

Leek High School



Exclusions Policy

Introduction

Leek High School, through effective and positive behaviour management, aims to avoid students being excluded from school and actively seeks ways of reducing exclusion rates. It should, however, be recognised that serious breaches of school discipline are unacceptable, and the school will apply a serious sanction where these do occur. This policy aims to give governors, staff, students and parents/carers an understanding of the kinds of behaviours that may well result in exclusion and how these are managed.

This policy was drawn up through reference to these documents:

- Behaviour and Discipline in Schools, a guide for Headteachers and school staff (DfE 2011)
- Behaviour and Discipline in schools, guidance for governing bodies (DfE 2012)
- Exclusions from Mainstream Schools, Academies and Student Referral Units in England (DfE 2012)
- Changes to the school exclusion process during the coronavirus (COVID-19) outbreak (DfE 2020)

Fixed Term Exclusions

Exclusions are used where a breach of school discipline occurs or where a student is persistently disrupting learning. The school uses internal and external fixed term exclusion to reflect not only the seriousness of the breach of school discipline, but also the previous behaviour of the student concerned and the context. Each situation is judged on a case by case basis.

Internal fixed term exclusion is used where a breach of school discipline occurs, but an incident is not judged to be serious enough to require external exclusion. Internal fixed term exclusions may also be used where a student would normally be externally excluded but they have special educational needs or if they could be put at potential risk by not being in school.

External fixed term exclusions are used for one-off serious breaches of school discipline or where a student has a record of previous serious incidents or persistent disruption to learning. Students returning from external fixed term exclusion will have a readmission meeting in school with their parents/carers and may be placed on a Pastoral Support Plan (PSP) or other interventions designed to prevent further exclusions.

Decisions about fixed term exclusions are taken by the Headteacher and senior staff, after considering evidence gathered by staff that have investigated the incident. The Headteacher has the power to exclude if satisfied that there is a balance of probability the student has been responsible for a serious breach of school discipline.

The list below outlines the kinds of serious incidents/behaviour that may result in fixed term exclusions. This is not an exhaustive list but gives an indication of the types of serious breaches of school discipline which may lead to exclusion.

- Verbal abuse, including swearing or abusive language, directed at students or staff.
- Physical assault.
- Possession of drugs or alcohol.



- Being under the influence of alcohol or drugs.
- Threatening behaviour.
- Using social media to bully, intimidate or humiliate others.
- Using social media to damage the reputation of the school.
- Using racist language or behaviour.
- Using homophobic language or behaviour.
- Using transphobic language or behaviour.
- Possession of a weapon or dangerous object.
- Inappropriate sexual conduct.
- Theft or damage to property, belongings and school equipment.
- Behaviour that puts the student or other student at risk of serious harm.

Incidents Outside of School Hours

If a serious incident occurs whilst on a school trip/visit, then the student(s) concerned may be excluded and banned from future school trips/visits.

If an incident occurs either on the way to or from school, the Headteacher has the right to apply sanctions such as exclusions.

If an incident occurs outside of school hours, in the evenings or at weekends, the Headteacher will consider whether the presence of a student in the school building is likely to have an impact on the smooth running of the school or on the safety and well-being of other students or staff. If this is the case exclusion can be applied.

Governor Discipline Meetings

Governor discipline meetings are held for the following reasons:

- To discuss the behaviour of individual students who have been involved in very serious incidents or excluded from school several times.
- If a student is excluded for more than 15 days in one term.
- To hear the case of a student who has been permanently excluded from the school.

These meetings enable the governing body to ensure that appropriate levels of support are in place and to discuss with the student and parents/carers the steps the Headteacher may have to take if behaviour does not improve.

Governors do not have the power to overturn the Headteacher's decision to exclude a student unless:

- The exclusion is permanent.
- The exclusion results in a student missing a public examination.
- The exclusion results in the student being excluded for more than 15 days in one school term.
- A student has been excluded for more than 5 days in one term and parents/carers have requested a governing body meeting.

Permanent Exclusions

Students may be permanently excluded for a serious one off incident or for persistent breaches of school discipline. Only the Headteacher can decide to permanently exclude a student.



Where a permanent exclusion is considered, the Headteacher may exclude for a fixed period initially to be sure that as much evidence as is reasonably possible has been gathered and considered.

The Headteacher will consider a managed move to another school as an alternative to permanent exclusion in the following circumstances:

- The student would benefit from a move of school to be away from disruptive influences that may have influenced their behaviour.
- Where a single serious one-off incident occurs where returning to the school may have a significant impact on another student or group of students, but in the opinion of the Headteacher is not likely to re-occur in another school.
- The Headteacher is confident the student does not represent a threat to the health and safety of students or staff at another mainstream school.

