



Saint GREGORY'S
Bath

EXCLUSION POLICY

Key Information

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Prepared By	Kevin McDermott	21.05.2018
Checked By	John Delaney (Governor)	
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Version History

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EXCLUSION POLICY

May 2018

St Gregory's Catholic College is committed to being a fully accessible and inclusive organisation, welcoming and respecting the diversity of its students, staff, community and visitors to the school.

Mission Statement

We believe that every child is made in the image of God and should be valued as a unique and gifted creation with a divine origin and an eternal destiny. As a Catholic school our aim is to promote the dignity and well-being of every child and ensure that they flourish in the course of their journey with us in a safe, happy and enriching environment.

Above all, our aim is to instil in our children Christian values and a love of God and his Son Jesus Christ so that they will become principled citizens and witnesses to the Gospel who will contribute to the common good of society.

The Law and Exclusions

This policy has due regard to the related statutory legislation, including, but not limited to, the following:

- The Education Act 2002 (as amended by The Education Act 2011)
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- 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

This policy also has due regard to statutory and non-statutory guidance including, but not limited to, the following:

- 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'

Governors' statement of general principles

The general principles on issues of behaviour are derived from the Mission Statement and are as follows:

- We are committed to providing an education for the students of Saint Gregory's which ensures that they are encouraged to make a positive contribution and are prepared for a life of Christian witness to the Gospel of Jesus Christ.
- We will comply with equalities legislation and our duty to promote the well-being of students.

- We are committed to improving outcomes for all students and eliminating all forms of discrimination, harassment and bullying, as well as promoting equality of opportunity, the welfare of students and good relations across the whole community.
- We are committed to ensuring that vulnerable students receive behavioural support according to their needs.
- The needs of the individual will always be considered in relation to the common good of the community and the rights of the individual will always be considered in relation to their responsibilities to the community.
- The governors expect self-discipline and proper regard for authority from all students.
- Any decisions regarding the consequences of behaviour will be informed by our mission as a Catholic school which is to promote the dignity of the human person and the values of the Gospel.
- We will always seek to reward and praise positive behaviour and witness to Christian values.

Rationale

This policy is underpinned by the commitment of all at St Gregory's to ensure the safety and well-being of the whole school community and to maintain an appropriate educational environment in which all can learn and achieve.

We have an overall aim of reducing the need to use exclusion as a sanction.

Introduction

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

- (a) In response to a serious breach of the school's Behaviour for Excellence 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 used by the Headteacher (or, in the absence of the Headteacher, the Deputy Headteacher or Senior Teacher who is acting in that role).

Exclusion will be used when there is an immediate threat to the safety of others in the school or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher will ensure appropriate investigations have been carried out, considering all the evidence available.

When establishing the facts in relation to an exclusion decision the Headteacher must apply the civil standard of proof, ie 'on the balance of probabilities' it is more likely than not that a fact is true.

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 school's Behaviour for Learning Policy:

- Verbal abuse to staff and others
- Constant disruption
- Verbal abuse to student
- Physical abuse to/attack on staff

- Physical abuse to/attack on student
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs or other substances including supply
- Theft
- Serious actual or threatened violence against another student or a member of staff
- Sexual abuse or assault
- 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 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.

Exclusion procedure

- Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).
- The DfE regulations (July 2017) allow the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year.
- Following exclusion parents/carers are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends.
- Parents/carers have a right to make representations to the Governing Body and Children's Services Directorate at the LA as directed in the letter.
- A 'reintegration' meeting will be held following the expiry of the fixed term exclusion and this will involve the student, parent/carer, a member of the Senior Leadership Team and other staff where appropriate.
- It is school practice to monitor behaviour and work of the student very closely for the period following exclusion. This may mean the use of a report or close support by staff.
- If the fixed term exclusion is greater than five days or if an accumulation of exclusions exceeds five days a Pastoral Support Plan may be drawn up. This will be agreed with the school, student, parents/carers and any agencies involved.
- During the course of a fixed term exclusion where the student is to be at home, parents/carers are advised that the student is not allowed on the school premises and that daytime supervision is their responsibility as parents/carers.

Fixed term exclusions over five days

The school is obliged to provide full time education from the sixth day of any period of fixed term exclusion of six days or longer.

The school will consult with the LA officers for any exclusion of more than five days in order that appropriate full time education and transport is arranged.

The school will liaise with the outside education provider to ensure that the student continues with their programme of study. In most cases the school will set the work to be completed and ensure that it is completed appropriately.

Permanent Exclusion

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

The first is a final, formal step in a concerted process for dealing with disciplinary issues 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, e.g. repeated bullying (which could include racist or homophobic bullying) or possession and/or use of an illegal drug on school premises.

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.
- 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 well-being of students and staff in the school.

Exercise of discretion

In reaching a decision, the Headteacher or senior teacher in charge 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 Headteacher will consider the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the school's Behaviour Policy and the effect that the student remaining in the school would have on the education and welfare of other students and staff.

In line with its statutory duty, these same tests of appropriateness will form the basis of the deliberations at a Governors exclusion appeals hearing/meeting, when it meets to consider the Headteacher's decision to exclude.

Alternatives to Exclusion

The school works closely with other local secondary schools to undertake managed moves where such a course of action would be of benefit both to the student and the two schools concerned. However, the threat of a permanent exclusion will never be used as the means to persuade parents/carers to move their son/daughter to another school.

Lunchtime Exclusion

Students whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. This will be treated as fixed term exclusion and parents will have the same right to gain information and to appeal.

Behaviour Outside School

Student' behaviour outside school on school "business", for example educational visits and journeys, away school sports fixtures or a work experience placement, is subject to the school's Behaviour for Excellence Policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in school. If student behaviour in the immediate vicinity of the school or on a journey to and from school is inappropriate and meets the school criteria for exclusion then the Headteacher 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.

This policy should be read in conjunction with school policies on:

- Anti-bullying
- Attendance
- Behaviour for Excellence (Including the Bus Code)
- Education for Personal Relationships
- Equalities
- Home-School
- Special Needs

Policy prepared by Mr McDermott (May 2018)

Agreed by Governors of the Christian Vision Committee on 22 May 2018