

# HUTTON CE GRAMMAR SCHOOL AND SIXTH FORM



## EXCLUSIONS STATEMENT

As a Church school all we do is underpinned by Scripture, striving to ensure that everyone within our community is supported and encouraged to always make the most of their God-given talents. Our school community is based on four rights — the right to learn, the right to teach, the right to feel secure and the right to dignity. Our Behaviour and related policies are based around the recognition of what students do well and the understanding that when behaviour is not as it should be we seek to address it and move forwards together. This is exemplified in Colossians 3:13:

‘Bearing with one another and, if one has a complaint against another, forgiving each other; as the Lord has forgiven you, so you also must forgive.’

As a school we believe good discipline in school is essential to ensure that all students receive a high quality of education. The Government supports head teachers in using exclusion as a sanction where it is warranted. The decision to exclude a child is never taken lightly, whether it be a fixed- term exclusion (i.e. for a limited period of time) or a permanent exclusion. It is our most serious sanction and issued to students for serious breach of the behaviour policy.

A range of policies and procedures are in place to promote good behaviour and appropriate conduct. These are:

- Behaviour Policy;
- Anti-Bullying Policy;
- Mental Health and Well-Being Policy

We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding.

Students may be excluded for disciplinary reasons, within the school day, including lunchtimes, or after school. Students are clearly informed about the expectations of following school expectations and upholding the school’s reputation outside school hours.

All exclusions are the result of a thorough investigation, which includes gaining accounts from all parties involved. Sometimes the evidence is clear, and at other times conclusions are less clear, in which case the Headteacher must make a decision based on the ‘balance of probability’. However, it

must be remembered that we are not a court of law, but do our utmost to ensure an accurate judgement is made. At all times we act reasonably, fairly and consistently, with careful consideration given to students who are vulnerable to exclusion and never discriminate based on protected characteristics; we consider the context of the incident, the profile of the student, including any contributing factors or personal circumstances.

In accordance with the Equality Act 2010, we are aware that students with an EHC plan are especially vulnerable to the impact an exclusion can have, and therefore we ensure to make reasonable adjustments to disciplinary procedures if needed e.g. taking into account behaviour that is a direct case of a student's disability; making reasonable adjustments to manage such behaviour; considering alternative and more appropriate sanctions; ensuring the student is able to present their case in full.

We do everything possible to ensure that students who are looked after are not permanently excluded and that fixed term exclusions are avoided as much as possible through working together with all parties to develop and implement flexible and workable approaches to address any difficulties.

### **What happens when a child is excluded?**

We will let parents/carers know about an exclusion as soon as possible after the decision has been made, and always on the same day. A senior member of staff will try to contact parents/carers by phone and this will be followed up with a letter stating how long their child is excluded for and why, and the date of the reintegration meeting. The letter will also contain details of how to challenge the exclusion if parents so wish.

Exclusions can start on the same day but we take into consideration the fact that parents/carers may not always be able to come to school to collect their child immediately.

### **Risk of prosecution if a child is found in public place**

For the first 5 school days of an exclusion, parents must take responsibility to make sure their child is not in a public place during normal school hours unless there is a good reason. Failure to do so is likely to result in prosecution.

### **Types of exclusion**

There are two kinds of exclusion: fixed term and permanent.

#### **Fixed term exclusion**

A fixed term exclusion is when a child is temporarily removed from school. Children can only be removed for up to 45 school days in one school year, even if they have changed school.

Any child serving a fixed term exclusion will be set work, which will be marked upon return. If the exclusion is longer than 5 school days, the school must arrange suitable full-time education from the sixth school day.

If alternative education is not arranged within 5 days, or parents are not happy with the education, a complaint should be made to the school following the school's complaints policy on the website. If parents remain dissatisfied with the school's response after following the complaints policy, parents can complain to the Department for Education.

On the day the child is expected to return to school following the exclusion, parents should, whenever possible, accompany their child to school for a 'reintegration' meeting with a member of the school pastoral or senior leadership team. The purpose of the meeting is to agree how to move forward from the exclusion to avoid recurrence.

### **Permanent exclusion**

Any child for whom the Headteacher is considering this action will have the opportunity to present their case fully before the decision is taken to exclude. In instances of persistent breaches of the school's behaviour and relationship policy over a period of time, the decision to permanently exclude will be made after all other possible preventative strategies have been exhausted.

Permanent exclusion only occurs in exceptional circumstances:

- In response to a serious breach of the school's behaviour policy.
- In response to persistent breaches of the school's behaviour policy and / or persistent disruptive behaviour, where the school has exhausted all strategies to support the student through other preventative means;

and

- where allowing the student to remain in school would seriously harm the education or welfare of students or others in the school.

As with fixed term exclusions, parents/carers will be notified as soon as possible. The Local Authority (in which the student resides) must arrange full-time education from the sixth school day following the exclusion. Parents/carers will be informed about the arrangements and it is parents'/carers' responsibility to ensure their child attends the provision made. If alternative education is not arranged within 5 days, or parents/carers are not happy with the education, a complaint should be made to the Local Authority. If parents/carers remain dissatisfied with the Local Authority's response after following their complaints policy, parents can complain to the Department for Education.

The school committee must consider the reinstatement of an excluded student within 15 school days; parents and child will be invited to attend a meeting with the school committee's pupil disciplinary panel at which the decision will be made whether to reinstate the child or not.

The School Committee must also consider reinstatement of an excluded student if it would result in a student missing a public examination.

If parents/carers dispute the committees' decision to permanently exclude, they may request the decision to be reviewed by an Independent Review Panel (IRP), or where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent exclusion, parents can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination).

If parents/carers apply for an independent review, the Local Authority will arrange for an independent panel to review the decision of the School Committee not to reinstate a permanently excluded student.

Applications for an independent review must be made within 15 school days of notice being given to the parents/carers by the school committee of its decision to not reinstate a child.

The Headteacher must remove a student's name from the school admissions register if:

- 15 school days have passed since the parents/carers were notified of the school committee's decision to uphold a permanent exclusion and no application has been made for an independent review panel;
- the parents/carers have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review panel has been made within 15 school days, the Headteacher must wait until the review has been determined, or abandoned, before removing a child's name from the register.

This policy must be read in conjunction with the Behaviour Policy and Dfe Statutory Guidance - Exclusion from maintained schools, academies and pupil referral units in England

<b>Next Review</b>	Curriculum & General Purposes Committee	Spring Term 2024
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