



EXCLUSION POLICY 2008-09

Context

This policy is concerned with Ratton School's approach to exclusions and should be seen in the context of our Behaviour Management and Inclusion Policies.

This policy has been written with due regard to "Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units - 2008".

A student may be excluded when "there is sufficient evidence that a pupil has committed a disciplinary offence and if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. In these circumstances the pupil may be excluded from school for a fixed period or permanently."

"In most cases permanent exclusion will be the last resort after a range of measures have been tried to improve the pupil's behaviour."

There will, however, be exceptional circumstances where, in the head teacher's judgment, it is appropriate to permanently exclude a child for a first or 'one off' offence. These might include:

- a) serious actual or threatened violence against another pupil or a member of staff;
- b) sexual abuse or assault;
- c) supplying an illegal drug; or
- d) carrying an offensive weapon.

Regulations allow head teachers to exclude a pupil for one or more fixed periods which, when aggregated, do not exceed a total of 45 school days in any one school year.

Where a pupil is given a fixed period exclusion of six school days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day of the exclusion.

2008 Guidance

Status	Non Statutory
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Purpose

Exclusions are only for serious offenses. See appendix 2 for a list of DCSF Codes for excludable offenses.

Before deciding whether to exclude a student, either permanently or for a fixed period, the head teacher should:

- ensure that a thorough investigation has been carried out;
- consider all the evidence available to support the allegations;
- allow and encourage the student to give their version of events;
- check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment;
- if necessary, consult others;
- keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the student concerned. Witness statements must be dated and should be signed, wherever possible.

In general, Ratton will exclude from school only in the most extreme circumstances. Fixed-term exclusion indicates that a student is in real danger of being permanently excluded. For all other serious breaches of discipline Ratton will exclude on-site using the Turnaround Centre - students excluded on-site will be supervised in the centre from 11.40am-5pm. Should a student fail to complete internal exclusion satisfactorily then fixed-term exclusion will be applied. As with any fixed-term exclusion this indicates that a student is in danger of permanent exclusion, and in these cases BSS involvement and Governors' Disciplinary Committee meetings will be necessary.

At Ratton we operate a stepped approach to on-site exclusions. For a first offense where exclusion is believed to be necessary, the minimum appropriate number of days will be applied. However, if a student offends again, the number of days given will normally be greater than the previous exclusion - subject to consideration of conduct since the previous exclusion.

The School will always consider whether any alternatives to exclusions are appropriate, these include:

- **Restorative Justice** which enables the offender to redress the harm that has been done to a 'victim', and enables all parties with a stake in the outcome to participate fully in the process;
- **Mediation** through a third party - usually a trained mediator - is another approach that may lead to a satisfactory outcome, particularly where there has been conflict between two parties e.g. a student and a teacher, or two students;
- **Internal Exclusion** which can be used to defuse situations that occur in school that require a student to be removed from class but may not require removal from the school premises;
- **Managed Move** to another school to enable the student to have a fresh start in a new school.

Relationship to Other Policies and Procedures

Relationship to other policies	<ul style="list-style-type: none"> • Behaviour Management, Inclusion, SEN, Anti-Bullying
Relationship to Standard Operating Procedures	<ul style="list-style-type: none"> • Exclusions Quick Guide • Turnaround Quick Guide • 2008 DCSF Guidance: Improving Behaviour and Attendance - Guidance on Exclusion from Schools and Pupil Referral Units

Consultation

Staff, Governors, Students, and Parents

Roles and Responsibilities

Role	Responsibility
Governors	<ul style="list-style-type: none"> • Establish this policy • Monitor and review the effectiveness of this policy • Set up Governors' Disciplinary Committees to review fixed-term or permanent exclusions in line with statutory requirements and timescales given in the Standard Operating Procedures
Headteacher	<ul style="list-style-type: none"> • Ensure structures are in place to support the effective implementation of this policy • Consult on this policy • Be the ultimate decision maker for all cases of fixed-term or permanent exclusions
Core Leadership	<ul style="list-style-type: none"> • Have oversight of pre-exclusion investigations • Advise Headteacher on exclusions on a case-by-case basis • Have oversight of the exclusion and readmission process
Care and Guidance	<ul style="list-style-type: none"> • Conduct pre-exclusion investigations • Have oversight of the exclusion and readmission process
AHT Inclusion	<ul style="list-style-type: none"> • Ensure incidents are fully investigated • Ensure all administration is carried out • Ensure that internal exclusion is carried out according to stated procedures • Manage Turnaround Centre in order to reduce external exclusions and improve behaviour, ensuring that appropriate academic and pastoral work is carried out • Ensure appropriate liaison with parents takes place • Work with the CSA and other appropriate agencies where permanent exclusion or alternative arrangements need to be considered
Care & Guidance Managers	<ul style="list-style-type: none"> • Carry out investigations and keep written records of these • Participate in entry and exit arrangements for exclusions • Complete CAF forms when BSA involvement is required • Set up and carry out mediations where appropriate
Turnaround Staff	<ul style="list-style-type: none"> • Work with internally excluded students to ensure minimal loss of learning and to improve their future behaviour
Clerk to Governors	<ul style="list-style-type: none"> • Administer Appeals Process
Chair of Personal Development Committee and Disciplinary Committee	<ul style="list-style-type: none"> • Manage Appeals • Manage and serve on Disciplinary Committees to review exclusions as per the Guidance
All Staff	<ul style="list-style-type: none"> • Provide evidence of pre-exclusion investigations • Participate in mediation where appropriate

