



# Exclusion Policy

**Signed by**  
Chair of Governors

**Agreed by the Governing Body on 1<sup>st</sup> July 2019**



**HOLMES CHAPEL COMPREHENSIVE SCHOOL**  
**EXCLUSIONS POLICY**

**Contents:**

	<b>Page</b>
1 Rationale	2
2 Purpose	2
3 Policy	3
4 Process	4

## **Rationale**

The Governors of Holmes Chapel comprehensive School have stated that they consider that the use of the Headteacher's power to exclude from school can be essential for the purposes of establishing and maintaining good order and discipline. They believe that its use should be reasonable and proportionate. Within these limits they support the Headteacher in using his discretion in the exercise of these powers.

## **Purpose**

This policy and procedure document is intended to give a clear indication to staff, parents/carers and students the kinds of circumstances within which the Headteacher will use his powers to exclude and the procedures that will be followed in exercising them. Governors will rely on this in reviewing the actions of the Headteacher in excluding students.

## **Exclusion Policy**

### **Fixed Term Exclusion**

While always having regard to the circumstances of a particular case the Headteacher will be likely to use fixed term exclusions in the following kinds of cases. This list does not outline every offence for which fixed term exclusion may be used but gives an indication of the kinds of cases where it will be used.

- Sustained challenge to the authority of a member of staff.
- Bullying, harassment or abuse (including on the grounds of gender, race, ethnicity, religion, disability or sexual orientation).
- Persistent defiance of a school rule.
- Acts of vandalism or physical violence.
- Using drugs or alcohol or cigarette paraphenalia on the school site.
- Conduct likely to bring the school into disrepute.

The length of the exclusion will be proportionate to the gravity of the offence.

### **Alternative Provision**

This is used when it is felt that the student would benefit from serving their exclusion from school at an alternative school. The length of the Alternative Provision is variable and the alternative school is not fixed.

### **Long Fixed Term Exclusions**

Long fixed term exclusions (over 15 days) will generally be used to enable support to be obtained in assessing; moving; or reintegrating a pupil with severe problems where the alternative would be permanent exclusion.

### **Permanent Exclusion**

Permanent Exclusion will be reserved for offences that will have a seriously damaging effect on the life of the school, the well-being of other students or of staff or seriously and persistently interfere with teaching and learning in the school. This can include but is not limited by:

- Serious violence which creates fear and anxiety among staff or students.
- Possession of an offensive weapon on the school site.
- Dealing in drugs on the school site.
- Persistent defiance of school authority or disruption of teaching and learning.
- Persistent bullying, harassment or abuse (as above).

## **Exclusion Process**

### **Investigation**

- The investigation will not be undertaken by the person who will decide on exclusion unless circumstances dictate this.
- Witness statements will be recorded, signed and dated.
- Anonymity will not be promised unless this is the only way to obtain a statement. The statement will be signed and dated in the normal way but the name will be withheld. N.B. It is important that all parties recognise that less reliance can be placed on anonymised statements.
- The person accused of any offence will be given the opportunity to give his/her own side of the story and respond to statements made by others.

### **Decision**

- The decision to exclude will only be taken by the Headteacher or, in his absence the Head of School. The power to exclude cannot be delegated.
- The decision will be taken on all the evidence available at the time.
- The decision will be taken on the balance of probability. Where the offence alleged is a criminal act the standard of proof will be that it is 'distinctly more probable than not' that the pupil committed it.

### **Informing**

The following will be communicated without delay by pupil post; and/or letter and telephone message as appropriate.

- The persons having parental responsibility for the pupil.
- The LA
- The Chair of Governors

N.B. If an exclusion will prevent a pupil from taking a public examination then the Chair of Governors will be informed immediately so that he can review the decision or convene a meeting of the Disciplinary Committee before the examination takes place.

### **Work for Excluded Students**

Members of staff who teach excluded students will provide work for these students to do at home and make it available as instructed by the Learning Intervention Manager responsible for those students.

### **Full-time Education**

The Headteacher will make provision for the full-time education of students from the 6th day of a fixed term exclusion.

### **Reintegration**

- Students returning to school after exclusion will be subject to a reintegration meeting. This will normally involve the parents/carers and the child's Head of House and a member of the Leadership Team. The parent and pupil will be

invited to a meeting to discuss this reintegration and asked to re-sign the home/school agreement.

- A pupil who is returned to school by the Independent Appeals Panel but who is regarded as presenting a threat to the good order and discipline of the school or to members of the school community may be kept in isolation from the remainder of the school community until such time as it is thought appropriate to make a phased return into the school proper.

### **Governors Discipline Committee**

- The Discipline Committee will be convened in accordance with current regulations by the Clerk to Governors.
- It will be clerked and advised by the Clerk to Governors or a person with experience in clerking such meetings.
- The Clerk will ensure that all members of the Committee are reminded of the legal framework for their hearing.
- The conduct of the meeting will be in the hands of the Chair of the Committee, in accordance with the rule of natural justice and having regard to any guidance issues by the Secretary of State.
- The decision will be taken by the Governors meeting alone with their Clerk after all parties have had the opportunity to state their case and respond to the point put by other parties.

### **Modifying an Exclusion**

An exclusion may be extended or made permanent where:

- It was necessary to exclude the pupil in order to complete the investigation freely.
- Note: It is essential that if new evidence has come to light the excluded pupil is given the opportunity to respond to it before the exclusion is made permanent.
- The pupil has also been reported to the police and the result of that investigation provides additional evidence to the school.

Prepared by: Mrs K Thorley

Approved by the Governing Body: 1<sup>st</sup> July 2019

Signature: *Christina M. Burgess.*

Name: Mrs C Burgess, Chair of Governors

Date: 1<sup>st</sup> July 2019

To be reviewed in 3 years

Date for review: June 2022

