

MULBERRY
STEPNEY GREEN
MATHS, COMPUTING & SCIENCE COLLEGE

EXCLUSION POLICY

Exclusion Policy

Rationale

This policy is to be used in conjunction with the school's Behaviour Policy and deals with the policy and practice of the school's use of exclusion. It is underpinned by the shared commitment of all members of the School community to achieve two important aims:

- To ensure the safety and well-being of all members of the School community, and to maintain an appropriate educational environment in which all can learn and succeed
- To reduce the need to use exclusion as a sanction.

Introduction

The decision to exclude a student will be taken in the following circumstances:-

- a. In response to a serious breach of the school's Behaviour Policy;
- b. If allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Head, the Deputy Head who is acting in that role).

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct and are infringements of the Behaviour Policy:

- Defiance
- Verbal aggression to staff and others
- Verbal aggression to students
- Physical aggression to/attack on staff
- Physical aggression to/attack on students
- Rudeness
- Argumentative/confrontational behaviour
- Possession of drugs
- Dealing drugs/unknown substances/vapes.
- Carrying an offensive weapon.
- Abuse that is discriminatory in nature, e.g. racist / sexist / homophobic / disablist
- Bullying
- Inappropriate sexual behaviour
- Sexual harassment
- Bringing the school into disrepute
- Theft
- Damage to property
- Planned physical violence towards another student(s)
- Arson
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the student's behaviour.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that exclusion is an appropriate sanction. The school has in place a continuum of provision for exclusion and alternatives to exclusion in order to support students.

Any students involved in any activity related to the following which the Headteacher deems to be serious enough to exclude or not will also be reported to the Police:

- Weapons
- Drugs
- Gangs
- Serious Assaults
- Crimes with a Sexual Element

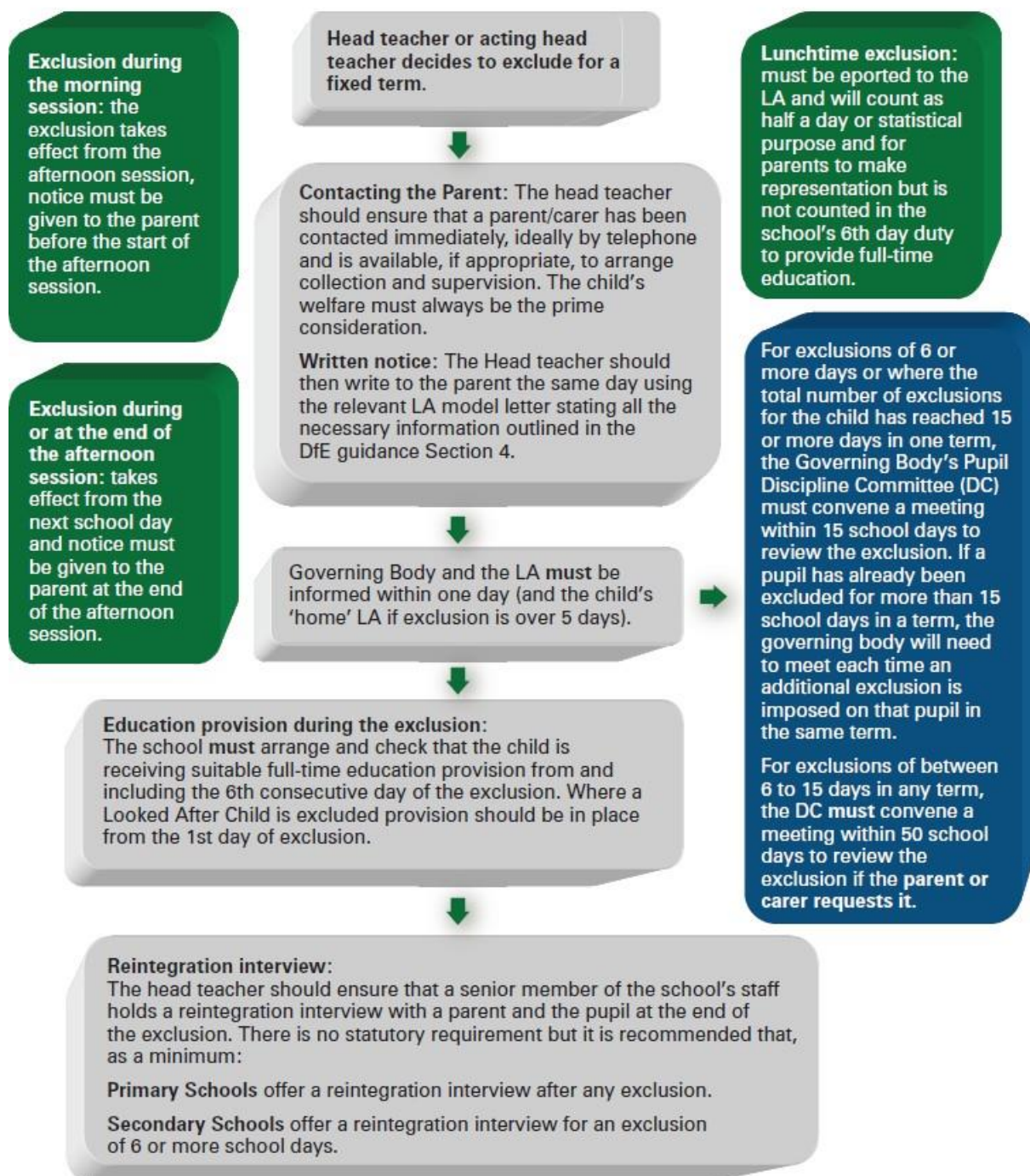
The policy follows the Local Authority's '**Tower Hamlets Guidance on the use of Pupil Exclusion**'. This guidance is summarised for parents in the Tower Hamlets leaflet '**Exclusion from School Information for Parents and Carers**', which is available on request.

