



Kilgarth
School
Wirral



POLICY DOCUMENT EXCLUSIONS

The Aspire Schools Federation School recognises that exclusion has a part to play in school discipline and managing pupils' behaviour.

Exclusion is seen as a last resort and as a tool to allow time to review and devise alternative strategies to deal with extreme behaviour.

Off-site exclusion is a considered response to severe, and/or protracted negative or dangerous behaviour. Whenever possible, on-site exclusion (known as 'working in solo') will be used as an alternative to off-site exclusion.

Aims

The Governing Body aims:

- to give appropriate support to the Headteacher in exclusion issues
- to use its best endeavours to ensure that the exclusion does not interfere with the continuous education of a pupil beyond what is necessary to modify behaviour
- to ensure that exclusion is used appropriately within the framework of The Aspire Schools Federation School's Behaviour Management Policy
- to discharge its statutory duties concerning the consideration of re-instatement of excluded pupils.

Procedures

These procedures follow the Department for Education document "Exclusion from maintained schools, academies and pupil referral units in England (2012)."

Principles

- to provide a community that encourages and enables learning to take place
- to maintain an environment where pupils feel safe and can be encouraged to overcome their difficulties
- to enable pupils in the school to maintain positive, productive and non-destructive behaviours
- to seek to obtain parental co-operation
- to implement exclusions where necessary within the legal framework in conjunction with Local Authority guidelines.
- To allow restorative justice practices to take place.

THE DECISION TO EXCLUDE

A pupil is excluded only:

- in cases of a serious breach of The Aspire Schools Federation School's Behaviour/Discipline Policy and if his continued presence in the school would seriously damage the education or welfare of other pupils or staff.

Before deciding to exclude a pupil the Headteacher will:

- ensure that an appropriate investigation has been conducted
- ensure that all the relevant evidence has been considered
- give the pupil an opportunity to be heard
- consult other relevant people if necessary.

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

Exclusions can either be for a Fixed Term or Permanent.

Fixed Term Exclusion

The Headteacher is permitted to exclude a pupil for one or more fixed term periods not exceeding 45 school days in any one school year.

- The school will set work to be done at home for up to five days. From the sixth school day of the pupil's exclusion, the school will provide full-time education, which may be at an alternative venue.

IMPLEMENTATION

- this policy will be implemented by the Headteacher or Deputy Headteacher
- all exclusions are logged in a file in the general office and records are kept in the pupil's file
- arrangements are made for pupils returning to school after an exclusion to attend a Return to School meeting with either the Headteacher or Deputy Headteacher.

Evaluation will be based upon:

- the school maintaining a settled, safe working environment
- re-integration of an excluded pupil without impeding the education of others.

PROCEDURE FOR EXCLUDING A PUPIL

1. Informing Parents About the Exclusion

The Headteacher, or delegated member of staff, informs parents without delay (by telephone, with a follow-up letter within one school day) which gives the following information:

- steps taken to avoid exclusion
- the reasons for the exclusion
- in cases of fixed term exclusions, the length of the exclusion
- in cases of permanent exclusion, that it is a permanent exclusion
- their right to make representations to the Pupil Discipline Appeal Committee
- the name of the person to be contacted, if they wish to make representations.
- a warning to parents that they may receive a penalty notice from the local authority if their child is present in a public place during school hours on the specified dates without reasonable justification
- the parents' right of access to the pupil's school record
- the date and time when the pupil should return to school
- with a permanent exclusion, its immediate effect and any relevant previous history
- arrangements for the setting and marking of work (it is the parents' responsibility to ensure that work sent home is completed and returned to school)
- the name and telephone number of the Local Authority officer to be contacted for advice
- the telephone number of ACE (the Advisory Centre for Education).

2. Informing the Discipline Committee and the Local Authority

The Headteacher informs Governors and the Local Authority within one school day of:

- permanent exclusions
- exclusions totalling more than 5 school days per term
- exclusions necessitating a pupil missing a public examination.

On a termly basis, the Headteacher informs Governors of fixed term exclusions amounting to 5 or fewer school days or 10 or fewer half days in total per term. The Local Authority collects this information electronically for fixed term exclusions and are notified separately only in the case of permanent exclusion.

The Headteacher includes the following in the exclusion report:

- the name, age, gender and ethnicity of the pupil
- the reason(s) for the exclusion and the duration
- whether the pupil is statemented
- whether he is in Local Authority care.

RESPONSIBILITIES OF THE PUPIL DISCIPLINE APPEAL COMMITTEE

1. The Pupil Discipline Appeal Committee

The Governing Body will appoint a Pupil Discipline Appeal Committee at the beginning of each academic year, and appoint a Chair and a clerk. The Committee will review all exclusions and consider any representations from parents. The Governors have decided that written representations only will be accepted for exclusions under six days.

The Committee will consider whether re-instatement is a practical option:

- the Committee may consider more than one exclusion at any one meeting where appropriate
- in cases where a pupil would miss a public examination as a result of exclusion, the Committee should endeavour to meet before the date of the examination. **In extremis with fixed term exclusions, the Chair of the Committee may consider the exclusion on his/her own and may re-instate.**

2. Pupil Discipline Appeal Committee Meetings – 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 Committee to consider representations from the parents (if these have been made), but the pupil cannot be re-instated
- 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 6th and the 50th 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 6th and the 15th school day after being notified of the exclusion
- invite the parent, Headteacher and a Local Authority officer to attend at a mutually convenient time and place and should request written statements before the meeting
- 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 parent may be accompanied by a friend or a legal representative. The excluded pupil would usually be allowed to attend and to speak if the parent 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

At all stages the Headteacher will seek parental co-operation.

DRUG-RELATED EXCLUSIONS

Any decision to exclude must be based on the criteria described in The Aspire Schools Federation School's Drug Policy (which also covers the school's approach to legal drugs).

PERMANENT EXCLUSION

A decision to exclude a pupil permanently, as befitting its gravity, should be taken only 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:

- serious violence, actual or threatened, against a pupil or member of staff
- sexual abuse or assault
- supplying an illegal drug
- carrying an offensive weapon

or any other one-off offence considered by the Headteacher to be an exceptionally serious one.

OFF-SITE BEHAVIOUR

In all circumstances when pupils are out as part of activities planned, arranged or co-ordinated by the school, poor behaviour off-site will be treated in the same manner.

EQUAL OPPORTUNITIES

In making decisions about exclusion, the Headteacher and Pupil Discipline Appeal 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 'Improving Behaviour and Attendance', and any published Codes of Practice.

MONITORING AND REVIEW

The Headteacher reports termly to the Attendance and Well-Being Committee on the number and type of exclusions and their outcome.

The Pupil Discipline Appeal Committee will review the working of this policy, make an annual report to the Governing Body, and make recommendations as necessary to the Governing Body.