Any managed move must meet the criteria set out in the Local Authority guidance and must be with the consent of the parent/carer and student concerned. If the managed move is unsuccessful the Headteacher may decide to permanently exclude the student concerned.

Other alternatives to permanent exclusion, including managed moves, may also be explored through referral to the District SEND and Inclusion Hub with the agreement of parents/carers.

This policy will be reviewed at regular intervals by the Local Governing Body/Academy Trust and amended in the light of any new published guidelines from the DfE.

Headteacher

Date:

Chair of governors

Date:

POLICY REVIEW DATE: October 2021



COVID-19 Addendum to Exclusion Policy

Revised Exclusions Guidance

On Friday 29 May 2020, the government published statutory guidance on changes to the exclusion process during the coronavirus outbreak. Whilst Exclusion from maintained schools, academies and pupil referral units in England 2017 remains the key statutory document for schools, the DfE have issued interim guidance during the coronavirus outbreak.

The Government's new guidance on exclusions can be found [here](#). This section summarises the key changes in the new guidance and what adaptations all Ark schools will make in response.

Summary of changes

The new guidance applies to all exclusions from 1st June – 24th September 2020 (inclusive) and has two key areas:

- Timeframes for governor review panels and Independent Review Panels (IRPs) have been extended (see below).
- Remote panels may be convened via telephone or video conference if reasonably practicable and with a set of conditions that must be met (see below).

All other arrangements and procedures under the existing statutory guidance and Ark Exclusions policy continue to apply. Note: Exclusions that occurred prior to 1st June 2020 and have not yet been to panel should be prioritised and completed as soon as reasonably possible.

Extended timeframes

Statutory timeframes for panel review meetings and parent applications for an IRP have been extended in response to the exceptional circumstances that schools are now operating under due to the coronavirus pandemic. Whilst the guidance does specify new timeframes, see table below, it also notes that if they cannot be met then the meeting should happen as soon as 'reasonably practicable' to do so.

Schools should make every effort to meet the new timeframes and accommodate parental engagement in the exclusions process wherever possible, although staff, pupil and parent safety remains paramount.

Type of panel/ deadline	Standard timeframe from date of exclusion	New guidance (until 24 th Sep)
PEX and 15+FTE governor review panel	15 school days	25 school days
6 to 15-day FTE governor review panel	50 school days	60 school days
Application for IRP following a governor panel	15 school days	25 school days*
Independent Review Panel	15 school days	25 school days

* Schools must wait 25 school days from the date the panel decision was communicated to parents before removing the pupil from the school roll.



Remote panels

Exclusion Panels and IRPs can be convened by telephone or video conference under the new guidance, providing the following key conditions are met:

- All participants agree to holding the panel meeting remotely*
- All participants have access to the relevant technology necessary and will be able to fully engage and participate through this medium
- All participants are able to express their views and fulfil their functions
- The meeting will be fair and transparent via the remote access.

*If a parent/carer requests or agrees to a remote panel, the other attendees should agree to go ahead if possible. If the Headteacher does not wish to go ahead they should discuss the reasons with the Chair of the Local Governing Body.

If these conditions cannot be met through a remote panel then it should be deferred until a later date when the panel can physically meet, or the remote panel conditions can be met.

In addition to these key conditions, the guidance sets out some requirements for schools to adhere to when arranging a remote panel meeting.

- 1) Schools must fulfil their duties under equality legislations, particularly with regards to **fair and equal participation** from those with EAL, disabilities etc.
- 2) Schools must make it clear to parents what form of technology is being used (e.g. Microsoft Teams) and that they do not have to agree to a remote meeting if they do not want to.
- 3) Parents must be made aware that if they do not agree to a remote panel the timeframe for the meeting will most likely be delayed.
- 4) If a remote meeting starts but for some reason cannot proceed (e.g. loss of connection) then the meeting must be deferred.
- 5) Written representation may be considered as part of the meeting but an entirely written 'meeting' is not lawful.
- 6) Schools may consider holding a blend of remote and physical meeting, providing it meets government guidelines on safety and social distancing and that the four key conditions outlined above are met, see below.
- 7) Normal procedural and admin requirements for panel meeting still apply (e.g. panel paperwork, parents being accompanied by a friend and requests for SEND experts at IRP etc.)
- 8) The new guidance is statutory and applies to all schools, as does the ongoing government advice on health, safety and social distancing during the pandemic.

Blended meetings

The new guidance states that schools may offer blended meetings if practicable. Whether such a meeting can be offered will be decided on a case by case basis by the Headteacher and Chair of the Local Governing Body.