Exclusion procedure

- Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).
- The *DFE* regulations allow the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year.
- Students who are categorised as **Looked After (CLA) and SEN** students with an EHCP should be referred to the member of SLT in charge of Inclusion or *in absentio* the SENDCO for advice regarding the exclusion.
- **ALL** paperwork must be completed asap in regards to the exclusion of a student.
- The Governors have established arrangements to review promptly all permanent exclusions from the school and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term or missing a public examination (in relation to procedural matters pertaining to the composition and operation of the Governors' Pupil Discipline Committee, the Governing Body has agreed to adopt the procedural guidelines prepared by the Local Authority).
- The Governors have established arrangements to review fixed term exclusions which would lead to a student being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.
- Following exclusion parents are contacted immediately where possible to arrange a meeting in school. A letter be sent by given outlining details of the exclusion and the date the exclusion ends. Parents may make representations to the Governing Body and the LA as directed in the letter.
- A return to school meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Leadership Team, the Key Stage Pastoral Leader and other staff where appropriate.
- It is school practice to place the student on report to the Key Stage Pastoral Leader to monitor behaviour and work.
- If the fixed term exclusion is greater than five days; on the sixth day the student will be educated at the London East Alternative Provision (LEAP) until the end of the fixed term exclusion period. **Except** if a Key Stage 5 / Post-16 student is excluded, where no alternative provision is required and special requirements are needed with regard to excluding students age 18 or older – see page 5 of the '**Tower Hamlets Guidance on the use of Pupil Exclusion**'.

- If the fixed term exclusion is greater than five days or an accumulation of exclusions exceed five days, a Pastoral Support Plan via the Early Help Assessment (EHA) will be drawn up. This needs to be agreed with the School, student and parents. Time in the school's Inclusion area can be used as a means to reintegrate a student who has served an external exclusion.
- During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on or near the school premises, and that daytime supervision is their responsibility, as parents/guardians. If excluded students are seen, in a non-official basis, during the time of an exclusion the Attendance and Welfare Service can issue a Penalty Charge Notice of £60 per parent.
- Fixed Term exclusions follow the process below, as seen on page 6 of '**Tower Hamlets Guidance on the use of Pupil Exclusion**':

Flowchart on the Procedure for Fixed Term Exclusion



Permanent Exclusion

The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which

would include racist, sexist, disablist and homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.

2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a student for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another student or a member of staff.
- Sexual abuse or assault.
- Supplying an illegal drug.
- Supplying unknown substances.
- Carrying an offensive weapon*
- Arson.

