



UNLOCKING YOUR
CHILD'S POTENTIAL

“Exclusion Policy”

Agreed by Governing Body: 20.10.15.



The current exclusion policy and guidance is based on the following legislation:

- The Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The Education and Inspections Act 2006
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007

This policy complies with all of the legal procedures and practice as outlined in the 2012 guidance document (Updated 2014).

Key Principles:

- Students have the right to the best possible education
- Students have the right to expect their learning is not disrupted by others
- The ability of students to stay and feel safe, enjoy and achieve and make a positive contribution may be jeopardised by unacceptable behaviour.

Context:

The De Montfort School endeavours to provide a safe learning environment in which students feel safe, enjoy and achieve. The behaviour management policy details positive strategies and a full range of interventions to ensure that the school environment supports these aims. However, in some cases unacceptable behaviour cannot be resolved through normal channels and exclusions have to be considered to protect the learning environment.

Exclusions

Exclusions, fixed –term and permanent may be used in response to any of the following, all of which are examples of unacceptable conduct breaching the Behaviour for Learning Policy:

- Physical assault against a student
- Physical assault against an adult
- Verbal abuse/threatening behaviour against a student
- Verbal abuse/threatening behaviour against an adult
- Bullying
- Racist abuse
- Sexual misconduct
- Drug and alcohol related
- Damage



- Theft
- Persistent disruptive behaviour
- Weapons related incidents
- Posing a health & safety threat, including deliberately tampering with safety equipment.

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

Intervention prior to exclusion

The school monitors behaviour patterns and a range of strategies may be put in place to address behaviour that may lead to exclusion. These measures may include:

- Active involvement and engagement with parents.
- Placement of a daily report card
- Detentions or other sanctions
- Changes to classes or tutor group
- An alternative curriculum package
- Internal isolation
- Referral to the School or Governor Behaviour Panel
- Implementation of a Pastoral Support Plan
- Assessment of Special Educational Needs
- Mentoring and support
- An Outreach programme to support positive behaviour
- Referral to other agencies
- Placement in a Pupil Referral Unit
- A managed move to another school
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Permanent Exclusion

The decision to permanently exclude students is a serious one and will only be taken:

- In response to a serious breach of the Behaviour for learning policy.
- If allowing a student to remain at the school would seriously harm the education or welfare of the student or others in the school.

There are two main circumstances in which a permanent exclusion may be considered:



- Where a student exhibits a build-up of serious behaviour incidents and continues to demonstrate this behaviour after interventions have been put in place. In this case permanent exclusion is the final, formal step in the process for dealing with the adverse behaviours.
- An exceptional set of circumstances where, in the Headteacher's judgement, it is appropriate to permanently exclude a student for a 'one off' offence irrespective of the student's disciplinary history. These circumstances may include:
 - Serious actual or threatened violence against another student or a member of staff
 - Sexual abuse or assault
 - Supplying an illegal drug
 - Carrying an offensive weapon*

This is not an exhaustive list but serves as an illustration of the severity of the offence. There may be other situations where the Headteacher judges that permanent exclusion is an appropriate sanction given the extreme nature of the incident.

* 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".

Where the school believes that a criminal act has taken place, it reserves the right to inform the police and other agencies.

Making a decision to exclude

Before deciding whether to exclude a student, the Headteacher will:

- Ensure an appropriate investigation has taken place.
- Consider all the evidence available to support the allegations.
- Allow the student to give his/her version of the events.
- Look at the particular circumstances of each case.

The Headteacher has to be satisfied on the balance of probabilities that the student was responsible for the behaviour in question.

When considering if permanent exclusion is the most appropriate sanction, the Headteacher will consider:

- The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the school's Behaviour of learning policy.
- The effect that the student remaining in the school would have on the education and welfare of other members of the school community.

In line with statutory duty, these conditions will be applied by the Governors when they meet to consider the Headteacher's decision to exclude.



Behaviour outside the school

When a student is under the direct control of the school, for instance on a trip, work-experience or sports fixtures, breaches of the Behaviour for learning policy will be dealt with in the same manner as if the incident had taken place at the school.

For incidents that take place outside the school but not on school business, this policy will still have effect if there is a clear link between that behaviour and maintaining behaviour and discipline within the school. This includes behaviour within the vicinity of the school or on a journey to and from the school premises.

Roles and Responsibilities

The Headteacher is responsible for ensuring the fair and consistent implementation of the policy and for all decisions on whether to exclude a student. The Headteacher may delegate to other senior leaders the arrangements of the support for students at risk or exclusion and for the reintegration of students returning to school following a fixed-term exclusion.

The Governing body is responsible for deciding whether to confirm the Headteacher's decision to exclude a student.

In the event of a parental appeal against a Governor Discipline Committee decision to uphold a permanent exclusion, the school will follow guidelines to undertake an independent appeal panel process.