

## COLCHESTER COUNTY HIGH SCHOOL FOR GIRLS

### A6 EXCLUSION POLICY

<b>COMMITTEE</b>	Curriculum & Student Matters
<b>SLT RESPONSIBLE</b>	Dawn Frost Associate Principal (Teaching & Learning)
<b>REVIEW</b>	Every 2 years or earlier if there are changes to statutory guidance
<b>POLICY REVIEWED</b>	September 2020
<b>REVIEW DUE</b>	September 2022
<b>APPROVED BY THE GOVERNING BODY</b>	18 November 2020

## **COLCHESTER COUNTY HIGH SCHOOL FOR GIRLS**

### **A6 EXCLUSION POLICY**

#### **RATIONALE**

Colchester County High School for Girls recognises that in order to ensure a positive atmosphere based on a sense of community and shared values it may, on occasions, be necessary to exclude an individual or individuals either for a fixed period, not exceeding forty five days in any one academic year, or, in some circumstances, permanently.

Such exclusions should only be resorted to when the school can demonstrate with adequate evidence that all reasonable steps have been taken and/ or that the presence of the student is likely to be severely detrimental to themselves, other students or staff. There may also be occasions when a short-term exclusion is appropriate because of unacceptable behaviour.

The decision to exclude a student must be lawful, reasonable and fair. The School has a statutory duty not to discriminate against students on the basis of protected characteristics, such as disability or race. The School should give particular consideration to the fair treatment of students from groups who are vulnerable to exclusion.

#### **Purpose**

1. To maintain an environment where students can develop academically, morally and socially where there are the highest standards of behaviour. Exclusion from school is only used when it is necessary, in maintaining good order in the school, and in keeping with clear guidelines.
2. All students are treated fairly with respect to exclusion.
3. Parents feel that their children have been treated fairly.
4. When exclusion is necessary, the legal procedures are properly carried out and all concerned know their roles.
5. Appropriate records of exclusions are kept, and that the Governors are kept aware of any exclusions and can monitor these records through the Curriculum & Student Matters Committee.
6. Exclusion is understood by students and parents to be a legitimate and necessary sanction which can be applied if students do not conform to the standards which the school expects whilst students are under the care and discipline of the school.

## Guidelines

The school follows DfE Guidance 'Exclusion from mainstream schools, Academies and student referral units in England' 2017.

1. Students demonstrating anti-social behaviour should usually move through the hierarchy of sanctions outlined in the Behaviour, Rewards & Sanctions Policy A4. However, students may be excluded for serious or persistent breaches of the school's behaviour policy or where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.
2. Only the Executive Principal or Associate Principal may exclude - or a Vice Principal in their absence and normally only for sufficient time to allow the Executive Principal or Associate Principal to consider the appropriate length of exclusion on returning to school.
3. A thorough investigation should be conducted into the incident, talking to any witnesses, staff and/or students as soon as possible, and independently. Once the facts have been established or while this is taking place, the student(s) involved may be isolated, as a means of minimising the after effects of the action. The senior member of staff investigating the incident should find out from the student if there was any reason for the behaviour and extenuating circumstances or provocation. For example, it may come to light that a student has suffered bereavement, has mental health issues or has been subject to bullying. A note must also be made of any Equality, Disability or SEN issues which may have had a bearing on the circumstances. A copy of all notes will be retained on file.
4. The decision on whether to exclude is for the Executive Principal or Associate Principal to take. However, excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and ability to understand.
5. The Executive Principal or Associate Principal has the right to determine the length of the exclusion period, taking into account Points 1 to 4 above.
6. All exclusions must be formally notified in writing to the parents, indicating brief details of the offence, the period of exclusion, the right of parents to appeal, details of work set, and the date for re-admission.
7. The Executive Principal or Associate Principal must, without delay, notify the governing body and the local authority of:
  - a permanent exclusion (including where a fixed period exclusion is made permanent);
  - exclusions which would result in the student being excluded for more than five school days (or more than ten lunchtimes) in a term; and

-exclusions which would result in the student missing a public examination or national curriculum test.

