



St. Joseph's Catholic High School

Exclusion Policy

Date of last review	November 2019
Date of next review	November 2020
Type of policy	Statutory

Introduction

At St. Joseph's Catholic High School, we believe that learning is the most important reason for being at School and that nothing should stop learning. In order to support learning and to create a community in which all students and staff feel safe, it may be necessary to consider exclusion as a consequence for behaviour which is contrary to the ethos and expectations of the School.

Exclusion is recognised as an appropriate sanction, however permanent exclusion should only be used as a last resort when a range of other strategies have been tried and exhausted. Most exclusions are the result of persistent breaches of the Behaviour Policy. A permanent exclusion for a serious breach (e.g. a one-off or first offence) should only happen in the most serious of circumstances.

In this policy reference to 'exclusion' includes both fixed term and permanent exclusions. Where the policy is referring to a specific type (i.e. fixed term or permanent) of exclusion, the wording will make this clear.

Internal exclusion is when a student is isolated for the whole day and completes the same work as they would be doing in lessons. This is used as an alternative to exclusion. See the Behaviour Policy.

Fixed term exclusion

This is an exclusion for a fixed number of days. The student must remain at home up to the first 5 days (during which time the School will take reasonable steps to set and mark work for the student). For a fixed term exclusion of more than 5 days, full time education provision commences from the 6th day and is organised by the School. A student may be not be excluded for more than 45 days in a school year. A student is entitled to return to school once the period of exclusion has ended.

Permanent Exclusion

This is where the Head Teacher's intention is that the student should not be allowed to return to the school.

The decision should only be taken if:

- the student has committed a serious breach or persistent breaches of the School's Behaviour Policy; and
- allowing him/her to remain in St. Joseph's Catholic High School seriously harms the learning or welfare of the student or others in the school

In most cases, this will be after a wide range of alternative strategies have been tried without success including alternative provision within and outside of school. However, there will be exceptional circumstances where, in the Head Teacher's judgment, it might be appropriate to permanently exclude a student for a single serious breach (one-off or first offence).

Statutory Framework and other guidance

The St. Joseph's Catholic High School Exclusion policy is written in line with the following areas of legislation and guidance:

- Exclusion from maintained schools, Academies and student referral units in England – DfE Guidance September 2017

Links to other policies

The Exclusion Policy should be read in conjunction with the following areas of School policy:

- Equal Opportunities Policy
- Complaints Policy
- Behaviour Policy

Principles

The following principles underpin the Exclusion Policy at St. Joseph's Catholic High School. The process:

- Is lawful, rational, reasonable, fair and proportionate
- Puts learning at the centre of every decision
- Ensures that the School community is safe, nurturing and focused on learning

Exclusion is a last resort when all other possible methods of managing student behaviour have been exhausted. The decision to exclude is never taken lightly and careful consideration is taken of the facts and surrounding circumstances before reaching the decision to exclude.

We recognise the detrimental impact of exclusion on both the education and well-being of students and their families. We also recognise the impact of social exclusion which can result from the permanent exclusion of a student and therefore try hard to avoid it.

Students are managed consistently, but not necessarily in a uniform manner. We do not operate a 'tariff' approach to the use of exclusion. When considering the decision to exclude, appropriate consideration will be made of aggravating and mitigating factors in each circumstance.

Permanent exclusion is an extremely serious step to take and has a significant impact on the ability of a student to access education in the future. It is only used where it is unavoidable and every possible alternative has been exhausted. We are committed to using alternatives to permanent exclusion such as managed moves and alternative provision where appropriate.

Roles and Responsibilities for the Exclusions Policy

Head Teacher	<ul style="list-style-type: none"> • Makes the decision to exclude, according to this Policy • Following a decision to exclude, communicates with all relevant parties as outlined in Section 6 Part B in this Policy • Reports records of serious incidents, including exclusions, to LAC on a termly basis
SLT member responsible for Behaviour	<ul style="list-style-type: none"> • Is responsible for reintegration of students following fixed term exclusion • Tracks and monitors patterns in exclusions, and ensures pre-emptive intervention for at-risk students is in place • Keeps records (on the MIS system) of all exclusions
Parents	<ul style="list-style-type: none"> • During the first five days of any exclusion, the parents of an excluded student must ensure that they are not present in a public place during normal school without reasonable justification whether with or without a parent <p>A failure to comply with this is an offence for which a fixed penalty notice can be issued.</p>
Local Academy Committee	<ul style="list-style-type: none"> • Responsible for consideration of the Head Teacher's decision in Stage 2 of the exclusion policy • Reviews exclusions data on a termly basis.
Independent Review Panel	<ul style="list-style-type: none"> • Responsible for consideration of the Head Teacher's decision in Stage 3 of the exclusion policy

Implementation

The exclusion process falls into three stages:

Stage 1: Decision by the Head Teacher to exclude

Stage 2: Consideration of the Head Teacher's decision by the Local Academy Committee

Stage 3: In the case of a permanent exclusion, and only if requested by parents
Consideration of the Head Teacher's decision by an Independent Review Panel

Part A - The decision to exclude

The decision to exclude is made solely by the Head Teacher.

