judgment that exclusion is the appropriate sanction.

Exclusion procedure

Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).

The DfE regulations allow the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year.

The Governors have established arrangements to review promptly all permanent exclusions from the school and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term or missing a public examination.

The Governors have established arrangements to review fixed term exclusions which would lead to a student being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.

Following exclusion, parents/carers are contacted immediately where possible. A letter will be provided to the parents 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 a member of the Senior Leadership Team and other staff where appropriate.

A fixed term exclusion will usually take the form of the student being required to remain at home.

During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on the School premises, and that daytime supervision is their responsibility, as parents/guardians.

Permanent Exclusion

The decision to exclude a student permanently is a 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 offences 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 would include racist or homophobic bullying) or 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 student for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another student 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."

Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. School can seize any prohibited item as a result of a search. See DfE searching, screening and confiscation policy.

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.

General factors the School considers before making a decision to exclude

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the Pupil Behaviour Policy and the Single Equalities Plan.
- Allow the student to give her/his version of events.
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

If the Headteacher is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion will be the outcome

Exercise of discretion

In reaching a decision, the Headteacher will always look at each case on its 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

- a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the school's Behaviour Policy and
- b) the effect that the student remaining in the school would have on the education and welfare of other students and staff.

In line with its statutory duty, these same two 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. This Committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the student's school record, witness statements and the strategies used by the school to support the student prior to exclusion.

Lunchtime Exclusion

Students 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 of School

Schools have the power to discipline pupils for misbehaving outside of the school premises "to such an extent as is reasonable" as set out in 'Behaviour and Discipline in School' (DfE, 2016)

The school may discipline pupils for:

- misbehaviour when the pupil is:
 - taking part in any school-organised or school-related activity or travelling to or from school or
 - wearing school uniform or
 - in some other way identifiable as a pupil at the school.
- or misbehaviour at any time, whether or not the conditions above apply, that:
 - could have repercussions for the orderly running of the school or
 - poses a threat to another pupil or member of the public or
 - could adversely affect the reputation of the school.

In such incidents if the behaviour of a pupil outside of school meets the school criteria for exclusion then the Head 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 seek advice from the LA's Drugs Education Advisor. The decision will depend on the precise circumstances of the case and the evidence available. In some cases fixed term exclusion will be more appropriate than permanent exclusion.