



IMMANUEL COLLEGE

Procedure for managing exclusions

Purpose of this statement	To outline the Procedure for managing exclusions by Immanuel College
Dated	February 2020
Contact	The Headteacher

'Students need to recognise and understand any wrong they have done, and agree what they have done, as a means of becoming more wise.' & 'Teachers should use correction justly and with wisdom, so it is used to change students' conduct and to bring about good.'

Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports Headteachers in using exclusion as a sanction where it is warranted.

(A Guide to Exclusions 2016)

The Need for a Policy

Immanuel College promotes positive behaviour through the example set by adults and student role models, the Behaviour Policy and by having high expectations. Learning that there are consequences to inappropriate behaviour is an important aspect of education and the behaviour strategy has clear sanctions for when expectations are not met.

There are occasions when it is necessary and appropriate to exclude students for a fixed period, or, in very rare cases, permanently. In most cases exclusion will be the last resort after a range of measures has been tried to improve student's behaviour and engender a sense of personal responsibility. Whenever exclusions are used the Government Guide to Exclusions is followed.

At Immanuel College students identified as being at risk of exclusion are provided with strategies to meet individual needs so that we can support the student and their family as much as possible. Exclusion is viewed as the strongest sanction possible and is available to the College only through the authority of the Headteacher.

A decision to exclude a student from the College should be taken only

- a) in response to serious breaches of the College's behaviour policy and/or
- b) if allowing the student to remain in College could seriously harm the education or welfare of the student or others in the College.

Purpose

The purpose of this policy is to set out the process for fixed term and permanent exclusions for the benefit of parents, staff and students so as to ensure a consistent and fair process for all concerned.

Parents

The definition of a parent for the purposes of the Education Act is broadly drawn. In addition to the child's birth parents, references to parents in this guidance include any person who has parental responsibility (which includes the local authority where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives.

A: Prevention of Exclusion

1. The behaviour and attitudes of students is monitored frequently by pastoral staff, the daily behaviour log indicates students who are gaining large numbers of negative points. Once identified, students are given a variety of support which may include report cards, mentoring, time in the LDC or AXIS or cognition and learning assessments, where appropriate. Identified students may also be referred to external agencies such as CAHMS.
2. A Matrix will be started, indicating the stages the student is reaching and the support offered. When a student reaches Level 3 of the matrix they may be referred to the BACS panel for consideration of a managed move to avoid permanent exclusion. This offers the student a fresh start in a new school, which, if successful, will lead to the permanent transfer to the new school.
3. Where appropriate, and in line with the Behaviour Policy, the College will use the sanction of internal removal for a fixed number of days whereby students will be placed in the inclusion room and kept out of mainstream circulation with work provided. Parents/carers will always be informed of this sanction.

A. Fixed Term Exclusion

Fixed-term exclusion means that a student is not allowed to come to the College for a certain number of days. Students can also be excluded for lunchtime periods if behaviour at lunchtime is disruptive. A fixed term exclusion can be for a fixed period of 1 to 45 days in an academic year but any exclusions over 15 days in a term must be referred to the Governors' Pupil Discipline Committee and this committee must convene if parents/carers request a meeting of this committee for any exclusions amounting to 6 days or over.

Situations leading to fixed term exclusion

The College's Behaviour Strategy clearly states the situations which will normally lead to fixed-term exclusion but it is also at the discretion of the Headteacher (or the Deputy Headteacher in her absence) to exclude for an incident which may not be covered by the behaviour strategy and which is deemed to be of equal seriousness. Exclusion will not be used for minor incidents; poor academic performance, punctuality concerns or breaches of uniform rules (except where the latter is resulting in persistent and open defiance of such rules). The length of fixed term exclusion is at the discretion of the Headteacher but will be for the shortest time deemed appropriate.

Procedure after a decision to fixed term exclude a student has been made

1. Parents/carers will be informed by telephone where possible that a decision to exclude has been made. This will be followed by a letter of confirmation outlining the reasons for the decision and the appeal process.
2. Any exclusion over 15 days in a term must be referred to the Governors' Pupil Discipline Committee. This committee must convene if parents/carers request such a meeting for any exclusions amounting to 6 days or over. If the exclusion is for less than 6 days parents/carers can make representation to the Pupil Discipline Committee but it is not obligatory for them to meet. The Pupil Discipline Committee must meet within 50 days of the committee being notified of a hearing.
3. Before a meeting of the Pupil Discipline Committee the College will send all the relevant material to the parents/carers and the governors on the panel. New material cannot be introduced by the College at the meeting. Parents/carers have the right to be accompanied by a friend or representative.
4. Students will have a reintegration meeting after a fixed-term exclusion (normally with the Deputy Head teacher) where it is expected that parents/carers will attend. The purpose of the meeting is to promote an improvement in behaviour, to emphasise the joint responsibility between college and parents/carers regarding the student and to explore measures to prevent further misbehaviour.
5. The student may be required to sign a formal behaviour contract.
6. The College will keep a formal record of all fixed-term exclusions

Student welfare during exclusion

1. The student may not go to the College or into the College grounds, the parents have a legal responsibility to ensure that this does not happen.

