



# Queen Elizabeth High School Policy

## Exclusion Policy QEHS7

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Policy and Document Links:

Behaviour Principles Statement  
Compliments and Complaints Policy  
Conduct for Learning Policy  
Keeping Children Safe in Education  
Safeguarding and Child Protection Policy

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(1) 19.03.17

(2) 17.05.17

(3) 11.09.17

(4) 30.08.18

## **Rationale**

Queen Elizabeth High School is committed to full accessibility and an inclusive ethos for all of our stakeholders. We respect the diversity of our community, staff and students as they continue to develop and evolve. It is a priority of the school to reduce significantly the use of exclusion as a sanction except in instances where it is fully warranted. The school also follows an active policy of avoiding the use of permanent exclusion except for the most serious offences where no other course of action is appropriate. In order to learn, students need to be in school and this remains the foundation of our use of exclusion.

Combating disaffection and ensuring that students have the opportunity to succeed are at the heart of what we do at Queen Elizabeth High School. Work is undertaken by Form Tutors, Senior Leaders and other professionals and agencies to ensure that students' behavioural needs are addressed.

The aim of this policy is to promote and educate students towards good conduct and not just deal with the unacceptable; however where this conduct is severe enough, to set out the guidelines by which any exclusion decisions will be made. Of paramount importance is the safety and security of our students and staff. The use of pre-meditated or malicious physical violence will almost always result in the sanction of a fixed-term exclusion.

This document is written in light of the DfE statutory guidance document of January 2015 "Exclusion from maintained schools, academies and pupil referral units in England". It also has regard for the following legislation:

- Education Act 2002
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Education and Inspections Act 2006

## **Introduction**

The government ammended guidance on the use of exclusion in January of 2015 and subsequently in July 2017. As a result, the government supports decisions to exclude students within England where the Headteacher feels that the exclusion is lawful, reasonable and fair.

The decision to exclude a student will always be taken by the Headteacher. Where the Headteacher is not present in school this responsibility will be delegated to the Deputy Headteacher who will make every effort to contact the Headteacher with details of the poor conduct leading to a possible exclusion. No other member of staff has the legal right, nor the remit to either exclude or threaten the use of exclusion.

Either before or at the time of the exclusion being set, the Headteacher will be satisfied that a full investigation as far as is possible has been conducted and appropriate evidence statements either gathered or in the process of being obtained.

Though not exhaustive and not prescriptive, the following list contains examples of conduct contrary to the school Conduct for Learning Policy where either fixed-term or ultimately permanent exclusion may be deemed an appropriate sanction:

- Verbal abuse to staff and other adults
- Verbal abuse to students
- Physical abuse to/attack on staff and other adults
- Physical abuse to/attack on students
- Indecent behaviour
- Criminal damage to property
- Use of illegal drugs or other substances including supplying

- Theft
- Serious actual or threatened violence against another student or a member of staff
- Bringing the school into disrepute
- Persistent infringements of the school Conduct for Learning Policy
- Sexual abuse or assault
- Wilful disobedience and challenging the authority of school staff
- Carrying an offensive weapon
- Arson or bringing the means to set a fire onto school premises

The Headteacher reserves the right to amend this list and if appropriate sanction by means of exclusion any other offence as appropriate.

Most exclusions are of a fixed term nature and are of short duration (usually no more than 5 days). The DfE regulations allow the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one academic year. Where an exclusion is necessary, parents/carers are contacted immediately to be part of the process. No student will be excluded during a school day where a parent/carer is not available to either take them from school or make appropriate arrangements for their care. Every exclusion is always accompanied by a formal letter detailing the reason for exclusion, the dates for which the exclusion applies and the appropriate actions to take. Where at all possible the Headteacher will seek to meet the parent/carer at the time the exclusion is put in place. This reduces the need for a return to school meeting as the details of the exclusion and any other sanctions are discussed then. The school will never extend an exclusion until a parent attends a return to school meeting, but it does reserve the right to use internal exclusion as a substitute.

Where a student returns from a fixed-term exclusion they will always be monitored in line with the Conduct for Learning Policy by means of a Red Monitoring Report Card. As the most serious monitoring card (purple) carries a potential exclusion for failure on that card, it would be unfair to bring a student back on anything higher than red except in very serious cases.

Where it is necessary to exclude a student for a period greater than 5 days, either in one exclusion or due to a number of cumulative exclusions, the school will put in place a Personal Support Plan (PSP) to assist the student in modifying those behaviours that have led to them being excluded. This will include the use of monitoring report cards, strategies to reduce the risk of further exclusions and regular parent/carer contact, most usually via the Key Stage Leader.

Whilst a student is excluded from school it is the parent/carers responsibility to ensure that they are adequately supervised. Under no circumstances should the student be on school premises whilst excluded. Every endeavour will be made to provide meaningful work for the student to complete whilst excluded.

