



Gerrans School
(part of The Roseland Multi Academy Trust)

EXCLUSIONS POLICY

(Statutory)

Approved: Autumn Term 2018
Date of Next Review: Autumn Term 2021

Equality Impact Assessment - Policy Review

In reviewing this policy, we have tried to make a positive impact on equality by considering and reducing or removing inequalities and barriers which already existed. We have ensured that this policy does not impact negatively on the dimensions of equality.

Gerrans School, part of The Roseland Multi-Academy Trust, is committed to being a fully accessible and inclusive organisation, welcoming and respecting the diversity of its pupil, staff, community and visitors to the school.

Rationale

This policy is underpinned by the commitment of all at Gerrans School to ensure the safety and wellbeing of the whole school community and to maintain an appropriate educational environment in which all can learn and achieve. In this policy and the accompanying procedures the Trust Board aims to discharge appropriately its statutory duties as set out in Exclusions from maintained schools, Academies and pupil referral units in England.

Introduction

Exclusion is an extreme sanction and is only used by the Headteacher. Before deciding whether to exclude a pupil either permanently or for a fixed period the Headteacher will ensure that:

- a. appropriate investigations have been carried out;
- b. all the evidence available has been considered;
- c. the pupil's version of events has been heard;
- d. that statutory guidance on exclusions, equalities policy and disability discrimination has been taken into account.

Having considered these matters, the Headteacher will make a decision on exclusion based on the balance of probabilities established. In reaching a decision, the Headteacher, will look at each case on its own merits and avoid a tariff system, ie, fixing a standard penalty for a particular action, as unfair and inappropriate.

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:

- Verbal abuse to staff and others;
- Verbal abuse to pupils;
- Physical abuse to/attack on staff;
- Physical abuse to/attack on pupil(s);
- Sexually abusive language and/or behaviour;
- Indecent behaviour;
- Damage to property;
- Misuse of illegal drugs or other substances, including supplying or possession;
- Theft;
- Bringing the school into disrepute;
- Serious actual or threatened violence against another pupil or a member of staff;
- Carrying an offensive weapon;
- Arson;
- Persistent 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 judgment that exclusion is an appropriate sanction. Exclusions can be either fixed term or permanent.

Fixed Term Exclusion

- A pupil will not be excluded for a period that exceeds 45 days in any one school year.
- The school will make every effort to inform parents of a fixed term exclusion before the end of the school day by telephone, email or text.
- This will be followed up in all cases with a letter.
- Parents will be informed of the length of the exclusion, the reasons for the exclusion and their rights, including their right to make representations and who to contact if they wish to make representations about the exclusion.
- When a pupil is required to be at home, parents/carers will be advised that the pupil is not allowed on the school premises, and that day time supervision is their responsibility, as parents/carers.
- The letter will also make clear the date and time when the pupil should return to school.
- The school will continue to provide education for all pupils on fixed term exclusion and mark the work that is completed and returned to school.
- In reviewing the statement, if a pupil with a Statement of SEN is excluded the school will call an interim Annual Review seeking the advice of the LA.
- The school will plan the return and reintegration into school after fixed term exclusions with parents and pupils.
- The Headteacher will inform the Trust Board and Local Authority within one school day of any fixed term exclusions totalling more than five school days per term and each term of fixed term exclusions totalling fewer than five school days a term.
- According to the Department for Education guidance, the school is obliged to provide full-time education from the sixth day of any period of fixed term exclusion of six days or longer.
- The school will consult with the LA officers for any exclusion of more than five days in order that appropriate full-time education and transport is arranged.

Permanent Exclusion

- The decision to exclude a pupil permanently could be taken by the Headteacher in the following circumstances:
 - a. in response to a serious breach, or persistent breaches, of the school's Behaviour Policy;
 - b. where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
- In the case of a permanent exclusion, the same process as for fixed term exclusions will be followed except the communication will make clear that it is a permanent exclusion.
- The Headteacher will inform the Trust Board and Local Authority within one school day of any permanent exclusion.

Equality Act 2010

The school will follow the guidance in the Equality Act 2010 published by the 'Equality and Human Rights Commission' in Section 5.4 entitled 'What equality law means for you as an educational provider'.

This guidance states that whilst a "school must not discriminate against a pupil by excluding them from school", "it does not mean a school cannot exclude a pupil with a protected characteristic". The guidance recognises that "there may be occasions when it is appropriate to exclude a pupil with a protected characteristic" it stresses it is important that a school does not exclude "because of" the protected characteristic.

Alternatives to Exclusion

The school will work closely with other local primary schools to undertake managed moves where such a course of action would be of benefit both to the pupil and the two schools concerned. The threat of a permanent exclusion will not be used as the means to persuade parents/carers to move their son/daughter to another school.

Lunchtime Exclusion

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. This will be treated as fixed term exclusion and parents will have the same right to gain information and to appeal.

Behaviour Outside School

Pupils' behaviour outside school on school business, for example educational visits and journeys, away school sports fixtures is subject to the school's Behaviour Policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in school.

If pupils' behaviour outside of school is inappropriate and meets the school criteria for exclusion, then the Headteacher may decide to exclude.