There are five circumstances where a student may be required to leave the School site with the authorisation of the Head Teacher:

- where a decision has been made to exclude
- where a student has committed a serious criminal offence outside the jurisdiction of the School and it is

determined by the Head Teacher that it is in the interests of the community for the student to be educated off-site. This is not an exclusion.

- where, for medical reasons, the presence of a student represents a serious risk to the health or safety of other students or staff. This is not an exclusion.
- if a student is given permission by the Head Teacher to leave the premises briefly to remedy a breach of the School rules on appearance or uniform. This should be for no longer than is necessary to remedy the breach and is not an exclusion, but an authorised absence.
- Where a student is asked to be screened for weapons and refuses to undergo screening. In this circumstance the student can be refused entry. This is not an exclusion, but an unauthorised absence.
- St. Joseph's Catholic High School can direct a student off-site for education to improve his or her behaviour. A student can also transfer to another school/school as part of a 'managed move'. The latter requires the consent of the parent/carer. This is not an exclusion.

The decision to exclude a student is not taken lightly and the Head Teacher will:

- ensure that a thorough investigation has been carried out
- consider all the evidence available to support the allegations
- allow and encourage the student to give their version of events
- keep a written record of the actions taken including the signed statements of witnesses

The standard of proof applied when deciding to exclude is 'on the balance of probabilities' (rather than 'beyond reasonable doubt'). The more serious the allegation, the more convincing the evidence substantiating the allegation needs to be.

Exclusion will not be used as a consequence for the following:

- minor incidents such as a failure to complete homework
- poor academic performance
- lateness or truancy
- breaches of School rules on uniform or appearance except where these are persistent or in open defiance of such rules
- pregnancy
- punishing a student for the behaviour of their parents

The school has the right to make decisions about behaviour taking place on trips, outings, sporting fixtures, or travel/movement in the vicinity of the school. Subject to the requirements of this policy, the Head Teacher may exclude students even if the

circumstances giving rise to exclusion occur when the student is out of school.

The process of exclusion from school and criminal proceedings can and should run parallel. However, in certain circumstances it may be appropriate for a decision to permanently exclude to be postponed if a police investigation has not been concluded. In such circumstances, an extended fixed term exclusion should be used.

Part B – The procedure following the decision to exclude

Once the decision has been made to exclude, a student will only be sent home once contact has been made with the parent and where it is clear that the student will be returning to a place of safety, or is collected (depending on the age of the student). Arrangements will be made to ensure provision for learning continues throughout the exclusion period.

A letter will be sent to the parents of the excluded student within one school day of exclusion, outlining:

- Reasons for exclusion
- Period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent
- Parents' right to make representations about the exclusion to the governing body and how the student may be involved in this How any representations should be made
- Where there is a legal requirement for the Governing Body to consider the exclusion, that parents have a right to attend a meeting, be represented at this meeting and to bring a friend
- That for the first five school days of an exclusion (or until the start date of any alternative provision where this is earlier) parents are legally required to ensure that their student is not present in a public place during school hours without reasonable justification, and that parents may be given a fixed penalty notice or prosecuted if they fail to do so.
- Arrangements for alternative provision, where this is relevant

Within one school day of exclusion, the Head Teacher will inform the LAC and Slough Borough Council in the following cases:

- all permanent exclusions (if the student resides in another authority, the home LA should also be informed);
- exclusions that would take the term's total for that student to more than five days;
- exclusions that would result in the student missing a public examination or national curriculum test.

St. Joseph's Catholic High School will keep a record of all exclusions for reporting to the DFE Census, and to the LAC on a termly basis.

Students who have been permanently excluded will not be deleted from the School roll until the independent review panel process is completed, or the deadline for review is reached and no review has been applied for.

Part C - Fixed-term Exclusion

The decision to exclude a student for a fixed-term may be taken in response to

breaches of the school's Behaviour Policy.

Examples of behaviour that may lead to a fixed-term exclusion include the following:

- Verbal abuse of staff or students
- Physical abuse of staff or students
- Indecent behaviour
- Damage to property
- Persistent poor behaviour contrary to acceptable behaviour outlined in the Behaviour Policy

This is not an exhaustive list and there may be other examples of behaviour where the Head Teacher judges that exclusion is an appropriate sanction.

The Head Teacher may exclude a student for one or more fixed periods which does not exceed a total of 45 school days in any one school year.