For all other exclusions the Executive Principal or Associate Principal must notify the local authority and governing body once a term. Notification must include the reasons for and duration of the exclusion.

8. Parents will be invited into school to discuss with the Executive Principal, Associate Principal or designated member of the Senior Leadership Team the criteria by which a student may be readmitted, where possible on the first day the student returns to school. In more severe cases, a Governor may also be asked to attend.
9. In all cases parents will be informed of their right to make representations to the Governing Body (via the Clerk). The governing body has a duty to consider parents' representations about an exclusion. The requirements on a governing body to consider an exclusion depend upon a number of factors (See Appendix A)
10. In the case of a fixed period exclusion which does not bring the student's total number of days of exclusion to more than five in a term, the governing body must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.
11. The governing body must consider the reinstatement of an excluded student within 15 school days of receiving notice of the exclusion if:
  - the exclusion is permanent;
  - it is a fixed period exclusion which would bring the student's total number of school days of exclusion to more than 15 in a term; or
  - it would result in a student missing a public examination or national curriculum test.

All such hearings will follow the DfE guidance.

The governing body is **not** required to meet and cannot direct the reinstatement of the pupil for exclusions of more than 5 but fewer than 15 school days in the term, **if the parents do not make representations.**

12. If the exclusion is for more than one day, suitable school work will be provided for excluded students during exclusion. It is the responsibility of parents to return work to school to be marked.
13. Where a student is given a fixed period of exclusion of a duration of 6 days or longer, the school will arrange suitable full time educational provision from and including the 6<sup>th</sup> day of the exclusion. The local authority will make alternative provision from the 6<sup>th</sup> day in the case of permanent exclusions.

14. During the initial period of up to 5 school days, the parent(s) of the excluded student must ensure that the student 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 parent(s).
  
15. Students whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. A lunchtime exclusion is a fixed period exclusion (equivalent to one half school day) and should be treated as such. Parents have the same right to be given information and to appeal. A lunchtime exclusion for an indefinite period, like any other indefinite exclusion, would not be lawful. Arrangements should be made for students who are entitled to free school meals. This may mean providing a packed lunch.
  
16. If incidents happen off the school site, or out of school hours, or when the student is not in school uniform, the school still reserves the right to act, where the incident concerns members of the school community, or where the school's good name is being brought into disrepute, and where the good discipline of the school is an issue.

**Linked Documents:**

Exclusions Guidance 2017- <https://www.gov.uk/government/publications/school-exclusion>

