



St John's
School Billericay

Exclusion Policy

Date: February 2023
Those Responsible: Mr Angeli – Headteacher

To be reviewed: Regularly

EXCLUSION POLICY

- The school is responsible for communicating its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct. Good behaviour in school is essential to ensure that all pupils benefit from the opportunities provided. The government recognises that school exclusions are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities. For the vast majority of pupils, exclusions are not necessary, as other sanctions can manage behaviour. However, sometimes exclusions are needed as a last resort in order to protect pupils and teachers from disruption, and to enable pupils to learn in a safe, calm and supportive environment.
- A temporary exclusion or permanent exclusion may follow a cumulative and persistent breach of school rules and policies or may be in response to a very serious single breach of school rules and policies or a disciplinary offence.
- No exclusion will be initiated without a thorough investigation.
- Any permanent exclusion will be the decision of the Head.

Reasons for exclusion may include:

- 1) Serious breach of the school's rules or policies, including but not limited to:
 - 2) Behaviour that could damage the school's reputation.
 - 3) Risk of harm to the education or welfare of other pupil(s) in the school.
 - 4) Breakdown of the relationship between the school and parents.
- Exclusion may be used in response to a single serious breach of school rules and policies or a disciplinary offence. Examples may include, but are not limited to:
- Serious actual or threatened violence or misbehaviour against another pupil or an adult.
 - Verbal abuse or threatening behaviour against a pupil or an adult.
 - Possession or use of an illegal drug, alcohol or cigarettes (including e-cigarettes or vapes) on school premises or when in school uniform.
 - Carrying an offensive weapon or prohibited item.
 - Bullying
 - Sexual harassment or misconduct
 - Racist abuse
 - Abuse relating to disability
 - Abuse against sexual orientation
 - Persistent disruptive behaviour.
 - Parental behaviour.

This list is not exhaustive and is intended to offer examples rather than be complete or definitive.

- Alternatively, exclusion may be imposed when a pupil persistently and cumulatively breaches the school's rules and policies when the school has already offered and implemented a range of support and management strategies.

Exclusion will not usually be used for minor incidents (e.g. failure to do homework, lateness, poor academic performance or breaches of uniform rules), except where these are persistent and defiant.

Pupils' behavior outside of school (e.g. on school trips, at sports fixtures, Upper 5 pupils off site during study leave etc) is subject to the school's rules and policies. Misbehaviour in such circumstances will be dealt with as if it had taken place in school.

For behaviour outside the school, the Head may exclude a pupil if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupil body, or if it is deemed to be damaging to the reputation of the school.

The decision to exclude

In all cases, the Head will ensure the incident is thoroughly investigated and will consider all evidence, taking account of the school's policies. The pupil will be encouraged to give his/her version of events. Based on all the evidence, the Head will then decide whether the exclusion will be for a temporary fixed term, or on a permanent basis. A temporary exclusion should be for the shortest time necessary; 1-5 days is usually enough to secure benefits without adverse educational consequences. The length of time for temporary exclusion will be based on the severity of the reason for exclusion and will be decided by the Head.

If the Head decides to exclude a pupil, he will:

- Ensure that a fair and thorough investigation is carried out. The investigation will be carried out by the relevant form teacher, Pastoral Lead or the Deputy Head, depending on the nature of the behaviour.
- Keep an open mind until all of the evidence has been gathered.
- Ensure that only relevant considerations are taken into account, and irrelevant considerations are ignored.
- Consider whether to involve external agencies e.g. social services or the police.
- Ensure that the pupil is informed of the allegations and all relevant evidence.
- Ensure that the pupil has a fair opportunity to exculpate themselves.
- Ensure that the sanction is proportionate to the behaviour.
- Ensure that all evidence has been thoroughly considered.
- Ensure that records are made of all evidence.
- Ensure that the parents are contacted, the decision is explained and to ask that the child be collected. If the child cannot be collected, the child will remain in school until the end of the school day.
- Send a letter to the parents confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion, the length of the exclusion and any terms or conditions agreed for the pupil's return.

- Ensure that appropriate work is set and that arrangements are in place for it to be marked. Where a pupil is permanently excluded, work will be set for the first five days. The school as a goodwill gesture, may be able to work with parents to provide work for a longer period of time whilst the family finds a new school, however, this will be determined on an individual basis based on individual circumstances and based upon discussion with parents.
- Plan how to address the pupil's needs on his/her return, if applicable.
- In the case of a permanent exclusion, ensure that the parents are given the opportunity to appeal the decision.

Right of Appeal for cases of permanent exclusion

Purpose

The purpose of an appeal is to decide on the following:

- Did the pupil actually commit the offence in question.
- Is permanent exclusion a reasonable response.

If the appeal determines that the answer to the first question is no, the pupil should be re-admitted and the second question becomes irrelevant.

Procedure

The panel should include the proprietor and at least one other person who is independent of the running of the school and of the pupil.

Ideally, the appeal should take place within 5 working days in order to reduce the risk of lost schooling.

The panel should be provided with the evidence that the Head had when making the decision to exclude. The panel should allow the pupil and/or his or her parents to make representations, and the panel may find it helpful for the Head to be present to explain the basis on which his decision was made.

New evidence can also be taken into account. However, it is important that new evidence is distributed to the relevant parties in advance of the appeal and in sufficient time to allow everyone to prepare. If new evidence emerges at the appeal itself, it may be necessary to adjourn.

The appeal decision is final.

There will be no refund of fees following temporary or permanent exclusion. In the case of permanent exclusion, the Acceptance Deposit will not be returned or credited. Fees in lieu of notice will not be charged but any outstanding fees will be payable in full.