



## Exclusion of pupils policy

Adopted: 2022

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The Concord School has the highest concern for the safety and wellbeing of the whole school community, and we work hard to ensure that our ethos and environment supports student learning and success. Exclusion is a sanction used only as a last resort, and we aim to reduce the need for the use of it as far as is possible. This policy outlines the school's use of exclusions and is supported by, and should be read in conjunction with, our **school behaviour policy**.

### 1. Power to exclude

The School Director is the only member of staff within the school who can exclude a pupil, either permanently or for a fixed-term. In the absence of the School Director, the Principal can make this decision.

The Board of Directors can review School Director's decision and consider representations from parents of excluded pupils. They may direct the reinstatement of an excluded pupil, or uphold an exclusion after a review, but they cannot exclude a pupil themselves. For more information on the Board's role in exclusions, see section 5.

### 2. Grounds for exclusion

Any exclusion, whether fixed term or permanent, will flow from a breach or breaches of the behaviour policy. A permanent exclusion may only be imposed in response to a serious breach or persistent breaches of the behaviour policy and where allowing the pupil to remain in school would seriously harm the education and/or welfare of the pupil or others in the school community.

In line with the school's behaviour policy, the following actions are examples of unacceptable behaviour which may result in permanent or fixed-term exclusions:

- verbal abuse to staff and others
- verbal abuse to pupils
- physical abuse to/attack on staff
- physical abuse to/attack on pupils
- indecent behaviour
- damage to property
- misuse of illegal drugs
- misuse of other substances
- theft
- serious actual or threatened violence against another pupil or a member of staff
- sexual abuse or assault
- supplying an illegal drug



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- carrying an offensive weapon
- arson
- unacceptable behaviour which has previously been reported, and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.

## 3. Types of exclusion

### 3.2 Permanent exclusion

Permanent exclusion is an extremely serious sanction, and a step taken by the school only as a last resort. In most cases, permanent exclusion will be used only after various alternative strategies have been tried to improve behaviour but have been unsuccessful. There are, however, some situations in which permanent exclusion on the first offence is the only option. These may include:

- serious, actual or threatened violence against another pupil or a member of staff
- sexual abuse or assault
- supplying an illegal drug
- carrying an offensive weapon
- arson.

The list is not exhaustive but provides an indication of the severity of the offence which may lead to permanent exclusion.

It may be necessary for the school to involve the police if the offence warrants it. All permanent exclusions will be reviewed by the school board to ensure that the School Director's decision was lawful, reasonable and fair. The School Director can withdraw an exclusion that has not yet been reviewed by the School board.

### 3.3 Fixed-term exclusion

The length of a fixed-term exclusion will be set out by the school at the start of the exclusion period. If a pupil is excluded for more than 45 days in one school year, they will be permanently excluded.

A fixed-term exclusion may result from a serious breach or persistent breaches of the school's behaviour policy. It may be a first offence or persistent disruptive behaviour that requires a tougher sanction than other sanctions available to the school under the behaviour policy, but does not warrant permanent exclusion.

A permanent exclusion may follow on from a fixed term exclusion by the School Director if the circumstances warrant it. This will generally be in cases where further evidence comes to light during the school's investigation. In this case, parents or carers will be notified in writing of the decision to permanently exclude the pupil, together with the reasons for doing so. During fixed-term exclusions and permanent exclusions, daytime supervision of the child is the responsibility of their parent or guardian for the first 5 days of the exclusion period.



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An excluded pupil has no automatic right to take a public examination or National Curriculum tests on the school's premises. The Board of Directors can decide whether or not to allow the pupil to sit the tests, and this will depend on the seriousness of the reason for exclusion.

## **3.4 Lunchtime exclusion**

This is a type of fixed-term exclusion and will not be used as a long-term solution to a behaviour problem. A lunchtime exclusion counts as half a day when calculating total number of days of exclusion.

The school may decide to exclude a pupil from the school premises during the break at lunchtime if their behaviour during this time is very disruptive or dangerous to other pupils and breaches the behaviour policy. Arrangements will be made for parents or carers to collect the excluded pupil and supervise them if their age or vulnerability warrants it. The school will not normally invoke a lunchtime exclusion for any period longer than a week. If the problem persists, alternative strategies will be looked at to deal with managing the pupil's behaviour.

Pupils who are entitled to free school meals will still be given this provision over their period of lunchtime exclusion.

## **4. Making the decision to exclude**

Exclusion of any sort, for any period of time, is taken very seriously by the school, and the decision to exclude is not taken lightly. Various alternative strategies to manage behaviour will usually be tried before exclusion, as this sanction is only used as a last resort unless the behaviour exhibited equates to a serious breach of the behaviour policy.

If it is decided that exclusion is necessary, the parents or carers of the pupil will be notified, and the circumstances surrounding the exclusion will be formally recorded.

