



Exclusion of Students Policy

School Suspension and Permanent Exclusion Policy

Why do we have this policy and why is it relevant?

Rationale

Good behaviour and discipline is essential for promoting a high quality education. Our Exclusions Policy is closely linked to our overarching Behaviour Policy which promotes positive behaviour throughout Cirencester Kingshill School. We have high expectations of our children and strive to ensure that every child achieves academically, socially and personally through our school ethos and values embodied within our **STEPS** and our explicit teaching and learning of *Responsibility, Ambition, Kindness, Respect, Resilience and Pride*. We aim to shape brighter futures through all that we do. Amongst other disciplinary sanctions, we recognise that exclusion of students from school may be necessary where there has been a serious breach, or persistent breaches, of a school's Behaviour Policy and where allowing the student to remain in school would be damaging to the education and welfare of themselves or others; in all cases, excluding students will only be used as a means of last resort.

Statement of Intent

We have high expectations for all of our students. We are committed to improving our students' learning and life chances and every one across our School is challenged to be the best they can be every day. We recognise our students are children and that they can learn from their mistakes. Therefore, when dealing with transgressions of any kind, we reflect on the situation and reaffirm our standards as described within our STEPS. We aim to deescalate incidents, ensure any sanctions are reasonable, fair and proportionate, and focus on seeking resolutions to enable all involved to move on.

We endeavour to use the resources available to help students change or manage their behaviour to avoid the necessity of an exclusion. This may include the framework of an Independent Behaviour Plan, mentoring support, external agency support to name but a few.

In lessons we expect

- Every teacher to promote and reinforce high standards of discipline in the classroom and within the school environment;
- All staff to take responsibility for and be consistent in their approach to discipline and behaviour and work within the framework of the School Discipline and Behaviour Policy
- Every student to take responsibility for their own high standards of behaviour

Legal Framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

DFE Suspension and Permanent Exclusion from Maintained Schools, Academies, and Pupil Referral Units in England, September 2023

Gloucestershire County Council Supplementary Guidance, Points and Paperwork for Headteachers, Summer 2023

The guide for parents on school behaviour and exclusion May 2023

DFE Behaviour in Schools, September 2022

Equality Act 2010

Linked Policies

The Exclusion Policy should be read in conjunction with, and has been informed through, reference to the following School policies:

School's School Discipline and Behaviour Policy

Anti-Bullying Policy

Prohibited Items Policy, including Offensive Weapons

Substance Misuse Policy

Child protection Policy.

All of the above guidance emphasises the need to establish the values we must impart to our students.

How do we implement this policy?

The Decision to Exclude

- The decision to suspend a student will be taken in the following circumstances:
 - a) In response to a serious breach of the school's behaviour code of conduct;
 - b) For persistent defiance and/or disruption;
 - c) If allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.
 - d) A student to be found in possession of an illegal drug on the school site is likely to be excluded for 15 days (Please see Substance Misuse Policy)
- The behaviour of students outside school can be considered as grounds for suspension.

This will be a matter of judgment for the Headteacher in accordance with the school's published behaviour policy.

- Individual fixed period suspensions will be for the shortest time necessary (usually 1-3 school days), but also take into account any previous suspensions, particularly for similar offences. Regulations allow Headteachers/teachers in charge to suspend a student for one or more fixed periods which, when aggregated, do not exceed a total of 45 school days in any one school year.
- Where a student has already received several short-term suspensions (1-3 school days), the school is likely to then give a 5 school days suspension for a further excludable offence, followed by a further 5 school day suspension with time spent in our Alternative Provision Area and subsequently a 15 school days suspension if serious problems persist. The next suspension after this would be likely to be permanent. A governor's disciplinary meeting will be convened following a 15 school days suspension or if a series of exclusions would take the students' total days exclusion for a term above 15 school days.
- In the exceptional circumstances, where a student with no previous suspension behaves in a way where a short term (1-3 day) suspension would be an insufficient consequence, the Headteacher has the right to issue a long term (5-10 day) exclusion.
- Only the Headteacher, (or, in the absence of the Headteacher, the acting Headteacher) can exclude a student. Other exclusion-related activities do not have to be undertaken by the Headteacher personally, but may be delegated.
- The decision to suspend will have due regard for the provisions within the Equality Act 2010.

Factors to consider when making a decision to exclude:

Before deciding whether to exclude a student, either permanently or for a fixed period, the Headteacher/teacher in charge will:

- ensure that a thorough investigation has been carried out;
- allow and encourage the student to give their version of events;
- check whether the incident may have been provoked, for example by bullying, or by racial or sexual harassment;
- keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the student concerned. Witness statements must be dated and should be signed, wherever possible.