### **Fixed-Term Exclusion Greater Than 5 Days**

Where a student is excluded for more than 5 days, Queen Elizabeth High School recognises its statutory responsibility to ensure an educational provision is made for that student from day 6 of the exclusion. In this event, the school will approach other educational providers to ensure that there is a clear provision in place for the student to attend whilst their exclusion is completed. Queen Elizabeth High School will ensure that the student receives appropriate quality work to complete whilst serving any exclusion. Where every attempt will be made to secure provision close to school, given our location this can be difficult to guarantee. It remains the responsibility of the parent/carer to ensure a student attends the alternative school for the duration of the exclusion over and above the first 5 days. Failure to do so would mean the student was absent and this could result in a prosecution being brought against the parent/carer.

Where a student accrues 15 days or more of exclusion in any term that student will have the right to have the exclusion(s) heard automatically by a panel to include at least one school governor and a ruling on the exclusion(s) made as per the evidence presented.

### **Permanent Exclusion**

The decision to exclude a student permanently is a very serious one. There are two main types of situation where permanent exclusion may be a possible sanction, however it must be stressed that Queen Elizabeth High School will always actively seek to avoid such a sanction.

In the first instance, permanent exclusion may be an appropriate sanction to consider when dealing with persistent breaches of the Conduct for Learning Policy and where all other appropriate courses of action have resulted in the student still contravening the Conduct for Learning Policy and not responding to their PSP. It is an acceptance that all other strategies have failed and can be used for persistent and repeated issues with conduct, for example a sustained campaign of bullying where all strategies had been employed to correct the students conduct or repeated possession of the means to set a fire on school premises. Again, these are examples of situations that can ultimately lead to permanent exclusion.

Additionally, there are some instances where the student would be at risk of permanent exclusion that were sole incidents. For example a student bringing any drugs or weapons onto school premises, a student who commits a sexual assault or a student who sets a fire on school grounds. Again it must be stressed these are examples of where the sanction could be, but do not necessarily have to result in a permanent exclusion.

If deemed appropriate, the school can contact Police authorities and social services with full details of any offences.

### **Use of Discretion**

The Headteacher will always review carefully the details behind any decision to exclude or not exclude. The starting point will always be what other strategies could be employed to bring about a positive outcome for the student and if appropriate any victims. There is no set tariff or necessarily any correlation between decisions to exclude or not exclude as the Headteacher will weigh up all of the factors as reported to them and any mitigation if appropriate. Due regard will be placed on potential issues that may arise if the student is not excluded. One case resulting in a fixed term exclusion may not always set a precedent in a similar situation. Although offences can be similar or the same, the context of the offence may be different, therefore the school does not accept that every decision is rigid and will apply discretion as appropriate for the individual case. All decisions to exclude are made by the Headteacher and it is their interpretation of the event conduct of the student that will form the basis of the decision.

For single exclusion decisions of six days or more, parents/carers have the right to appeal the decision to the governing body. Details of how to contact the governing body are available via the school website. Decisions to exclude of five days or less are not able to be appealed to the governing body and the decision of the Headteacher in this situation is final.

The determination of length of exclusion is made by the Headteacher who will consider the seriousness of the offence. It is normal practice to levy the minimum length of time where possible, most usually 1 day, unless the offence is deemed worthy of a longer exclusion. Where a student commits a repeat offence this will result in a longer length of exclusion and so on for a third offence of the same nature. This will normally follow a pattern of 1 day, 3 days and 5 days, however this is adjustable by the Headteacher.

## **Managed Moves**

Where it is likely a student could be subject to a permanent exclusion, the school will seek to work with all involved to provide the student with a fresh start at a new school. This process is known as a managed move. In normal circumstances the student would spend up to twelve weeks at a new school under the managed move protocol. Where this was successful then the student would transfer to the new school and no permanent exclusion would be recorded against the student. If the managed move breaks down, the student will return to their home school, i.e. Queen Elizabeth High School and may be subject to a permanent exclusion which will be recorded on their record. Where this happens, at the point of permanent exclusion, the student becomes the responsibility of the Local Authority who will organise educational provision for them at a school where there is space or at a Pupil Referral Unit (PRU).

Further details on the school Conduct for Learning Policy and other associated policies and documents are available from the school website [www.qehs.co](http://www.qehs.co) within the "Key Information – Policies" page.

This policy will be reviewed annually to take account of legal and/or other developments or sooner if it contravenes in any way legal compliance.

## **Policy Amendment Record**

Number:	Date:	Amended by:	Details and Location:
1	19.03.17	M Farmer	Checked against The Key Compliance Tracker, adjustments to some terminology to ensure compliance and clarification of interpretation.
2	17.05.17	M Farmer	Style change to incorporate change to school name. References to old name changed to reflect new name. Shelf ready from September 1 <sup>st</sup> 2017.
3	11.09.17	M Farmer	Most recent guidance reflected in document.
4	30.08.18	M Farmer	Check for accuracy with minor amendments as required, website address updated page 4. Policy identifier added (QEHS7)