

Whole School Exclusion Policy

Purpose

The purpose of this policy is to set out clear criteria for the exclusion, either temporary or permanent, and the procedures that should be followed in regard to any student situation involving a potential exclusion outcome.

Overview

This policy describes the practice that this school follows regarding the exclusion of a child. It recognises that the seriousness of some situations require an immediate response that cannot always follow the best practice set out in the policy, but, in all situations, the rights of children and parents to a full hearing will be respected.

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

- in response to a serious breach of the school's Behaviour for Learning Policy, and/or
- if allowing the child to remain in school would adversely affect the education or welfare of other persons or the student in question, and/or
- if allowing the child to remain in school might adversely damage the reputation of the school.

1. Introduction

1.1. The Executive Director, Headteacher, and all staff at IBSB are committed to the provision of a broad and balanced curriculum for all children. They are also responsible for promoting good behaviour and discipline on the part of the whole school community and for securing an orderly and safe environment for children and staff in order to ensure that the curriculum is delivered and children are able to realise their perceived potential.

1.2. The Head teachers have the discretion to deal with children who are displaying challenging behaviour, but will do so consistently in the context of the school's Behaviour for Learning Policy.

1.3. The Behaviour for Learning Policy and other relevant documents include a number of different strategies designed to promote the continued inclusion of children in school. Exclusion is the most drastic step that any school can take because it runs against the school's commitment to inclusion and is out of necessity reserved for the most serious cases.

1.4. The decision to exclude a child must be lawful, reasonable, and fair. Schools have a statutory duty not to discriminate against children on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of children from groups who are vulnerable to exclusion.

1.5. Under the Equality Act 2010 ("the Equality Act") schools must not discriminate against, harass, or victimise children because of their: sex; race; disability; religion or belief; sexual orientation; because of a pregnancy / maternity; or because of a gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices.



1.6. In 'carrying out their functions' under the Equality Act (UK) means schools must have due regard to the need to:

- eliminate discrimination and other conduct that is prohibited by the Equality Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations across all characteristics – between people who share a protected characteristic and people who do not share it.

1.7. Exclusion itself can take many different forms and these may include:

- Time out within the class imposed by the teacher
- Time out in another teacher's class
- Lunchtime exclusion
- Fixed term exclusion (suspension)
- Permanent exclusion

2. Before Considering Exclusion

2.1. The School recognises that parents/carers are profoundly affected by the exclusion of their child and will work with them closely to ensure that only in rare circumstances will exclusion come as a surprise.

2.2. In most instances, where a student has been enrolled at IBSB for a number of years, parents/carers will have been working with the school to prevent their child from being excluded.

2.3. Children at risk of being excluded are likely to have had a history of disaffection and to have had a variety of contracts (Behaviour Action Plans, Behaviour Support Plans, Pastoral Support Plans) before the question of exclusion arises.

2.4. In formulating these plans, support services are likely to have been involved, for example the Student Counselling Service. In all cases, the involvement of these services will be with the consent of the parents/carers and in many instances they will have made direct contact.

3. The Executive Director's/Headteacher's Power to Exclude

3.1. Only the Executive Director/Headteacher can exclude a child and this must be on disciplinary grounds. A child may be excluded for one or more fixed periods following the protocols outlined in the school behavior for learning policy

3.2. A fixed period exclusion does not have to be for a continuous period. In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion.

3.3. Children whose behaviour at lunchtime is disruptive may be excluded from the school lunchroom premises for the duration of the lunchtime period.



3.4. The behaviour of children outside school can be considered as grounds for exclusion. This will be a matter of judgement for the Headteacher in accordance with the school's published Behaviour for Learning Policy.

3.5. When establishing the facts in relation to an exclusion, the Headteacher must apply the normal standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'.

4. Children who have Special Educational Needs & Disabilities - SEND

4.1. The Headteacher must take account of the non-binding UK statutory duties in relation to Special Educational Needs (SEN) when administering the exclusion process. This includes having regard to the SEN Code of Practice.

4.3. In those cases where a child who has Special Educational Needs is likely to be excluded, the school will try every practicable means to avoid the need for exclusion.

