

# PINNER

HIGH SCHOOL

Policy	Exclusions Policy
Date of Review	March 2021
Reviewed By	Headteacher
Date of Approval	June 2021
Approved By	LGB
Date of Next Review	Spring 2024
Statutory/Non Statutory	Non Statutory
Website/Non Website	Non Website

# Exclusions Policy

## 1. Introduction

The aim of this policy is to communicate clearly to students, parents/carers, staff, governors and the local authority the types of behaviour which are not accepted under any circumstances at Pinner High School, and which may result in the student being excluded.

This policy should be read in conjunction with the school's Behaviour for Learning Policy. Both policies are published on the school's website.

This policy complies with DfE guidance issued in September 2017.

## 2. Decision to exclude

Exclusions may only be given by the Headteacher, or the Acting Headteacher in their absence.

Any decision to exclude a student must be:

- Lawful
- Rational
- Reasonable
- Fair
- Proportionate

Individual circumstances will be taken into account. Where practical the Headteacher should give students the opportunity to present their case before taking the decision to exclude.

Exclusions are given for serious misdemeanours, either for a one-off serious offence or for prolonged serious misbehaviour. Exclusions may be fixed term, or in extreme cases, permanent. Some behaviour will result in a fixed-term exclusion without the need to progress through the lower consequences. In some cases where it is deemed appropriate, students will be Managed Moved to another school, usually in Harrow, for a fresh start.

The following offences are considered serious enough to merit automatic exclusion (which may be permanent or fixed term) from school. The list is not exhaustive.

- Endangering others
- Physical assault upon another student
- Physical assault upon any member of the school staff
- Threatening behaviour
- Any behaviour that endangers others
- Persistent bullying
- Possession of an offensive weapon
- Persistent sexual harassment
- Persistent racial harassment
- Persistent smoking
- Use of alcohol and/or solvents
- Possession, distribution, or use of illegal drugs
- Deliberate damage of school property
- Deliberately setting off the fire alarm
- Theft
- Swearing or offensive language directed at any member of staff.

Exclusion may also be considered as a suitable sanction for other types of misbehaviour which, whilst not undermining the security of members of the school community, nevertheless disrupt the learning of other students, undermine the discipline of the school or damage the reputation of the school.

Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEN or disability that a student may have. Headteachers should also consider the use of a multi-agency assessment for students who demonstrate persistent disruptive behaviour. Such assessments may pick up unidentified special educational needs but the scope of the assessment could go further, for example, by seeking to identify mental health or family problems.

The exclusion rates for certain groups of students are consistently higher than average. This includes students with SEN, students eligible for FSM, looked after children and students from certain ethnic groups. In addition to the approaches on early intervention, Headteachers should consider what extra support might be needed to identify and address the needs of students from these groups in order to reduce their risk of exclusion and to help build trust when engaging with these families.

The decision to exclude must not involve any kind of discrimination as defined by the Equality Act 2010 and should comply with the public sector equality duty.

The school must take account of its statutory duties in relation to special educational needs (SEN) and have regard to the SEN Code of Practice when administering the exclusion process. The school must consult parents/carers before making arrangements for an appropriate full-time placement.

Where a student has received multiple exclusions or is approaching the legal limit of 45 school days of fixed period exclusion in an academic year, Headteachers should consider whether exclusion is providing an effective sanction.

### **3. Alternatives to exclusion**

Alternatives to exclusion will be considered where appropriate.

- Restorative Justice

To enable the student to redress the harm done. Restorative justice meetings are chaired by trained staff and end with an agreement between both parties;

- Referral to other agencies

Pinner High School works with The Jubilee Academy. There are 3 types of provision available:

- Outreach work which provides interventions at Pinner High School by Jubilee staff, such as mentoring and coping skills;
- Respite provision where students receive intensive extra support as well as a reduced curriculum during a period of six to twelve weeks at Jubilee Academy.
- A permanent move to Jubilee Academy where the student will eventually sit their GCSE exams.

- Managed Move

A student can be transferred to another school as part of a managed move, with full consultation and agreement of all parties involved, including the parents/carers. The Harrow Managed Move Panel meets every two weeks and involves representatives from local high schools as well as the Helix.

A member of the Pinner High School's Senior Leadership Team will complete the relevant managed move paperwork and present the case to the panel. The panel will consider the case and make a decision about which school the student can move to. This will be conveyed directly to the Headteacher very shortly after the panel. A transition worker for the Helix will then set up an initial meeting at the new school. This will be followed by a six week trial period. If the trial period is successful, the student will be on roll with the new school.

#### **4. The Exclusion**

If exclusion is deemed necessary, the length of exclusion will be decided with regard to the seriousness of the incident. A first offence of sufficient gravity may lead to permanent exclusion. However, as a general rule, a first exclusion would normally be for a number of days. A subsequent exclusion would be for a longer period. A student may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year). Repeated exclusions would suggest that a student is not able to conform to the ethos of Pinner High School and must give rise to the consideration of the exclusion becoming permanent.

#### **5. Procedure**

The Local Authority guidelines will be followed by the Headteacher to notify the parents, without delay, of the period of exclusion and the reason for it.

The following information will be provided in writing:-

- the reasons for the exclusion;
- the period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations about the exclusion to the Governing Body and how the student may be involved in this;
- how any representations should be made; and
- where there is a legal requirement for the Governing Body to consider the exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.