During a fixed term exclusion of 5 or fewer days, work will be set by the School for the student to complete at home. This work should be returned completed at the end of the exclusion for marking.

For an exclusion of longer than 5 days, the School will arrange full-time educational provision from the sixth day of exclusion. If a student is looked after, the school will provide full-time educational provision from the first day of exclusion.

Before the end of any fixed-term exclusion, parents will be invited to attend a reintegration meeting at the School with their student. The purpose of the meeting is to ensure that the student understands the reason for the exclusion and is committed to preventing the behaviour that led to the exclusion from being repeated. The School will consider all further support needed to support the student, including referrals to external agencies. The student will also spend a period of time on report to support their reintegration. The Head Teacher and member of SLT responsible for Behaviour are usually both present at this meeting, along with any other key staff.

During the first five days of any exclusion, the parents of an excluded student must ensure that they are not present in a public place during normal school hours without reasonable justification, whether with or without a parent. A failure to comply with this is an offence for which a fixed penalty notice can be issued.

Part D – Permanent Exclusion

Permanent exclusion is an extremely rare sanction at the School and always avoided where possible. The decision to permanently exclude is taken only:

- in response to serious breaches of the School behaviour policy and
- if allowing the student to remain at the School would seriously harm the education or welfare of the student or others at the School

A student may be permanently excluded where there have been repeated breaches of the behaviour policy for which a range of consequences and strategies have been applied without success. It is an acknowledgement that the School has exhausted all available strategies for dealing with the student and is a last resort.

There may be exceptional circumstances where, in the judgement of the Head Teacher, it is appropriate to permanently exclude a student for a first or 'one off' offence. These might include:

- a serious breach of safety requirements likely to endanger other people or

- yourself;
- use or possession of or supply of alcohol or illegal drugs within the academy premises or during academy organised activities;
 - removal or damage of academy property;
- stealing from the academy, employees of the academy, or from students;
- intentional damage to property;
- abuse of the school's computer system and of the internet;
- sexual misconduct, abuse or assault;
- serious actual or threatened violence or physical assault against another student, member of staff or worker in the academy;
- carrying an offensive weapon (defined as any item made or adapted for causing injury);
- bullying and/or harassment including racial, sexual or homophobic harassment;
- willful defiance of the properly exercised authority of the academy and its staff;
- bringing the academy into disrepute or acting in a manner deliberately to undermine the school's principles or ethos.

The School operates a 'zero tolerance' approach to the carrying of offensive weapons, due to the seriousness of their impact on the School community. This is communicated clearly to students and families.

The Head Teacher will meet with the parents and student before reaching a decision to permanently exclude a student. Under normal circumstances, a student will be excluded for a fixed-term before the decision is made to permanently exclude.

Appeals

Stages 2 and 3 of the Exclusion process are considered to be Appeals.

The Local Academy Committee (LAC) has responsibility for supporting the Head Teacher in making decisions and reviewing them in relation to exclusions.

The LAC will review any exclusion which results in a student being excluded for more than 15 school days in any one term, or any permanent exclusion. This review will take place whether or not the parent requests it. The LAC will decide whether to reinstate the student, if appropriate, or whether the Head Teacher's decision to exclude was justified and appropriate.

If requested to do so by parents, the LAC will consider the reinstatement of a student excluded for more than 5 days, but less than 15 within one school term.

Parents have the right to appeal the decision to exclude their student.

Exclusion (less than 15 days)

A parent may request that the LAC review the process

Exclusion (more than 15 days fixed-term)

Head Teacher meets with parents to discuss likely exclusion

LAC panel meets to review the decision by the Head Teacher LAC and decide whether to uphold the decision. If upheld Parents may appeal to an Independent Appeals Panel

Permanent exclusion

Head Teacher meets with parents to discuss likely exclusion.

LAC panel meets to review the decision by the Head Teacher. If the decision is upheld Parents may appeal to an Independent Appeals Panel

If a meeting of the LAC is to be held, the Head Teacher should prepare all supporting papers for the exclusion and ensure they are circulated to all parties at least five days in advance of the meeting. The paperwork should include:

- the Head Teacher's case for exclusion
- a copy of the exclusion letter of notification to parent; attendance records
- witness statements (signed where possible and dated); excluded student statement;
- school discipline policy, and other relevant policies;
- details of any Pastoral Support Programme – or Individual Education Plan
- with clearly identified behaviour targets, where appropriate; Records of interventions;
- Details of any alternative or enhanced curriculum.

An Independent Appeals Panel will consist of 3 people and will be chaired by a lay member and two other independent members, one with governance experience; the other with Headship experience. This panel will decide whether to uphold the decision to exclude a student.

The Independent Appeals Panel can either uphold the decision to exclude the student or recommend that the School reconsiders the matter. They cannot, however, direct the reinstatement of the student.