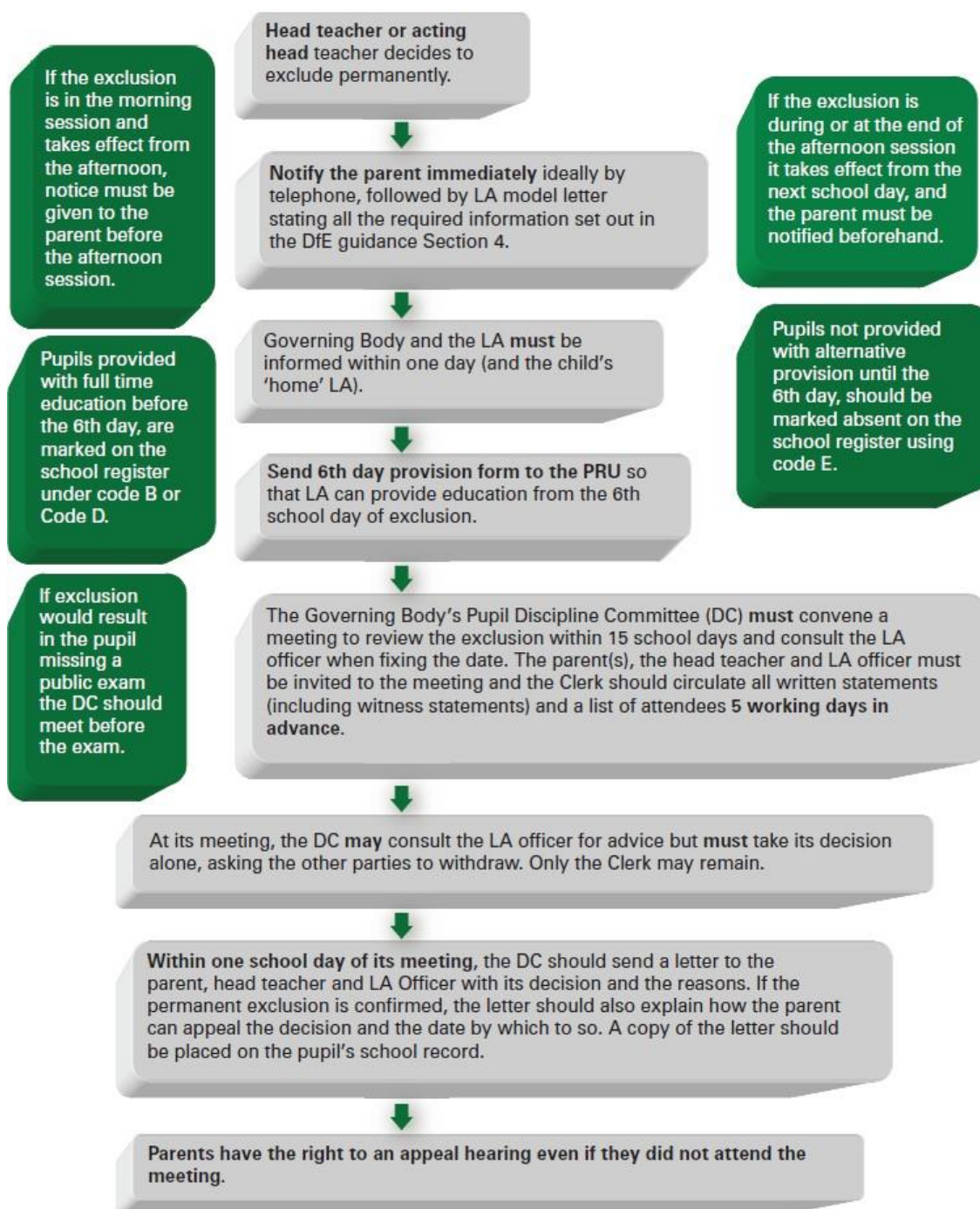
The School will consider police involvement for any of the above offences.

** Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him."*

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of the School.

A Permanent Exclusion will follow the process below, as seen on page 7 of '**Tower Hamlets Guidance on the use of Pupil Exclusion**':

Flowchart on the Procedure for Permanent Exclusion



However, in all cases the Headteacher will ask the parent/s if they would like a managed move under the Local Authority's Fair Access Protocol as alternative to Permanent Exclusion. If a managed move is not agreed to a decision to permanently exclude will be pursued. If a managed move under the Fair Access Protocol is agreed to then the procedure will follow via parents agreeing to and signing the Managed Move letter which outlines the procedure as well as an EHA.

Making Decisions and Exercising Discretion

Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the School Behaviour and Equal Opportunity Policies, as well as Safeguarding concerns.
- Allow the student to give her/his version of events.
- Check whether the incident may have been provoked for example by bullying or by racist or sexual harassment.

If the Head is satisfied that on the *balance of probabilities* the student did what he or she is alleged to have done, exclusion will be the outcome.

In reaching a decision, the Head will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate. In considering whether permanent exclusion is the most appropriate sanction, the Head will consider a) the seriousness of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour Policy and b) the effect that the student remaining in the School would have on the education and welfare of other students and staff. Nonetheless, in the case of a student found in possession of an offensive weapon, whether there is an intention to use it or not, or found to be supplying an illegal drug/unknown substance, it is the School's usual policy in these particularly serious cases to issue a permanent exclusion.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' Pupil Discipline Committee, when it meets to consider the Headteacher's decision to exclude. This Committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the student's School record, witness statements and the strategies used by the School to support the student prior to exclusion.

Behaviour Outside School

Students' behaviour outside School on school "business" for example school trips and journeys, away school sports fixtures or a work experience placement is subject to the School's Behaviour Policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in School. For behaviour outside School but not on school business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole. If students' behaviour in the immediate vicinity of the School or on a journey to and from school is poor and meets the School criteria for exclusion then the Head may decide to exclude.

Drug Related Exclusions

In making a decision on whether or not to exclude for a drug-related offence, the Headteacher will have regard to the School's published policy on drugs and will also seek advice from the LA's Drugs Education Advisor. The decision will depend on the precise circumstances of the case and the evidence available. In some cases fixed term exclusion will be more appropriate than permanent exclusion. The Head will make a judgment set against the criteria in the school's Drugs Policy.

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