



# STUDENT EXCLUSION POLICY

## Mission Statement

We are an inclusive Community School, proud to be valued citizens serving the borough of Rochdale.

We provide a captivating learning experience and foster a culture of the highest expectations for all.

We ensure every individual is challenged, motivated and inspired to be the absolute best they can be in all that they do.

## Values

We take pride in our values that govern everything we are and everything we do. We believe in doing “our best always, everywhere”. This means that:-

- We always strive to be the best we can be
- We always challenge ourselves to do better in all that we do
- We show courage, determination and resilience especially in the face of adversity

**Date signed by Chair of Governors**  
**December 2019**

**Date to be reviewed :**  
**December 2021**

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Oulder Hill Community School is an inclusive school committed to equal opportunity for all. A pupil will only be excluded when other strategies and sanctions have not been effective over time, or when there has been a single, clear and serious breach of discipline, or if allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil, or others in the school.

## General

This is a governing body policy. The governors have made and published a RESPECT Character and Culture code: a policy to impact on behaviour. In this policy the governors have determined that student exclusion in appropriate circumstances is a sanction that could and should be used in the school.

The governing body has taken account of the DFE advice contained in 'Exclusion from maintained schools, Academies and pupil referral units in England: A guide for those with legal responsibilities in relation to exclusion.'

The Headteacher and members of the school Pupil Disciplinary Committee are expected to acquaint themselves fully of their duties under the policy, and the relevant DFE guidance.

## Aims

The policy aims:

- to ensure that exclusion is used appropriately within the framework of the school's behaviour policy;
- to use its best endeavours to ensure that the school does not interfere with the continuous education of a student beyond what is necessary to modify behaviour;
- to give appropriate support to the Head in exclusion issues;
- to discharge appropriately its statutory duties concerning the consideration of re-instatement of excluded students.

## Procedures

*These procedures follow the statutory advice in "Exclusion from maintained schools, Academies and pupil referral units in England. – September 2017"*

## The Decision to Exclude

1. Students should only be excluded:

- *"In response to a serious breach, 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 pupil or others in the school."*

**At Oulder Hill Community school, the following infractions of the RESPECT code may warrant exclusion. This list is not exhaustive and other infractions may be considered for exclusion. The Headteacher will make the final decision.**

- **Physical assault against a pupil (PP)**

- This includes any fights or assaults that may occur outside the school grounds.
- **Physical assault against an adult (PA)**
  - This includes any aggression or assaults against staff, parents or members of the community.
- **Verbal abuse/threatening behaviour to a pupil (VP)**
  - This includes any incidents outside the school grounds
- **Verbal abuse/threatening behaviour against an adult (VA)**
  - This includes any incidents directed at staff, parents or members of the community.
- **Bullying (BU)**
  - This includes cyber bullying, bullying against any of the 9 protected characteristics in the Equalities Act 2010, and encouraging others to bully either in person or over social media.
- **Possession of Weapon/Dangerous object (PO)**
- This includes anything being used as a weapon
- **Racist abuse (RA)**
- **Sexual misconduct (SM)**
  - This includes any form of sexual aggression, verbal, online or physical against another person.
  - This includes any inappropriate sexual act.
  - This includes viewing or distributing inappropriate sexual text or images.
  - This includes any other form of indecent behaviour.
- **Drug and alcohol related (DA)**
  - This includes the possession, supply or misuse of illegal drugs.
  - This includes the possession, supply or misuse of other substances such as alcohol, cigarettes, tobacco or E-Cigarettes.
  - This includes smoking or vaping on site.
- **Damage (DM)**
  - This includes damage to the building, school property and any persons' property.
- **Theft (TH)**
- **Persistent disruptive behaviour (DB)**
  - This includes repeatedly refusing to follow instructions
  - This includes unacceptable behaviour which has previously been reported and for which School sanctions and other interventions have not been successful in modifying the student's behaviour.
  - This includes repeated non-compliance with uniform regulations.
- **Other (OT)**
  - This includes any act which endangers the safety and/or welfare of staff, students and the community such as arson, setting off fireworks, setting the fire alarm off maliciously.
  - This includes bringing the school into disrepute.
  - Making a false accusation against a member of staff.

