



## OMBERSLEY ENDOWED FIRST SCHOOL EXCLUSION OF PUPILS POLICY

To be read in conjunction with Statutory Exclusion Guidance:

DfE: *Exclusion from maintained schools, Academies and pupil referral units in England*: [www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion)

And Worcestershire guidance: *Improving behaviour and attainment: guidance on exclusion from schools and pupil referral units*.

### Rationale

This policy 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 these important aims:

- to ensure the safety and well-being of all members of the school community;
- to maintain an appropriate education environment in which all can learn and succeed;
- to realise the aim of reducing the need to use exclusion as a sanction.

### Introduction

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

- (a) In response to a serious breach of the School's Behaviour Policy
- (b) If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

Exclusion is an extreme sanction and is only administered by the Headteacher.

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: (See also school behaviour policy)

- Verbal abuse to staff and other adults
- Verbal abuse to pupils
- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Theft
- Serious actual or threatened violence against another pupil 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 pupil's behaviour.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction.

### **Exclusion procedure**

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

The DfE regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

The Governors have established arrangements (see Worcestershire guidance) to review promptly all permanent exclusions from the School and all fixed term exclusions that would lead to a pupil being excluded for over 15 days in a school term or missing a public examination.

The Governors have established arrangements to review fixed term exclusions which would lead to a pupil being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.

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 the Headteacher and other staff where appropriate.

If the fixed term exclusion is greater than five days or an accumulation of exclusions exceed five days, a Pastoral Support Plan will be drawn up. This needs to be agreed with the school, pupil and parents.

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.

### **Permanent Exclusion**

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

- i) 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.
- ii) 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. These might include:
  - Serious actual or threatened violence against another pupil or a member of Staff
  - Sexual abuse or assault

- Supplying an illegal drug
- Carrying an Offensive Weapon (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”).
- 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.

### **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 pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Head will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the Pupil Discipline Policy, Equal Opportunity and Race Equality Policies
- Allow the pupil 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.

If the Head is satisfied that on the balance of probabilities the pupil did what he/she is alleged to have done, exclusion will be the outcome.

*C. Moore*

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