5. Vulnerable Children

5.1. Appropriate steps will be taken to seek to avoid their exclusion.

5.2. Student support services will be involved at the earliest opportunity whenever a child in seems likely to be excluded.

5.4. Children who are vulnerable or who have faced specific child safeguarding issues have particular rights of appeal if they are excluded and the Headteacher will take all necessary steps to make sure that these rights are respected and that appropriate information is shared with agencies, parents, and carers.

6. The Run Up to a Possible Exclusion

6.1. In those cases where an exclusion seems likely to occur, the school will:

- try to warn parents/carers in writing that the child is at risk of exclusion
- if time allows, arrange a meeting with the parents to plan how to support the child and avoid the need for exclusion
- take account of the views of the child
- keep written notes of all verbal warnings to the child and advice to parents and carers
- involve the student support services and/or other agencies as appropriate.

In situations relating to extreme cases of inappropriate behaviour, such as the use of alcohol and drugs and in cases of extreme bullying or violence, as outlined in the Behaviour for Learning Policies, it may not be possible to warn parents prior to the school taking the decision to permanently exclude a student.



7. When to Consider Exclusion

7.1. Exclusion will be used sparingly in response to serious breaches of school policy or law.

Normally the decision to exclude a child will only be taken if:

- there have been serious breaches of the school's Behaviour for Learning Policy and/or
- there is a danger that allowing the child to remain in school will seriously harm the education or welfare / health and safety of the child or others and/or
- a range of alternative strategies has been tried before excluding the child

7.2. However, a permanent exclusion may be given for a first / single offence, for example in the event of serious, actual, or threatened violence, using or selling illegal substances, and posting information online that brings the school's reputation into disrepute.

7.3. Before reaching the decision to exclude a child, the Headteacher will:

- consider all the relevant facts and such evidence as may be available to support the allegations made, taking into account the school's Behaviour for Learning and Equal Opportunities Policies and the need to apply those policies consistently
- allow the child and or carer to give his or her own version of events
- check whether the incident may have been provoked, for example, by racial or sexual harassment
- consult others, as appropriate

7.4. If the Headteacher is satisfied, on the balance of probabilities, that the child did what he or she is alleged to have done and that exclusion is the appropriate sanction given the nature of the issue, the Headteacher may exclude the child. (Only the Executive Director/Headteacher can exclude a child from school).

8. Internal Exclusion

8.1. This will occur at fixed points through the protocols outlined in the school behavior for learning policy. It will involve the student being isolated from their peers in school for a maximum period of 2 days.

9. Fixed Term Exclusion

9.1. The Headteacher can exclude a child for one or more fixed periods following the protocols outlined in the school behavior for learning policy

9.2. Individual exclusions will be for the shortest time necessary, because any exclusion makes it difficult for the child to reintegrate into the school.

9.3. The reasons for fixed term exclusion are:

- to make it clear to the child that a particular behaviour is unacceptable, because it affects not only the right of others to a safe and secure environment, but also interferes with the opportunities for learning



- to support school discipline and to act as a clear statement to all children that certain behaviour is unacceptable
- to ensure that parents/carers know of the behaviour and are involved in controlling it.

9.4. In all cases where a child is excluded for up to but less than six days, the school will take reasonable steps to set and mark work that is accessible and achievable outside of school.

9.5. Only in the most exceptional circumstances will the Headteacher exclude a child for a first or one-off offence. Such exceptional circumstances might include carrying an offensive weapon, using or supplying an illegal drug, sexual misconduct or serious actual/ threatened violence against another child or a member of staff, and posting information online that brings the school's reputation into disrepute.

10. Permanent Exclusion

10.1. Permanent exclusion is an extremely serious step to take. The Executive Director/Headteacher will normally only consider such action if:

- in response to a serious breach, or persistent breaches, of the school's Behaviour for Learning Policy and/or
- where allowing the child to remain in school would adversely affect the education or welfare of the child or others in the school and/or
- the child has been offered a full range of services and strategies designed to maintain that child's inclusion in school to no avail and/or
- there is evidence that previous plans and strategies have been consistently applied but brought about no significant improvement in the child's behaviour and/or
- evidence has been supplied from a previous school, not supplied at the time of admission, relating to the current student behaviour indicating prolonged inappropriate behaviour

10.2. Permanent exclusion is usually the final step in the process for dealing with disciplinary offences. It is an acknowledgement by the School that it has exhausted all available strategies for dealing with the child, or is confronted by a situation of extreme breach of behaviour that requires the immediate removal of the student from the school to avoid adversely affecting the education or welfare of the child or others in the school or the reputation of the school.