2. Only the Headteacher can exclude, or the Deputy in charge on the day, if he/she is absent from school.

#### **Factors to be considered before an exclusion**

1. an appropriate investigation has been conducted;
2. all the relevant evidence has been considered;
3. the student's version has been heard; and
4. if appropriate, other people have been consulted (not a member of the Pupil Discipline Committee).

Having considered these matters the Headteacher will make a decision based normally on the balance of probability, having regard to any current guidance from the Department.

## **Alternatives**

For example:

1. a restorative justice process – whereby the harm caused to the ‘victim’ can be redressed;
2. internal exclusion (removal from class, but not the site);
3. a managed move to another school;
4. a period of exclusion in a partner school.

## **When Exclusion Is Inappropriate**

In cases of:

- minor breaches of discipline;
- poor academic performance;
- truancy or lateness;
- pregnancy; and
- in response to the (unacceptable) behaviour/attitude/conduct of a student’s parents.

Exclusions can either be for a Fixed term or Permanent.

Indefinite exclusions are not permissible by law.

## **Fixed Term Exclusion**

The Headteacher is permitted to exclude a student for one or more fixed term periods not exceeding 45 school days in any one school year. The school will continue to provide education for an excluded student (whilst he/she remains on roll) and, particularly in the case of an exclusion of more than 5 days, the Headteacher in consultation with the relevant members of staff will consider the following:

- how the student’s education will continue;
- how his/her problems might be addressed in the interim; and
- reintegration post-exclusion.

## **Procedures for Excluding a Student**

### **1. Informing Parents About the Exclusion**

The Year manager/ pastoral officer will inform parents/carers without delay (by telephone) and should be given the following information;

- in cases of fixed term exclusions, the length of the exclusion;
- in cases of permanent exclusion, that it is a permanent exclusion;
- the reason for the exclusion;
- their right to make representations to the Pupil Discipline Committee;
- the name of the person to be contacted, if they wish to make representations.

A letter to parents should be sent as a follow up to the phone call. The letter to parents should also state:

- in the case of permanent exclusions, the latest date by which the Pupil Discipline Committee must meet to consider the issues;

- the parent's right of access to the student's school record;
- the date and time when the student should return to school (with a fixed term exclusion) or the number of lunch-times for which the student is excluded (with lunch-time exclusions);
- the date and time of the return to school meeting which the parent/carer must attend;
- with a permanent exclusion, its immediate effect and any relevant previous history;
- arrangements for the setting and marking of work (it is the parent's responsibility to ensure that work sent home is completed and returned to school);
- the name and telephone number of the LA officer to be contacted for advice; and
- the telephone number of ACE (the Advisory Centre for Education).

The school will use model letters in the DFE Guidance 'Improving Behaviour and Attendance', as exemplars.

## **2. Informing the Pupil Discipline Committee and the LEA**

The Headteacher will inform the Governors' Pupil Discipline Committee and the LA within one school day of:

- permanent exclusions;
- exclusions totalling more than 5 school days or 10 lunch-times per term;
- exclusions necessitating a student missing a public examination; and

The Headteacher must include the following in his/her exclusion report;

- the name of the student;
- the duration of the exclusion;
- the reason(s) for the exclusion;
- the student's age, gender and ethnicity;
- whether the student is statemented or is on School Action or School Action Plus; and
- whether he/she is in Local Authority care.

## **The Responsibilities of the Pupil Discipline Committee**

### **1. The Pupil Discipline Committee**

The governing body will appoint a Pupil Discipline Committee to review any permanent exclusions. They will hear representations from parents/carers. The governors have decided that for exclusions under 6 days only written representations will be accepted.

The Committee will consider whether reinstatement is a practical option;

- The Committee may consider more than one exclusion at any one meeting where appropriate
- in cases where a student will miss a public examination as a result of exclusion, the Discipline Committee should endeavour to meet before the date of the examination. In extremes with fixed term exclusions, the Chair of the Committee may consider the exclusion on his/her own and may reinstate.