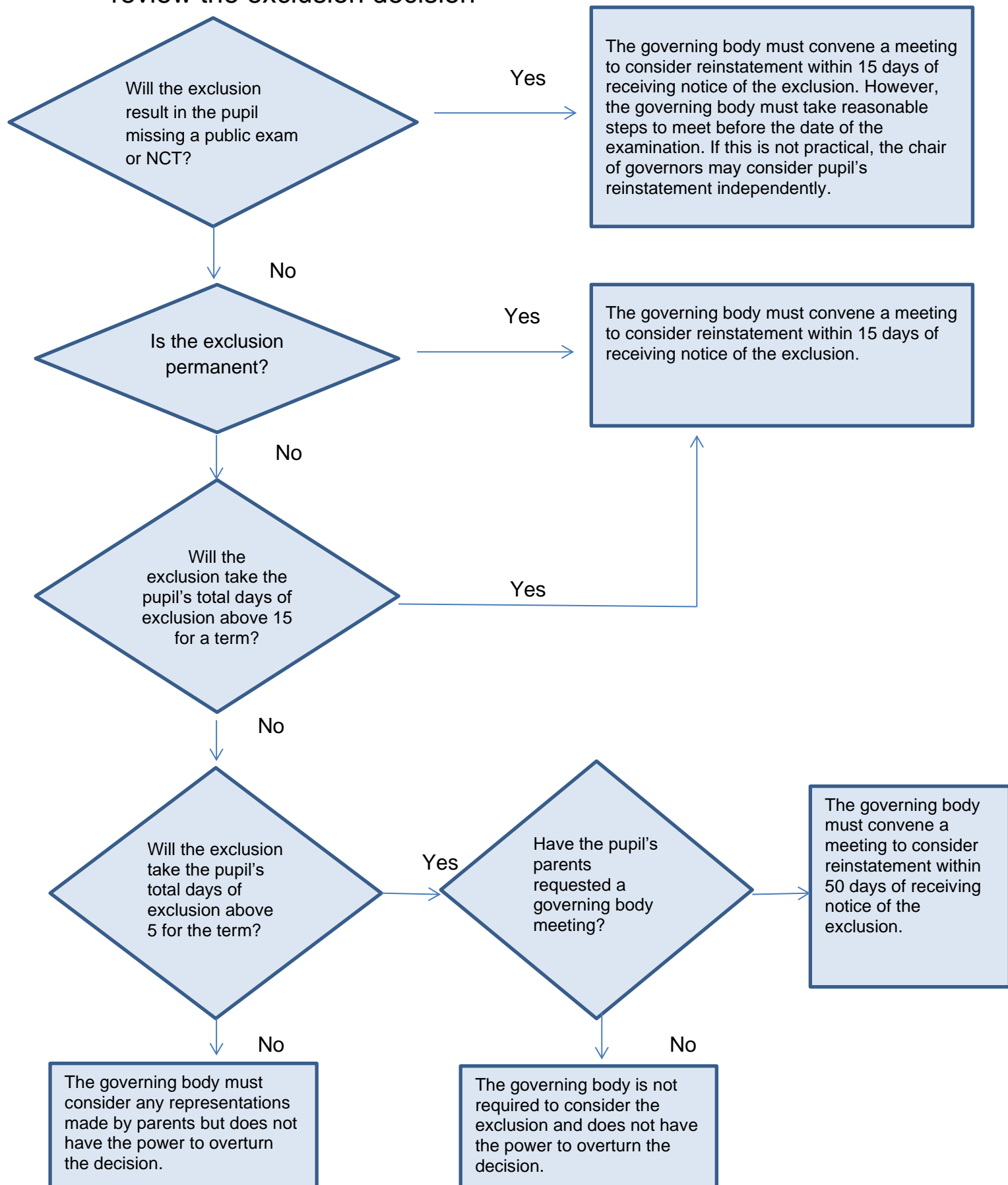
**Related Policies:**

A4 Behaviour, Rewards & Sanctions  
A5 Anti-bullying Policy  
A12 Equality Impact Duty  
48 Drugs Policy

**Review**

This policy will be reviewed every 2 years or earlier if statutory guidance changes.

## Appendix A – A summary of the Governing Body’s duties to review the exclusion decision



The governing body may delegate its functions to consider an exclusion to a designated sub-committee. References to days mean 'school days' and do not include non-pupil days.

## **Changes to the school exclusion process during the coronavirus Covid-19 outbreak for exclusions occurring between 25 September 2020 and 24 March 2021**

For exclusions occurring between 25 September 2020 and 24 March 2021 (inclusive of those dates), meetings of governing boards or independent review panels should be held via remote access if:

- it is not reasonably practicable to meet in person due to coronavirus (COVID-19)
- the other conditions for a remote access meeting are met

The deadline for applications for an independent review in relation to exclusions occurring between 25 September 2020 and 24 March 2021 will be 25 school days from the date on which notice in writing of the governing board's decision is given to parents, or directly to the pupil if they are 18 or above.

### **Returning to normal timescales**

It is important that governing board meetings and independent review panel meetings, relating to exclusions occurring between 25 September 2020 and 24 March 2021, take place within the normal timescales set out in the guidance on exclusion from maintained schools, academies and pupil referral units in England.

Governing boards and arranging authorities for independent review panels should take all reasonable steps to meet the normal deadlines for exclusions occurring after 24 September.

They should:

- consider the guidance on protective measures for the full opening of schools
- facilitate remote access meetings where it is not reasonably practicable to meet in person

If the deadlines are missed because of coronavirus (COVID-19), the meeting must be held as soon as it becomes either reasonably practicable to meet in person or via remote access (respecting the conditions for such a meeting).