Work will be set for students excluded for three or more days. Details regarding this exclusion are sent to the Local Authority, Education Welfare Office, Head of Year, Headteacher, Deputy Headteacher (for school and LA monitoring) and Chair of Governors.

#### **6. Fixed Term Exclusion**

The student will only be accepted back into school accompanied by the parent/carer and following discussion to ensure the future good behaviour of the student. Only when all parties agree will the student return to class and confirmation of the agreement be sent to the parent (with a copy to the Head of Year).

Fixed-term exclusions cannot be extended or converted into a permanent exclusion. Instead, if a longer exclusion is required, a new fixed-term or permanent exclusion must be issued to begin immediately after the first one ends. This would be limited to exceptional circumstances, usually where new information or evidence has come to light.

Consecutive fixed-term exclusions are regarded as a cumulative period for the purposes of the duties of the Governing Body. Therefore, education must be arranged for any pupil of compulsory school age from the 6th day exclusion regardless of whether this is as a result of one fixed period or more.

A Governing Body Discipline Committee (GBDC) will be convened for:-

- exclusions of more than five days in a term, if requested by the parents;
- where it would bring the student's total number of school days of exclusion to more than 15 days in a term;
- it would result in a student missing a public examination;

The GBDC is not required to meet and cannot direct the reinstatement of the pupil for exclusions of more than 5 but fewer than 15 school days in the term, if the parents do not make representations.

## **7. 6th Day Exclusion Protocol**

The Local Governing Body's duty to arrange education from the 6th day of a fixed-term exclusion is triggered by consecutive fixed-term exclusions totalling more than 5 days.

- Pinner High School will only go beyond 5 days exclusion in exceptional circumstances.
- Any exclusion of more than 5 days will include a paragraph in the exclusion letter asking the student to report to reception at the partner school at 10.00am on the 6th day (date, address and contact details to be inserted).
- The alternative provision will run from 10.00am – 2.00pm with no lunch break and the student will be supervised by a member of staff from the excluding school.
- Sufficient work will be set by the excluding school and brought by the supervising member of staff.
- The supervising member of staff will take a file to the partner school with all necessary documentation: copy of exclusion letter, contact details for the student.
- The student will need to wear full school uniform.
- If there are any incidents, the student will be sent home and the member of staff will inform the excluding school, who in turn will contact Admissions for further advice.

## **8. Permanent Exclusion**

A permanent exclusion will only be used as a last resort in response to a serious breach or persistent breaches of the school behaviour policy and where allowing the student to remain in the school would seriously harm the education or welfare of the student or others in the school.

A GBDC must be convened for all permanent exclusions.

## **9. Governing Body Discipline Committee (GBDC)**

The power to consider exclusions has been delegated to a discipline committee consisting of three Governors. Exclusions training will take place every two years and the committee must have regard to the statutory guidance.

The GBDC has a responsibility to review exclusion decisions taken by the Headteacher and should consider the lawfulness, reasonableness and procedural fairness of the decision in light of the Headteacher's duties.

- The GBDC should be convened within fifteen school days of the exclusion at a convenient date and time. If it results in a student missing a public exam, reasonable steps should be taken to meet before the date of the examination. If this is not practical, the Chair of Governors may consider the student's reinstatement independently.
- Written evidence, including (anonymised) witness statements and SEN statements should be available to all parties at least five school days in advance.
- Reasonable adjustments should be made to support the attendance and contribution of the parties.
- The GBDC will review the decision to exclude a student on the balance of probabilities after hearing the evidence and the representations and can either uphold the decision or direct the student to be reinstated.
- A fully reasoned decision of the GBDC must be communicated in writing to parents, Headteacher and the local authority within two days of the meeting.
- Where the decision not to reinstate a permanently excluded student is disputed, parents can ask for this decision to be reviewed by an Independent Review Panel (IRP) within fifteen days of notice being given. (The exclusion decision to be reviewed at an IRP hearing is the decision of the GBDC rather than that of the Headteacher).
- The IRP must make one of three fundamental decisions as follows:
  - Uphold the GBDC decision
  - Recommend a reconsideration
  - Quash the decision
- Following an IRP decision to direct or recommend reconsideration of an exclusion decision, the GBDC has a duty to reconsider reinstatement (there is no requirement to seek further representations from the other parties or invite them to a meeting when re-considering). The GBDC must reconvene within 10 school days of being given notice of the panel's decision.
- The decision as to whether the IRP hearing should be held in private is for the LA /Academy Trust (not IRP).
- The IRP decision must not be influenced by any stated intention of the parents or pupil not to return to the school. IRPs are expected to understand the legislation and legal principles that apply in judging the lawfulness of the GBDC decision not to reinstate.
- Whether or not a school recognises that a student has special educational needs (SEN), all parents have the right to request the presence of a SEN expert at an IRP. The SEN expert must be someone with expertise and experience of SEN and be considered by the LA or academy trust as appropriate to perform the functions specified in the legislation. SEN expert advice can be provided in writing to the IRP or orally or both. If a SEN expert has been requested but is not present, the panel is expected to make the parents aware of their right to request an adjournment.
- Please see the link for the DfE statutory guidance on Exclusions effective from September 2017. It also contains non-statutory guidance for Headteachers and parents.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/641418/20170831\\_Exclusion\\_Stat\\_guidance\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf)

## **10. Monitoring and review**

This policy shall be monitored in accordance with the school's ongoing self evaluation and shall be reviewed not less than every 3 years.

**Emma Pacey**

**March 2021**