11. Exclusion Procedure

11.1. Whenever a Headteacher excludes a child they must, without delay, notify parents of the period of the exclusion and the reasons for it.

11.2. They must also, without delay, provide parents with the following information in writing:

- the reasons for the exclusion
- the 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 Executive Director/Headteacher and how the child may be involved in this
- how any representations should be made



11.3. If alternative provision is being arranged (internal suspension), then the following information must be included:

- the start date for any provision of full-time education that has been arranged for the child during the period of exclusion
- the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant
- the location at which the provision will take place
- any information required by the child to identify the person s/he should report to on the first day

This information must be provided without delay and no later than 48 hours before the provision is due to start.

11.4. The failure of a Headteacher to give notice as outlined in 11.3 by the required time does not relieve the Headteacher of the duty to serve the notice. A notice is not made invalid solely because it has not been given by the required time.

11.5. Parents/carers must be informed where a fixed period exclusion has been extended or converted to a permanent exclusion. In such cases the Headteacher must write again to the parents explaining the reasons for the change and providing any additional information required.

11.6. Effective methods for providing the information may include email or text message; giving the notice directly to the parents; or sending the information home with the excluded child. Where information is sent home with a child, the Headteacher should consider sending a duplicate copy by an alternative method or confirming that the information has been received.

11.7. The Headteacher should ensure that information provided to parents/carers is clear and easily understood. Where the parents'/carers first language is not English, consideration should be given, where practical, to translating the letter or taking additional steps to ensure that the details of the exclusion and parents'/carers right to make representations to the Executive Director/Headteacher have been understood.

12. The Governing Body's (Executive Director's Duty) to Consider an Exclusion

12.1. The Executive has a duty to consider parents'/carers representations about an exclusion. The requirements on a governing body to consider an exclusion depend upon a number of factors.

12.2. The Executive Director may delegate their functions with respect to the consideration of an exclusion decision to a sub-committee consisting of at least three members including a member from the SLT.

12.3. The governing body must consider any request for the reinstatement of a permanently excluded child within 15 school days of receiving notice of the exclusion.



13. Reintegration into School

13.1. The Headteacher will convene a planning meeting to discuss and make plans for the reintegration of a child after an extended exclusion. The meeting will make the necessary preparations for the child's return to school and will involve the parents/carers and the child as well as key members of school staff. In some cases it may be useful to include other agencies if they are directly involved in supporting the child.

13.2. The meeting will consider all aspects of reintegrating the child, including any modifications to the timetable or the provision of additional support. Any previous plans will be revised and new targets agreed. If there were no plans prior to the exclusion one will be drawn up. All plans will include elements of a contract between the parties involved so that the child will know how to achieve success, with realistic targets and review dates set. The meeting will also consider whether the child has an SEND and whether enough is being done to support those needs.

14. National Standard List of Reasons for Exclusions

This list provides descriptors of reasons for exclusions and the main reason for exclusion. The 12 categories should cover the main reasons for exclusions and the 'other' category should only be used in exceptional circumstances. Appendix 1

15. Monitoring and Review

15.1. This policy is a working document. Therefore, it is open to change and restructure as and when appropriate.

15.2. This policy will be reviewed bi-annually by the Senior Leadership Team in School.

Related Policies

This policy should be read in conjunction with these documents:

- PS Behaviour for Learning Policy
- SS Behaviour for Learning Policy
- WS Anti-bullying Policy_
- WS Child Safeguarding Policy
- WS Educational Visits Policy
- WS Preventing Extremism and Radicalisation Policy
- WS Drug and Alcohol Policy
- WS Health and Safety
- WS SEND Policy
- WS Student Counselling Policy

Exclusion from maintained schools, academies and pupil referral units in England – DfE
Behaviour and discipline in schools DfE – February 2014