## **2. Pupil Discipline Committee Meetings relating to Exclusions**

a) On being informed of an exclusion by the Headteacher, the clerk or chair must:

- with fixed term exclusions totalling fewer than 6 school days in one term, convene a meeting of the Pupil Discipline Committee to consider representations from the parents (if these have been made), but the student cannot be reinstated;
- in the case of fixed term exclusions totalling more than 5, but not more than 15 school days, in any one term, convene a meeting to review the exclusion if the parents have asked to make representations between the 6<sup>th</sup> and the 50<sup>th</sup> school day after being notified of the exclusion;
- in cases of permanent exclusion or where one or more fixed term exclusions add up to more than 15 days in any one term, arrange a meeting to review the exclusion between the 6<sup>th</sup> and the 15<sup>th</sup> school day after being notified of the exclusion;
- invite the parent, Headteacher and an LA officer to attend at a mutually convenient time and place;

and **should endeavour to:**

- request written statements before the meeting; and
- circulate any such written statements (including any statements from witnesses) and a list of those due to attend in advance to all interested parties.

b) The meeting should be conducted in accordance with the principles set out in Part 4 (cf. below). The parent may be accompanied by a friend or a legal representative. The excluded student would usually be allowed to attend and to speak if the parent/carer requests this.

c) The Committee must comply with the statutory time limits, but is not absolved of its legal duties in the event of non-compliance (i.e., its decision remains valid even if it was made out of time).

### **Liaison with Parents/Carers**

At all stages the Headteacher is expected to seek parental co-operation.

### **Drug-related Exclusions**

Any decision to exclude must be based on the criteria spelled out in the school's drug policy (which also cover the school's approach to legal drugs).

### **Lunchtime Exclusion**

The Headteacher can exclude a disruptive student for the duration of lunch breaks.

### **Permanent Exclusion**

A decision to exclude a student permanently, as befitting its gravity, should only be considered as a last resort when a wide range of strategies for dealing with disciplinary offences has been employed to no avail or if an exceptional 'one-off' offence has been committed.

SEE PAGE 3: The decision to exclude

## **Off-site Behaviour**

In certain circumstances at the discretion of the Headteacher the school will treat poor behaviour off-site as though it occurred on the premises.

## **Equal Opportunities**

In making decisions about exclusions the Headteacher and Pupil Discipline Committee will take into account any special educational needs, disabilities, gender, and cultural differences that may be relevant to the case. The Headteacher will consider the advice in the DFE 'Improving Behaviour and Attendance', and any published codes of practice.

## **Monitoring and Review**

The Head will report at least annually on the number and type of exclusions and their outcome.

## **Student Exclusion Protocol**

1. Year manager to thoroughly investigate the incident by collecting statements, reviewing CCTV, interviewing staff. All statements must be witnessed, signed and dated.
2. Student is brought to the REFLECTION room and writes their statement. If the student refuses to write a statement, a blank statement form should be filled out with the correct name, date and time and the person taking the statement should sign it and indicate that the student has waived their right to make a statement.
3. Year manager discusses case with AHT (Pastoral) and together they make a recommendation.
4. Year manager fills out relevant exclusion form (External, Internal, Partner school) and passes to the AHT.
5. DHT/AHT authorises internal exclusions and partner schools.
6. External exclusion forms should be handed to the DHT (Pastoral). If DHT agrees, the paperwork is submitted to the main office.
7. Year manager calls parents and informs of decision and makes arrangements for the child to be collected, if applicable.
8. Head teacher checks completed paperwork and makes final decision.
9. Reintegration meeting arranged with parents of excluded child.

## **Re-integration meetings:**

**All exclusions should lead to a reintegration meeting:**

**Internal exclusions: appropriate member of SLT (AHT) should lead the meeting but may request a Year Manager or other suitable person to be present.**

**External exclusions: appropriate member of SLT (DHT/AHT) should lead the meeting but may request a Year Manager or other suitable person to be present.**

At reintegration meetings, all relevant paperwork (Behaviour record, anonymised witness statements etc) should be used as evidence to support the case. In addition, a parental guide to good behaviour should be given to the parents to explain the school's legal powers. In some cases, contracts of good behaviour should be drawn up so that the child is clear about what is expected. The meeting should also investigate further support that the child may need in changing their behaviour.