

TEIGN SCHOOL

EXCLUSION POLICY

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	Monitoring review date:	April 2023
	Reviewing Committee	Governing Body's Behaviours & Attitudes Group

Other Policies

This policy should be read in conjunction with the following:

Celebration of Success & Behaviour Policy



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1. SUMMARY

- 1.1 As a Rights Respecting School, Teign School requires everyone to show respect, tolerance and understanding towards others. The School's management of behaviour is set out in the Celebration of Success & Behaviour Policy.
- 1.2 Disciplinary procedures within the Celebration of Success & Behaviour Policy identify the appropriate action to be taken when a student's behaviour fails to meet the requirements of the School's policy.
- 1.3 The decision to exclude a student rests with the Headteacher. The decision to exclude will be made in accordance with the principles outlined in section (4) of this policy.
- 1.4 A disciplinary sub-committee of the Governors will meet to review any exclusion which is permanent.
- 1.5 The School may advise the police, youth offending teams or social workers of any criminal activity; this includes racist incidents that are categorised as crimes.

2. SCOPE

- 2.1 This applies to all Teign School students.

3. RESPONSIBILITIES

- 3.1 The implementation of this policy will be monitored by the Governors of the School and remain under regular review.

4. PRINCIPLES

Article 28: (Right to education): For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child's human dignity.

- 4.1 The School is committed to treating its students fairly and with the same respect and consideration as adult members of the School.
- 4.2 The School has a series of high expectations for behaviour, based on individual responsibility and mutual respect in order to generate an environment where positive relationships between students and staff are encouraged to flourish. These expectations are set out in the Celebration of Success & Behaviour Policy.
- 4.3 The School will seek to put in place a range of intervention strategies which minimise the need for fixed period exclusions or permanent exclusions. Examples of these strategies include: Mentoring, screening for underlying special needs and where appropriate beginning an SEN Graduated Response, the use of individual behaviour

and pastoral plans, temporary placement at another provision (eg. Chances), the involvement of appropriate external agencies, following the Early Help referral process as required or a managed move.

- 4.4 Decisions to exclude a student for a fixed term period will only be taken on the balance of probabilities in response to breaches in the School's Celebration of Success & Behaviour Policy.

These breaches can occur:

4.4.1 On the School premises, during or outside normal school working hours;

4.4.2 At another educational establishment to which the student has been directed by the School;

4.4.3 On School visits, trips and activities; or

4.4.4 Outside of the School.

- 4.5 Decisions to permanently exclude a student will only be taken in response to serious breaches of the School's Celebration of Success & Behaviour Policy and/or if the decision for the student to remain would seriously harm the education or welfare of another student.

These breaches can occur:

4.5.1 On the School premises, during or outside normal school working hours;

4.5.2 At another educational establishment to which the student has been directed by the School;

4.5.3 On School visits, trips and activities; or

4.5.4 Outside of the School.

A decision to exclude a student permanently is recognised by the School as a serious one. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success.

There will, however, be exceptional circumstances which in the Headteacher's judgment may result in permanent exclusion as a result of a first or 'one off' offence. The following list is not exhaustive but is indicative of the severity of offences that may lead to permanent exclusion:

- supplying an illegal drug; **Article 33 (Drug abuse)**
- serious actual or threatened violence against another student or member of staff; **Article 19 (Protection from all forms of violence)**

- carrying an offensive weapon; **Article 19 (Protection from all forms of violence)**
- sexual abuse or assault; **Article 34 (Sexual exploitation)**
- cyber bullying or accessing inappropriate sites. **Article 16 (Right to privacy)**

5. PROCEDURES

5.1 Students may be required to leave the School site under the following circumstances where:

- there is sufficient evidence that a student has committed a disciplinary offence which if by allowing the student to stay on site, may seriously harm the education or welfare of others;
- a student is accused of a serious criminal offence;
- for medical reasons the student's presence on site represents a serious risk to the health and safety of others;
- where a student is in breach of the School's policy on uniform and appearance.

5.2 Only the Headteacher (or Duty SLT in consultation with the Headteacher) may take the decision to exclude a student.

INFORMING PARENTS/CARERS

Article 18 (Parental responsibilities; state assistance): Both parents share responsibility for bringing up their children, and should always consider what is best for each child.

5.3 When the decision to exclude a student has been made the parents/carers will be notified immediately by telephone and this will be confirmed in writing.

