Exclusion Policy

Approved by:	**Full Governing Body**
Date:	**December 2023**
Next review due by:	**September 2027**

Background

1. This policy explains the process 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:

    a) To ensure the safety and well-being of all members of the school community, and to maintain an appropriate education environment in which all can learn and succeed; and

    b) To realise the aim of reducing the need to use exclusion as a sanction.

Introduction

2. The decision to exclude a pupil will be taken in the following circumstances:

    a) In response to a serious breach or persistent breaches (stage 3 or 4) of the St Leonard's Behaviour Policy; and/or

    b) If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

3. Exclusion is an extreme sanction and is only administered by the Head Teacher. Exclusion, whether for a fixed term or permanent, may be used in response to any of the incidents, all of which constitute examples of unacceptable conduct which are set out at paragraph 7 of St Leonard's Behaviour Policy.

Exclusion procedure

4. Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).

5. The Department for Education (DfE) regulations allow the Head Teacher to exclude a pupil for one or more fixed periods not exceeding a total of 45 school days in any one school year.

6. The Governors will review promptly all permanent exclusions from the school and all fixed term exclusions that would lead to a pupil being excluded for more than 15 days in a school term or missing a public examination.

7. The Governors will review fixed term exclusions which would lead to a pupil being excluded for more than five days but not more than 15 days in a school term where a parent has expressed a wish to make representations.

8. 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 Local Authority as directed in the letter.

9. 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 Leadership Team and other staff where appropriate. During this meeting strategies will be put in place to support successful reintegration and a review date set. An Individual Behaviour Plan may be drawn up.

10. During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility as parents/guardians. Work will be set by school and should be returned for marking upon return to school.

11. Records relating to exclusions will be stored confidentially.

Permanent Exclusion

12. The decision to exclude a pupil permanently is a serious one and not a decision taken lightly by school. There are two main types of situation in which permanent exclusion may be considered:

    a) The first is a final, formal step in a 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 aggravating features such as racist or homophobic bullying) or repeated refusal to follow staff instructions on school premises; and

    b) 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 pupil for a first or 'one off' offence.

    c) These might include:

        i. Serious actual or threatened violence against another pupil or a member of staff;
        ii. Sexual abuse or assault;
        iii. Misuse or supply of an illegal drug;
        iv. Carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act 1993 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");
        v. Arson; and
        vi. Behaviour which poses a significant risk to the child's own safety or others.

13. 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 staff and pupils in the school. The school may involve the police for any relevant offences or where deemed appropriate to do so in accordance with the NPCC guidance.

General factors the school considers before making a decision to exclude

14. Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Head Teacher will:

    a) Ensure appropriate investigations have been carried out, which includes allowing the pupil to give her/his version of events;
    b) Explore the wider context, taking into consideration how much the incident may have been provoked (for example by bullying or by racial or sexual harassment);
    c) Consider all the evidence available to support the allegations taking into account the Behaviour Policy and Equality Policies;

d) Consider any support from outside agencies that are involved with the child and what they can do to help; and
e) Explore the possibility of a managed move to another local school through the In Year Fair Access Panel (IYFAP).

Duty of care to staff

15. St Leonard's School has a duty of care to its staff and abides by the Oxfordshire County Council Zero Tolerance policy towards physical abuse of staff, or verbal abuse of staff making reference to protected characteristics, and such instances may lead to permanent exclusion even for a first offence.

16. This policy should be read in conjunction with the following government guidance and internal school policies.

Government guidance:

- *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (Sept 2023)*

  https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181584/Suspension_and_permanent_exclusion_guidance_september_23.pdf

- *When to call the Police (NPCC, 2020)*

  https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/2020/when-to-call-the-police--guidance-for-schools-and-colleges.pdf

School policies:

- Anti-Bullying policy;
- Behaviour policy;
- Child Protection and Safeguarding policy;
- Equality policy;
- Special Educational Needs and Disability (SEND) policy.