Arrangements for Monitoring and Evaluation

- AHT Inclusion will monitor the day-to-day work of staff within the Turnaround Centre
- Core Leadership will monitor the effectiveness of this policy by reference to appropriate data provided by Inclusion Manager
- Learning Leaders will monitor the achievement data of excluded students, highlighting those in need of additional support
- Chair of Governors and Chair of Personal Development Committee will receive copies of all exclusion letters
- Disciplinary Committees review exclusions as per the guidance

Date established by Governing body:	May 2008
Date for full implementation:	May 2008
Date of review:	May 2010

ANNEXES

ANNEX 1 - RESPONSIBILITIES OF THE SCHOOL

The decision to exclude

A decision to exclude a student should be taken only:

- in response to serious breaches of the school's Behaviour Policy; and
- if allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

A decision to exclude a student **permanently** will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies. There will, however, be exceptional circumstances where, in the head teacher's judgement, it is appropriate to permanently exclude a student 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.

Length of fixed period exclusions

The regulations allow head teachers to exclude a student for one or more fixed periods not exceeding forty five school days in any one school year. Individual fixed period exclusions should be for the shortest time necessary.

When deciding the length of fixed term exclusion the Headteacher should consider:

- The seriousness of the offence;
- Any mitigating circumstances - such as provocation and including whether the student is SEN, disabled, or looked after;
- Previous record. We normally appropriate a cumulative approach, with a rising tariff for repeated fixed term exclusions, irrespective of the seriousness of the offence.

Involving Parents

- Whenever a head teacher excludes a student, the parent must be notified immediately, ideally by telephone followed up by a letter within one school day.
- The reintegration meeting with parents should be an opportunity to discuss how best the student can return to school.
- If the school considers that parental influence could be better brought to bear in improving the behaviour of the student who has been excluded, they should consider whether it may be appropriate to offer a (voluntary) parenting contract.
- If the exclusion is the second fixed period exclusion (for serious misbehaviour) within a twelve-month period and the parent is unwilling to engage with the school, the LA may consider applying to the court for a parenting order to compel the parent to comply with certain requirements including attendance at parenting classes.
- If a parent does not comply with an exclusion, the school should consider whether to contact the Education Welfare Service and seek the advice of the LA about available legal remedies.

Lunchtime exclusions

Students whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. A lunchtime exclusion is a fixed period exclusion (deemed to be equivalent to one half of a school day).

Behaviour outside school

Students' behaviour in the immediate vicinity of the school, or outside school on school business, should be dealt with as if it had taken place in school. For behaviour outside school but not on school business, a head teacher may exclude a student if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole.

Informing the Governing body and the LA

Within one school day the head teacher must inform the Governing body and the LA of:

- Permanent exclusions;
- Exclusions which would result in the student being excluded for more than five school days (or more than ten lunchtimes) in any one term;
- Exclusions which would result in the student missing a public examination.

ANNEX 2 - RESPONSIBILITIES OF THE GOVERNING BODY

Discipline Committee

The Governing body has delegated all its functions to a Discipline Committee. The quorum for a Discipline Committee meeting is three members. If any governor has a connection with the student, or knowledge of the incident that led to the exclusion that could affect his or her ability to act impartially, he or she should step down.

Procedures for reviewing exclusions

Governing bodies must review all permanent exclusions from their school, and all fixed period exclusions that would result in a student being excluded for more than 15 school days in any one term, or missing a public examination.

There is no legal requirement for the Headteacher to inform the governing body of short fixed period exclusions (i.e. those of up to and including 5 school days in total in any one term) as they occur, with the exception of such an exclusion which would result in the pupil missing a public examination. However, at Rotton the Chair of Governors and Chair of the Disciplinary Committee are sent copies of all exclusion letters. The Governors' Personal Development Committee review exclusions 3 times a year.

Procedures for appeals

Governing bodies must also review fixed period exclusions which would result in the student being excluded for more than 5 school days but not more than 15 school days in any one term, where the parent has expressed a wish to make representations.

The LA must make arrangements for Independent Appeal Panels to hear appeals against permanent exclusions where the governing body upholds the exclusion.

See Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units - Section 5 for detailed guidance on conducting Discipline Committee meetings