5.4 Written confirmation of the exclusion will include the following details:

- for a fixed term exclusion, the precise period of the exclusion;
- for a permanent exclusion the fact that it is a permanent exclusion and the date from which the exclusion takes effect;
- the reasons for the exclusion including any relevant previous history;
- the days and dates on which the parents/carers are required to ensure that the student is not present in a public place during school hours;
- the parents/carers' rights to make representations regarding the exclusion to the Governing Body and how the student may be involved in this;

- the person in the School who the parents/carers should contact if they wish to make representations;
- the latest date when the Governing Body must meet to consider the circumstances of the exclusion;
- the arrangements that will be put in place to ensure that the student is able to continue their education during the first five school days of the exclusion, including the setting and marking of work (it is the parents/carers' responsibility to ensure that this is completed and returned to the School);
- the school days on which a student may be provided with alternative full-time education or may be required to attend an alternative provision. This information may be given by separate notification but will be at least 48 hours before the education is to be provided;
- for fixed term exclusion the arrangements for reintegrating the student into the School will be provided including the date and time the student should return to the School. This will also require the parents/carers to attend an interview with the Headteacher or representative of SLT prior to reintegration.

INFORMING GOVERNORS

Article 3 (Best interests of the child): The best interests of children must be the primary concern in making decisions that may affect them.

- 5.5 The Headteacher will inform the Governing Body of all short fixed-term exclusions once per term.
- 5.6 The Headteacher will inform the Chair of the Governing Body within one school day of all permanent exclusions. This notification will include the following:
- the student's identity;
 - the reason for the exclusion;
 - the student's age and gender;
 - if the student has a statement of Special Educational needs;
 - if the student is looked after.
- 5.7 The Governing Body will review all fixed term and permanent exclusions and consider any representations made to them by parents/carers.
- 5.8 The Governing Body may consider more than one exclusion at a meeting and will seek to meet to ensure that any exclusion does not result in a student missing a public examination.

- 5.9 On receiving notification from the Headteacher the Governing Body will, for permanent exclusions, convene a meeting between the 6th and 15th school day after the date of receipt of the notice to consider the exclusion.
- 5.10 The Governing Body will invite the parents/carers to attend the meeting.
- 5.11 The Governing Body will request written statements and will circulate these at least five school days in advance of the meeting.
- 5.12 The Governing Body may uphold the exclusion or direct the student's reinstatement.
- 5.13 The outcome of the review will be added to the student record in the School.
- 5.14 Where a student has been excluded for a fixed term of up to five school days and no alternative provision is made, attendance registers should be marked using Code E. Where alternative provision has been made Code B (education off site) or Code D (dual registration) should be used.
- 5.15 Where a student has been permanently excluded they should not be deleted from the register until after the appeal process has been completed.

APPEALS

- 5.16 Where a permanent exclusion is upheld by the Governing Body the parents/carers must be notified in writing. This notification must include the following:-
- the reasons for the decision;
 - the last day on which an appeal may be lodged;
 - an explanation that appeals may only be received in writing.
- 5.17 Where an appeal is received, the LA will convene an independent appeals panel which will comprise of three to five members of the following categories: -
- a lay person who will be the Chair of the panel;
 - one or two must be or have been a Governor of a maintained secondary school and have served in this capacity in the last twelve months. They must not be or have been a Headteacher or teacher in the last five years;
 - one or two must be or have been in the last five years a Headteacher of a maintained secondary school.
- 5.18 An appeal panel will meet to consider the appeal no later than the 15th school day after the day on which the appeal is lodged.
- 5.19 The panel may agree to adjourn the hearing if, after having regard to the particular circumstances, it considers it would not be appropriate for it to proceed to determine the outcome. This may arise from circumstances where further information is required

or the parents/carers request a hearing after the 15th school day following the lodging of the appeal.

- 5.20 During the appeal panel each party will be given the opportunity to put forward their case. The Governing Body may wish to call witnesses who were directly involved in the incident which led to the exclusion.
- 5.21 The appeal panel may:
- uphold the decision to exclude;
 - direct immediate reinstatement with a specified date for return and potentially add conditions to the return;
 - conclude that permanent exclusion should not have taken place but reinstatement to the School is not practicable. The reasons for not directing reinstatement must be made in writing.
- 5.22 The appeal panel is independent and the decision is binding on the parents/carers, the Governing Body and the Headteacher.
- 5.23 The Appeal Panel will inform all parties of the outcome by the end of the second working day after the hearing outlining the reasons for the decision, clear information about the behaviour and offences. Where a panel overturns the exclusion but does not direct reinstatement, clear reasons must be given.
- 5.24 Where the appeal panel recommends reinstatement the panel must immediately inform the Headteacher specifying the date by which the student must be readmitted.