



Northstar  
New School

## Exclusion Policy

This policy was reviewed by on:

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**Date:** 20 August 2020

**By:** Euan Macdonald

**Policy will be reviewed on:** August 2022

This policy was ratified/reviewed by Governors on:

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**Date:** 28 August 2020

**Frequency of review:** Every 2 year(s)

**Note:** This document uses the most current Government information and guidance at the time of writing. It may change according to Government policy.

# 1 | Exclusions Policy

The school's Exclusions policy operates in conjunction with other policies including those for Behaviour, Online-Safety and Safeguarding.

## 2 | Rationale and definitions

This policy deals with the policy and practice which informs 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:

- 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;
- Reduce the need to use exclusion as a sanction.
- An Exclusion, within this document may be one of three types:
- Internal Exclusion (when a pupil is excluded from normal lessons, but remains within the school)
- Fixed-Term Exclusion (when a pupil is excluded from school premises for a number of days)
- Permanent Exclusion (where steps are taken to permanently remove the pupil from the school)

## 3 | Introduction

Exclusion is an extreme sanction and will be avoided wherever possible.

With regard to the above, the decision to recommend a pupil for a fixed-term or permanent exclusion will be taken in the following circumstances:

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

Please note, that before a permanent exclusion is considered, a 'Managed Move' may be resorted to, if appropriate.

For further detail, see below.

## 4 | Responsibility for Exclusion

An exclusion is only administered by the Headteacher.

## 5 | Causes for Exclusion

Exclusion, whether Internal, 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 Policy:

- Actions which put the pupil or others in danger.
- 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.
- 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.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that exclusion is an appropriate sanction.

## 6 | Exclusion procedures

### Internal Exclusion

An Internal Exclusion will be implemented for a misdemeanour of sufficient seriousness as to warrant a pupil being removed from lessons, but not so serious as to warrant removal from school. As stated above, all efforts will be made to keep the pupil in school, so as to support his/her education and it will only be in the most severe circumstances (or a repeat of earlier offences) that will lead to Fixed-Term or Permanent Exclusions.

### Fixed-Term Exclusion

A Fixed Term Exclusion is of short duration (usually between one and three days) and may be necessary if a pupil commits an offence which is considered sufficiently serious. This decision is not taken lightly and it is the ethos of Northstar New School to find a way to keep children in school.

Pupils on fixed term exclusion will be forbidden from attending school, or being in the vicinity of school for the term of their exclusion. Under current legislation, parents/carers are obliged to take responsibility for their child if s/he is excluded and ensure that they are not in a public place without good reason during school hours within the first five school days of any exclusion. If they do not, the school or local authority may issue a penalty.

Parents/carers must also ensure that their child attends the suitable full time education provided by the governing body or the local authority from the sixth day of exclusion.

The school will send work home for pupils who are excluded, which will be marked when the pupil returns.

The school will inform parents immediately by phone call when the decision has been taken to 'Fixed-term Exclude' a pupil. This will be followed, subsequently by a letter in which the terms of the Exclusion are set out, together with the time and date of the re-admission meeting (see below). Parents/Carers are also informed that they have a right to make representations to the Headteacher if they wish to challenge the terms of the exclusion.

### Permanent Exclusion

The decision to exclude a pupil permanently is a serious one and will never be taken lightly. In doing so, we recognise that a permanent exclusion may have a serious impact upon a pupil's life chances. In addition, Permanent Exclusion will not be sought, unless there is an immediate threat to the safety of others in the school or the pupil concerned.

There are two main types of situation in which permanent exclusion may be considered.

- A final, formal step in a concerted process for dealing with disciplinary offences following the

use of a wide range of other strategies (including 'Managed Move', see above). 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 or repeated possession and/or use of an illegal drug on School premises.

- Where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:
  - ◆ Serious actual violence against another pupil 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 the School.

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

- Appropriate investigations have been carried out.
- All evidence available to support the allegations have been collated, taking into account the school's Behaviour and Equality Policies.
- The pupil has been allowed to give her/his version of events.
- There is no evidence which may indicate that the incident may have been provoked for example by bullying or by racial or sexual harassment.

If the Headteacher is satisfied that, on the balance of probabilities, the pupil did what he or she is alleged to have done, exclusion may be the outcome.

## 7 | Exercise of discretion

In reaching a decision on temporary or permanent exclusion, the Headteacher 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 Behaviour Policy
- The effect that the pupil remaining in the school would have on the education and welfare of other pupils and staff. Nonetheless, in the case of a pupil found in possession of an offensive weapon, whether there is an intention to use it or not, it is the school's usual policy in this particularly serious matter to issue a permanent exclusion and possibly involve the Police.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors Exclusion Panel (tba) when it meets to consider the Headteacher's decision to permanently exclude. This Committee will require the Head teacher to explain the reasons for the decision and will look at appropriate evidence, such as the pupil's school record, witness statements and the strategies used by the school to support the pupil prior to permanent exclusion.

The school will inform parents immediately by phone call when the decision has been taken to seek 'Permanent Exclusion' for a pupil. This will be followed by a letter in which the terms of the Exclusion are set out. Parents/Carers are also informed of their rights regarding an appeal of the terms of the exclusion (see below)

## 8 | Alternatives to Permanent Exclusion

As described earlier in this document, alternative strategies to permanent exclusion are always used if possible and the threat of a permanent exclusion will never be used as the means to coerce parents to move their child to another school.

## 9 | Behaviour outside school

Pupil behaviour outside school on school "business" for example trips, traveling to and from school, 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.

Serious infringements of the school's Behaviour Policy that occur 'outside of' the school may lead to a fixed term or permanent exclusion.

## 10 | 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 Local Authority'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.

## 11 | Review of Exclusions

The Senior Leadership Team review all permanent exclusions from the school and all fixed term exclusions that would lead to a pupil being excluded for over 15 days in a school term or missing a public examination.

The Senior Leadership Team review fixed term exclusions which would lead to a pupil being excluded for over five days but not over 15 days in a school term where a parent/carer has expressed a wish to make representations.

## 12 | Re-admission Meetings and re-integration

Following a Fixed-Term Exclusion, parents/carers are invited into school to attend a re-admission meeting. Under current legislation, parents/carers are expected to attend a reintegration interview following any fixed period exclusion of more than five days.

At the meeting, the pupil will be set specific goals in order to help him/her avoid the behaviour that led to exclusion.

If a pupil has served a fixed term exclusion of greater than five days or an accumulation of exclusions exceed five days, a Pastoral Support Plan will be drawn up. This will be agreed with the school, pupil and parents/carers.