### **4.2 Alternative behaviour management strategies**

#### **Internal exclusion**

If a pupil needs to be removed from a lesson that is in progress, or a social situation, for disruptive behaviour or to calm down, it may be necessary to place that pupil elsewhere in the school. This may occur over break times and will be used in circumstances where it is not necessary to remove the pupil from the school site, but separation is needed. They will be placed in another class or somewhere where appropriate support and supervision can be provided.

#### **Mediation**

If there is a conflict between two or more pupils, a member of staff will sit down with those involved and attempt to mediate the situation through discussion. This strategy may also be used if there is a conflict between a teacher and a pupil.



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## **Restorative justice**

This strategy is dependent on the cooperation of all parties involved in an incident or situation, and will usually be used where one person has done something to upset or harm another. It can be helpful for the offender to redress the harm that they have done and hopefully learn from their mistakes. It can also provide closure for those who have been harmed.

## **4.3 Looked-after children and young people**

The Concord School understands that looked-after children and young people may be more susceptible to having behavioural problems due to additional problems they may face at home. We work in conjunction with all relevant childcare authorities to support looked-after children and try every possible means of keeping them in school. Before any decision to exclude is made, the school will (as appropriate):

- consult the counsellour/SEN Coordinator about alternative options to support a looked-after pupil
- consult the counsellour/SEN Coordinator about what alternative provision will be available if the pupil is excluded
- involve the child's social worker as early as possible to help the school avoid exclusion
- work with the foster carer to improve the pupil's behaviour.

## **4.4 Pupils with special educational needs or a disability (SEND)**

### **Pupils with SEN**

Our school's full SEN provision is outlined in our **special educational needs policy and the SEN Information Report**. We work hard to include students who have behavioural difficulties or difficulties with elements of social interaction as part of their SEN. The school will try every practical alternative to exclusion, but there may be some cases where it cannot be avoided.

### **Pupils with a disability**

If a pupil with a disability is under consideration for exclusion, the School Director will ensure that all other possible options have been tried. To justify excluding a pupil with a disability for a reason related to their disability, there must be material and substantial reason. The erosion of order and discipline in the school may be material and substantial justification, but only if reasonable adjustments have been made for the pupil's disability.

## **4.5 Ethnicity**

The Concord School does not discriminate against any person and our school ethos is one of inclusion, equality, and diversity. If any person feels that they have been discriminated against due to their ethnicity they may make a formal complaint to the school following the process outlined in our **school complaints procedure**. Where the issue arises in relation to an exclusion, the school will deal with any concerns raised by parents through the consideration of parental representations within the exclusion framework.



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## 4.6 Investigating the circumstances

Disruptive behaviour or actions that may warrant discipline will always be investigated before the decision to exclude is made.

Before the decision to exclude is made, the School Director will:

- ensure that the school has undertaken a thorough investigation
- consider all the evidence available
- encourage the pupil to give his or her version of events
- take into account the school's behaviour policy and all other relevant school policies including equal opportunities policy
- find out whether the behaviour may have been provoked, for example in the case of racial or sexual harassment, or bullying
- consult other people as necessary (but not anyone on the governing board or management committee who may later have a role in reviewing the decision)
- keep a written record of discussions, interviews and actions, and retain copies of written records made by other members of staff, ensuring that witness statements are dated and signed if possible.

## 4.7 Confidentiality

The school will deal with all cases of exclusion and the surrounding circumstances confidentially. Information will be shared only with those who need to know it, and a breach of this may result in disciplinary action.

## 4.8 Recording and notifying the decision to exclude

All exclusions will be formally recorded and the pastoral team will contact the parents or carers of the pupil immediately once the decision has been made to exclude, specifying why this action has been taken and the length of time that it will last. The decision will be confirmed in writing. The pastoral will notify the School Director and Chair, Board of Directors without delay of the decision to exclude being made where the exclusion is permanent or is a fixed term exclusion which results in the pupil being excluded for a period of more than 5 school days in a term or where the exclusion will result in the pupil missing a public examination or national curriculum test.

## 5. Reviewing an exclusion

The Board of Directors may review fixed-term exclusions of any length on request by parents who feel that the sanction is unjustified. A meeting will not always be required. They will automatically review all cases of permanent exclusion, as well as any fixed-term exclusions that would lead to a pupil being excluded for more than 15 days of a school term or missing a public exam. They will look at the evidence and the records leading up to the exclusion and decide whether, in light of the evidence and his/her legal duties, the pastoral team has made a lawful, reasonable and fair decision.



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## **6. During an exclusion**

Although the School Director at the recommendation of the pastoral team has made the decision to exclude a pupil, we maintain responsibility for the education of that child and will do everything that we can to minimise the disruption to their education.

For the first five days of any type of exclusion, the school will set and mark work that the child should complete at home under parental supervision.