2. The College will set work but it is the parent/ carers' responsibility to collect the work and return it to College.
3. Parents/carers are legally responsible for the student during exclusion and the student should not be in public places during College hours e.g. parks, shopping centres.
4. After day 5 of exclusion the College will arrange for alternative temporary education – usually at a different local school, or at a Pupil Referral Unit
5. If a student is excluded at lunchtimes and is entitled to Free School Meals then the College can make arrangements for a packed lunch to be provided if parents/carers wish.

B. Permanent Exclusion

The decision to permanently exclude a student is never taken lightly. A permanent exclusion means that a student is never allowed to come back into the College; the responsibility for finding the student his or her next educational establishment lies with the Local Authority.

Situations leading to permanent exclusion

Permanent exclusion may result from serious on-going behaviour problems or the failure of a managed move. There will, however, be exceptional circumstances where, in the Headteacher's judgment, it is appropriate to permanently exclude a student for a first or 'one-off' offence. These may include:

- a) Serious actual or threatened violence against another student or a member of staff
- b) Sexual abuse or assault;
- c) Supplying or being in possession of drugs (including alcohol) – see the Dealing with Drugs Policy
- d) Carrying an offensive weapon

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the College community. The decision to permanently exclude a student is never taken lightly.

Procedure for decision making

The decision to permanently exclude may only be taken by the Headteacher. The standard of proof to be applied is the balance of probabilities, i.e. if it is more probable than not that the student did what he or she is alleged to have done, the Headteacher may exclude the student.

Permanent exclusion will not be imposed in the heat of the moment but it will be normal for a student to be excluded pending enquiries and a final decision. Before deciding whether to exclude a student permanently the Headteacher will:

- a) Ensure that a thorough investigation has been carried out;
- b) Consider all the evidence available to support the allegations, taking account of the College's behaviour and equal opportunities policies, and, where applicable, Race Relations legislation and Disability Discrimination legislation;
- c) Allow the student to give their version of events;
- d) Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment;
- e) If necessary, consult others, but not anyone who may later have a role in reviewing the Headteacher's decision, for example a member of the Governing Body.

Procedure after a decision to permanently exclude has been made

1. Parents/carers will be informed immediately that a decision to permanently exclude has been made – either by telephone or preferably in a meeting with the Headteacher. This will be followed by a letter of confirmation outlining the reasons for the decision and the appeal process.
2. The College will inform the parent/carer of the date of a Governors’ Pupil Discipline Committee meeting at which governors will hear the College’s case and representation from parents/carers and the student.
3. Before the meeting the College will send all the relevant material to the parents/carers and the Governors on the committee. New material cannot be introduced by the College at the meeting.
4. The Governors will hear the case, at which parents/carers may be accompanied by a friend or representative and come to a decision which they will inform parents/carers and governors of within 24 hours.
5. Parents/carers do have a right of appeal to an independent panel in the event the Governors uphold the exclusion and information regarding this will be included in the letter sent to parents/carers. However under the Education Act 2011 this panel can only suggest a reinstatement of the student and not overturn the Governors’ decision.

Student welfare following a permanent exclusion

1. The student may not come to the College or into the College grounds unless invited in.
2. Parents/carers are responsible for the child during exclusion and the student should not be in public places during College hours.
3. After day 5 of exclusion the Local Authority will arrange for alternative temporary education – usually at a Pupil Referral Unit

Independent Review Panel

In the extremely rare event of a student being permanently excluded, parents have the right to ask the Trust to convene an independent review panel, regardless of whether or not they have appealed to the governing body. Parents must make this request within 15 school days of receiving notification of the exclusion, and the panel should meet to review the case within 15 days of the notification. Parents have a right to require the Trust to appoint an SEN expert to attend the review, regardless of whether the student has recognised special educational needs.

The panel may make one of three decisions:

- To uphold the exclusion
- To recommend that the governing body reconsiders its decision
- To quash the decision and direct that the governing body reconsiders the exclusion

The panel may only quash the decision where it considers that it was flawed when viewed in light of the principles applicable for application for a judicial review (i.e. the decision was illegal, irrational or there was procedural impropriety).

The panel, however, cannot redirect reinstatement, but it can remove the permanent exclusion from a student’s record. It may also deduct £4,000 from the College’s budget to support the Local Authority in making alternative provision

Named Governor:	Bob Griffiths
Monitoring of the Policy:	The Headteacher
Reporting to:	The Students Pastoral Care Committee
Next Review Date:	February 2021