



Exclusions Policy

Contents:

1. Statutory requirements	2
2. Recommended Good Practice.....	2
3. Statutory Guidance	2
4. Rationale.....	2
5. Types of Exclusion.....	2
6. Monitoring & Review	4
Appendix 1:.....	4

1. Statutory requirements

- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The Education Act 2002 (as amended by The Education Act 2011)
- The Education and Inspections Act 2006
- The Education Act 1996
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007 (as amended 2014)
- The European Convention on Human Rights (ECHR)
- The Equality Act 2010

2. Recommended Good Practice

2.1. Furze Platt Senior School Governors' Behaviour for Learning Policy

3. Statutory Guidance

- *DfE (2017) 'Exclusion from maintained schools, academies and pupil referral units in England'*
- *DfE (2016) 'Behaviour and discipline in schools'*
- *DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'*

4. Rationale

It is the policy of Furze Platt Senior School to avoid exclusions, fixed term or permanent, whenever possible. The school Behaviour Policy and ladder of sanctions provides a coherent framework which contains a number of more constructive sanctions.

The decision to exclude a student from school for either a fixed term, or permanently is regarded as a last resort, and usually only after a range of these strategies have been undertaken. Parents will be informed of such decisions at all times.

5. Types of Exclusion

At Furze Platt Senior School, there is an escalating scale of exclusions:

- Students may temporarily be excluded from a lesson. In most cases, this will be after the school's positive behaviour procedure has been followed, and a student still refuses to co-operate. In this instance, the student can be removed from the lesson either by the Curriculum Leader, or the Senior Leadership Team member on duty. Students will then be placed in a 6th Form lesson.
- For more serious or repeated misdemeanours, a student may be placed in the Reflection Room for a period of up to two days. They will be supervised and provided with work, but will not be allowed into lessons. Additionally, their break and lunch will be at a different time to the rest of the school.
- Fixed term exclusions from school. These will usually only be applied once a student has failed to respond to lesser sanctions or for a small number of incidents considered so serious by the school that a one day exclusion is automatic (e.g. swearing at a member of staff).
- In the most serious cases, permanent exclusion from Furze Platt Senior School may be the only option left to the Headteacher.

5.1. Fixed Term Exclusions

- A student can be excluded for an aggregated total of 45 school days in any one academic year.
- Students can be excluded from the school site during lunchtimes, but the Headteacher has a duty to ensure that the parent/carer has been informed.
- During the first five days of a fixed term exclusion, the student is the responsibility of the parent/carer, although the school must ensure that adequate work is set. It is the

parent/carer's responsibility to ensure that the student does not come onto the school site, or is in a public place during school hours without reasonable justification.

- On the 6th day of exclusion, the school must provide suitable full-time education, either on or off the school site. Furze Platt Senior School rarely excludes a student for this number of days. If a student is excluded for longer the school will make arrangements with another school or alternative curriculum provider for education from the 6th day.
- A reintegration meeting will be held between a school representative, the student and the parent/carer after any exclusion (except in very exceptional cases).
- Following exclusions of 5 days or more, a reintegration interview must take place.

5.2. Permanent Exclusions

- A permanent exclusion is a serious step, and should only be taken when all other alternatives have been explored. However, it is clear that for some students, in some circumstances, this is the only available and appropriate option. The DfE lays out the following criteria for permanent exclusion:
 - serious breach *or persistent breaches* of the school's Behaviour for Learning Policy; and
 - allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.
- In most cases, a permanent exclusion will be the final step in a process of dealing with disciplinary offences following a wider range of 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 should normally be used as a last resort.
- There will however, be circumstances where a 'first offence' is so serious that permanent exclusion has to be considered. This could include:
 - serious actual or threatened violence against another student or member of staff;
 - sexual abuse or assault;
 - evidence of illegal drugs being brought on to, used or supplied on school premises will result in permanent exclusion unless exceptional circumstances (e.g. physical coercion) can be proven. Evidence of students entering the school site while under the influence of any illegal substances, even if they consumed the substance off site, could also result in permanent exclusion;
 - carrying an offensive weapon.

This is not an exhaustive list. The school may then also wish to inform the police or other appropriate agency.

The DfE guidance is clear that we have a statutory duty not to discriminate against students on the grounds of protected characteristics such as disability or race and that we should give particular consideration to the fair treatment of students from groups who are vulnerable to exclusion.

5.3. Alternatives to permanent exclusion

The school will work actively to avoid permanent exclusion from school. It is very much a last resort and where possible we will pursue the following before a permanent exclusion is confirmed:

- a managed move to another local school;
- a placement at an alternative curriculum provider;
- a highly personalised curriculum programme ;
- securing an Education Health Care plan.

6. Monitoring & Review

- 6.1. This policy is reviewed every two years by the Headteacher.
- 6.2. The scheduled review date for this policy is March 2021.

Appendix 1:

Useful extracts from the statutory guidance

- *Students whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. In such cases the legal requirements in relation to exclusion, such as the headteacher's duty to notify parents, still apply. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a governing body meeting is triggered.*
- *The behaviour of students outside school can be considered as grounds for exclusion¹. This will be a matter of judgement for the headteacher in accordance with the school's published behaviour policy.*
- *When establishing the facts in relation to an exclusion decision the headteacher must apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'.*
- *Under the Equality Act 2010 ("the Equality Act") schools must not discriminate against, harass or victimise students because of their: sex; race; disability; religion or belief; sexual orientation; because of a pregnancy / maternity; or because of a gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices.*

Statutory guidance to headteachers on the exclusion of students from groups with disproportionately high rates of exclusion

- *The exclusion rates for certain groups of students are consistently higher than average. This includes: students with SEN; students eligible for free school meals; looked after children²; and students from certain ethnic groups. The ethnic groups with the highest rates of exclusion are: Gypsy / Roma; Travellers of Irish Heritage; and Black Caribbean communities.*
- *In addition to the approaches on early intervention set out above, headteachers should consider what extra support might be needed to identify and address the needs of students from these groups in order to reduce their risk of exclusion. For example, schools might draw on the support of Traveller Education Services, or other professionals, to help build trust when engaging with families from Traveller communities.*

Statutory guidance to headteachers on the exclusion of students with statements of SEND and looked after children

- *As well as having disproportionately high rates of exclusion, there are certain groups of students with additional needs who are particularly vulnerable to the impacts of exclusion. This includes students with statements of special educational needs (SEND)*

¹ Section 89(5) of the Education and Inspections Act 2006. Non-statutory advice on maintained schools' powers to discipline outside of the school are set out in Behaviour and Discipline in Schools – A Guide for Headteachers and School Staff (2012).

² As defined in section 22 of the Children Act 1989

and looked after children. Headteachers should, as far as possible, avoid excluding permanently any student with a statement of SEND or a looked after child.

- *Schools should engage proactively with parents in supporting the behaviour of students with additional needs. In relation to looked after children, schools should co-operate proactively with foster carers or children's home workers and the local authority that looks after the child.*

Where a school has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a student with a statement of SEND or a looked after child, it should, in partnership with others, (including the local authority as necessary) consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a student's SEND. Where a student has a statement of SEND, schools should consider requesting an early annual review or interim / emergency review.