



# Richard Lander School

## Exclusion Policy

### 1. Introduction

The decision to exclude a student will be taken in the following circumstances:

- In response to a serious breach of the School's Behaviour Policy;
- If allowing the student to remain in School would seriously harm the education or welfare of the student or others in the School.

Exclusion is an extreme sanction and is only administered by the Head (or, in the absence of the Head, the Deputy Head who is acting in that role). 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 to Staff and others
- Verbal abuse to students
- Physical abuse to/attack on Staff
- Physical abuse to/attack on students
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Theft
- 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
- 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 is not an exhaustive list and there may be other situations where the Head makes the judgment that exclusion is an appropriate sanction.

### 2. Rationale

This policy is an appendix of a redrafted Student Behaviour Policy and deals with the policy and practice which informs the School's use of exclusion. It is underpinned by the shared commitment of all members of the School community to achieve two important aims:

- The first is 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
- The second is to realise the aim of reducing the need to use exclusion as a sanction.

### **3. Exclusion Procedure**

Most exclusion is of a fixed term nature and is of short duration (usually between one and three days). The DCFS regulations allow the Head 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 and SLT have established arrangements to review fixed term exclusions which would lead to a student being excluded for over five days and made arrangements for working in partnership with the area Behaviour for Learning Partnership to provide for education on the sixth day.

Following exclusion parents are contacted immediately where possible. A letter will be sent by post 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 Management Team, the Director of Learning and other staff where appropriate.

It is School practice to have a readmission meeting with the parents and, where it is deemed necessary, a Pastoral Support Plan will be drawn up. This needs to be agreed with the School, student and parents. Internal isolation with the Student Support Team is sometimes used as a means to reintegrate a student who has served an external exclusion.

Whenever a fixed term exclusion is considered there will always be the opportunity to take the form of an "internal" exclusion, with the student being internally excluded and placed with a Director of Learning or with the Student Support Team. However, in some circumstances, either because of the severity of the incident or because of practical or logistical constraints, such an exclusion will result in 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.

### **4. 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 repeated 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. 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.

*\*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.*

## **5. 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 School will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the Behaviour Policy and Single Equality Scheme
- 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.
- Ensure that where witness or staff statements, that they are signed, dated and collated together.

If the School 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.

## **6. Exercise of discretion**

In reaching a decision, the School will always look at each case on its own 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 School will consider:

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

Nonetheless, in the case of a student found in possession of an offensive weapon, whether there is an intention to use it or not, it is the School's usual policy in this particularly serious matter to issue a permanent exclusion.

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 School's decision to exclude. This Committee will require the Head 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

## **7. Lunchtime Exclusion**

Students whose behaviour at lunchtime is disruptive will be internally excluded and monitored by Staff in Student Support.

## **8. Behaviour Outside School**

Students' behaviour outside School on school "business" for example, school trips and journeys, away school sports fixtures or a work experience placement, is subject to the School's Behaviour Policy. Poor behaviour in these circumstances will be dealt with as if it had taken place in School.

For behaviour outside School but not on school business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole. If students' behaviour in the immediate vicinity of the School or on a journey to and from school is poor and meets the School criteria for exclusion then the School may decide to exclude.

## **9. Drug Related Exclusions**

In making a decision on whether or not to exclude for a drug-related offence the School will have regard its published policy on drugs and will also 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. The School will make a judgment set against the criteria in the school's Drugs Policy.