

<h1>Exclusions Policy</h1>	
<p>DATE OF ADOPTION: November 2012</p>	
<p>DATE OF REVIEW: September 18 Interim review pending production of DMAT policy</p>	
<p>Date of next review: TBC</p>	
<p>TO BE REVIEWED BY: Personnel and Curriculum committee</p> <p>Finance and Personnel</p>	

This policy is underpinned by the shared commitment to achieve two important aims:

- 1) To ensure the safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed;
- 2) To reduce 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 Promoting Positive Behaviour Policy;
- (b) If allowing the pupil to remain in school would seriously harm the learning or welfare of pupils or the welfare of staff in the school.

Exclusion is an extreme sanction and is only administered by the Executive Head, Head of School, Sarah Marvin, (or, in the absence of the Head, the member of the SLT who is deputising on behalf of the Headteacher –Ceri Hoggins or Shirley Culverhouse).

An exclusion, whether fixed term or permanent may be used for any of the following, in line with statutory guidance and for behaviours that are infringements of the South Tawton School's Promoting Positive Behaviour Policy:

- Verbal abuse to Staff and others
- Verbal abuse to pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Supplying an illegal drug.
- Misuse of other substances including alcohol
- Theft
- Serious actual or threatened violence against another pupil or a member of Staff
- Sexual abuse or assault.
- Carrying an offensive weapon.

- Arson.
- Unacceptable behaviour which has previously been reported and for which sanctions and other interventions have not been successful in modifying the pupils' 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.

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 will follow Devon 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 will follow Devon guidance 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.

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. Work will be sent home either in a pack or via email in agreement with the parents/carers.

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.

1. 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.
2. 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."

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 Headteacher will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the Pupil, Behaviour, 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 or she is alleged to have done, exclusion will be the outcome.

The threat of a permanent exclusion will never be used as the means to coerce parents to move their child to another school.

Exercise of discretion

In reaching a decision, the Head will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate. In considering whether permanent exclusion is the most appropriate sanction, the Head will consider

- a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Promoting Positive Behaviour Policy
- b) the effect that the pupil remaining in the School would have on the education and welfare of other pupils and staff.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' First Committee, when it meets to consider the Headteacher's decision to permanently exclude. This Committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the pupil's school record, witness statements and the strategies used by the school to support the pupil prior to exclusion.

Alternatives to Exclusion

Alternative strategies to exclusion are included in the Promoting Positive Behaviour Policy.

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.

Managed Move

A managed move - There are occasions when a managed move in another school benefits both the pupil concerned, and his or her school. This should be seen as a piece of preventative work to support pupils at risk of exclusion. A managed move is a voluntary agreement based on sound educational principles, the terms and conditions of which should be agreed in advance by the pupil, parents/carers, the home school and the receiving school.

Behaviour Outside School

Pupils' behaviour outside School on school "business" for example school trips and journeys, away school sports fixtures or a work experience placement is subject to the school's Promoting Positive Behaviour Policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in school. For behaviour outside school but not on school business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupil body as a whole. If pupils' behaviour in the immediate vicinity of the school or on a journey to and from school is poor and meets the school criteria for exclusion then the Head may decide to exclude.

To be read in conjunction with the Promoting Positive Behaviour Policy and the Anti-Bullying policy