Standard of Proof

The standard of proof to be applied is the balance of probabilities, i.e. if it is more probable than not that the student did what he or she is alleged to have done, the Headteacher/teacher in charge may suspend the student. However, the more serious the allegation and thus the possible sanction, the more convincing the evidence substantiating the allegation needs to be. This is not the same as requiring the criminal standard of 'beyond reasonable doubt' to be applied. But it does mean that when investigating more serious allegations, in determining whether it is more probable than not that the student has behaved as alleged, Headteachers/teachers in charge will

need to gather and take account of a wider range of evidence. In some cases this may extend to evidence of the student's past behaviour, if relevant to the seriousness of the present allegation.

Procedures following a fixed period of suspension:

- Whenever a student is suspended (permanently or for a fixed period), the parent/carer will be notified on the same day, ideally by telephone followed up by a letter including information specified in Section 51 A Education Act 2002.
- During periods of suspension exceeding one day, the school will set work for the student to complete and arrange for it to be marked;
- Where a student is given a fixed period suspension of a duration of six school days or longer, the school will arrange suitable full-time educational provision from and including the sixth school day of the suspension. Details of this provision will be provided by the school.
- The school will arrange a Return to School interview with parents/carers and the student during or following the expiry of any fixed period suspension;
- For suspensions of 6 school days or more, the interview must be held during the period beginning with the first school day to which the suspension relates and ending with the fifteenth school day following the day on which the student returns to school.
- If a Return to School meeting has not been held by the end of the period of suspension, the student will be expected to attend school and work in the Student Support Room until such a time as the meeting has taken place;
- The student and parents will be asked to re-sign the Home School Agreement as part of the Return to School interview.
- When parents/carers are telephoned (and in the subsequent letter), they will be informed that, during the initial period of up to five school days of any suspension, whether fixed period or permanent, the parents/carers of the suspended student must ensure that he or she is not present in a public place during normal school hours without reasonable justification. This requirement applies whether or not the student is in the company of the parents/carers.
- Following a fixed period suspension, a student will automatically be placed on an Individual Behaviour Plan or a Pastoral Support Plan to ensure that appropriate support is in place. This could involve assessments for SEND, mental health or family problems or seeking advice from relevant external agencies.

Permanent Exclusion

- A decision to exclude a child permanently is a serious one and will only be taken where the basic facts have been clearly established on the balance of probabilities. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the child and will normally be used as a last resort.

- There will, however, be exceptional circumstances where it is appropriate to permanently exclude a child for a first or 'one off offence'. These might include:
 - a) serious actual or threatened violence against another student or a member of staff; including bringing an offensive weapon on to the school site.
 - b) sexual abuse or assault;
 - c) if any student distributed, shared or sold drugs in a school context.

Procedures following a permanent exclusion:

- The Headteacher will, without delay, notify the governing body and the local authority of a permanent exclusion. If the student lives outside the local authority in which the school is located, the home authority will also be notified.
- In the case of a permanent exclusion the student remains on the roll of the school until any appeal is determined; until the time limit for the parents/carers to lodge an appeal has expired without an appeal being brought; or the parents/carers have informed the LA in writing that no appeal is to be brought;
- During the first five school days of a permanent exclusion the school will send work home for the student to complete;
- During these initial five school days of exclusion parents/carers must ensure that their child is not present in a public place during school hours without reasonable justification;
- From the sixth school day of a permanent exclusion, the LA is statutorily responsible for ensuring that suitable full-time education is provided to students of compulsory school age.
- Appeals against a permanent exclusion must be lodged by 15 school days after the day on which notice in writing was given of the governing body's decision not to reinstate the permanently excluded student.

Trustees' Role in Reviewing Exclusions:

- The requirements on the Trustees to consider an exclusion depend upon a number of factors. In considering any exclusions, the school will follow entirely the procedural guidance given in the 2023 DfE document, 'Suspension and Permanent Exclusions from Maintained Schools, Academies and Pupil Referral Units in England' and 'Guide and Information for Headteachers in Gloucestershire' Summer 2023.

The School's Duty to Arrange an Independent Review Panel

- Where parents/carers dispute the decision of the governing body not to reinstate a permanently excluded student, they can ask for this decision to be reviewed by an independent review panel. In such a case, the school will follow entirely the guidance given in the 2023 DfE document, 'Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England'.

Monitoring

The impact of the Exclusions Policy is monitored on a regular basis. Any concerns around patterns in students' behaviour leading to exclusion are explored and appropriate actions taken.

This policy will be reviewed on an annual basis by the Headteacher in conjunction with the Trustees. All members of staff are required to familiarise themselves with this policy and related policies and procedures and as part of their induction programme receive specific training on behaviour management during their first term at Cirencester Kingshill School.