

St Martin-in-the-Fields High School for Girls

A CHURCH OF ENGLAND ACADEMY
Service Compassion Justice Perseverance



EXCLUSIONS POLICY

Approved November 2018
Review November 2022

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Christ is at the centre of our Church of England school community where we live, love and learn together within an inclusive and equalities framework, and where students of all faiths and none are welcomed into our Anglican Christian community. In all that we do, we seek to show God's care for our students. We value, respect and celebrate all faiths and cultures because we are inspired by a welcoming, inclusive and loving God, seen in Jesus Christ and lived out through the Holy Spirit alive in every person.

Our vision is to create a safe, caring, happy and inclusive community underpinned by our Christian values of service, compassion, justice and perseverance and our motto CARITATE ET DISCIPLINA - WITH LOVE AND LEARNING which come from the story of St Martin of Tours. Central to this is our school Bible verse from St Paul's first letter to the Corinthians.

Love is patient, love is kind. It does not envy, it does not boast, it is not proud. It does not dishonour others, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil but rejoices with the truth. It always protects, always trusts, always hopes, always perseveres. Love never fails.
1 Corinthians 13:4-8

EXCLUSIONS GUIDANCE AND PROCEDURE

This policy is based on the DFE publication:

Exclusion from maintained schools, academies and pupil referral units in England. Statutory guidance for those with legal responsibilities in relation to exclusion.

September 2017

There are two types of exclusion that are used as sanctions for very serious breaches of the school's behaviour policy: Fixed-term and Permanent exclusion.

A decision to exclude a student may be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy;

and

- where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

The decision on whether to exclude will be decided by the Headteacher. However, this will be used as a last resort and, in the case of persistent breaches, when other behaviour interventions have been tried. We make every effort to ensure everything possible has been done to support the student prior to any recommendation for permanent exclusion.

It is unlawful to exclude for a non-disciplinary reason, e.g. because a student has additional needs or a disability, for reasons such as attainment, ability, or actions of the parents.

In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period. In this case, the Headteacher must and will write to the parent again giving reasons.

When excluding, the wider principles of our legal duties should be considered along with any contributing factors: e.g. if a student has suffered a bereavement, has mental health issues, or is a subject of bullying.

We aim to take the following actions (if appropriate to the student and where possible) prior to permanent exclusions:

- If the student has a Statement of Special Needs or EHCP, ensure a review of the Statement/EHCP has taken place recently
- Reasonable adjustments have been made to support the student
- Behaviour Support Programme and targets
- Risk Assessments
- Assessment and support from the Inclusion Team
- Application made for a place at an alternative provider
- Individual Educational Plan or Individual Health Plan
- Behaviour Plan
- Mentoring
- Multi-agency meeting such as a Family Support Process
- Assistance from the Behaviour Support Manager
- Possibility of a trial/managed move

We will do our utmost to capture the views of students (both the student excluded and any others involved), throughout the exclusion process.

What happens if my child is given a fixed-term exclusion?

1. You will be telephoned as soon as possible by your child's Progress Leader or by a Senior Leader to inform you of the reasons for the decision
2. You will be asked to come as soon as possible to collect your child from the school or to nominate another person to do so. Exclusions often occur because it is unsafe for the student to remain on-site and their behaviour is likely to make it very difficult for staff to manage. Please therefore attend without delay.
3. It may not be possible to tell you during the telephone call or on arrival to collect your child, any more details than originally disclosed or the final number of days decided upon as an investigation may still be continuing. Finding out further details does not prevent the headteacher from making the decision that a fixed-term exclusion in itself is necessary as a first step due to the severity of behaviour.
4. Should your child be in KS4, have the means to get home and regularly makes this journey by themselves, you as the parent may authorise them to make their own way home. However, it remains the parent's responsibility to make sure that the student goes straight home and arrives there promptly.
5. You will then receive a letter within 24 hours explaining in further detail the reasons for the fixed-term exclusion and the number of days your child is excluded for. If the investigation is

still going on and the headteacher may still be considering adding a permanent exclusion, this will be explained to you including the date the decision will have been made.

Guidance contained within the letter informing you of exclusion

1. You have a duty to ensure that your child is not present in a public place in school hours during the exclusion period unless there is a justifiable reason for this.
2. You may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates without reasonable justification for this.
3. The school will set work for your child to be completed on the days set out in the letter. Please ensure this work is completed and returned promptly to us for marking.
4. You have a right to make representations to the governing board via the clerk: Mrs Lancaster, via email ilancaster@stmartins.academy, via telephone on 020 3910 1560 or by writing to her at the school. The governors must consider any representations you make but they do not have the power of reinstatement regarding fixed-term exclusions unless the exclusion would bring the student's total number of days of exclusion to more more than 15 days in one term or, if the student would miss a public examination. A copy of your representations will be placed on your child's file.
5. If you think that the exclusion relates to a disability your child has and you think disability discrimination has occurred, you have the right to make a claim to the First Tier Tribunal: <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>
6. If the fixed-term exclusion is for more than 5 days' duration, the school will provide an alternative education provider from the 6th day onwards at one of our partner schools.
7. You will be informed in the letter of the total number of days' exclusion in any one term and for the academic year as a whole. If your child is excluded for 15 days or more in any one term, the student discipline committee of the governing board must meet to review your child's behaviour. Should your child be excluded for 45 days or more in the academic year, then the student discipline committee must meet to consider a permanent exclusion.
8. You will be invited to a reintegration meeting. We expect parents and the student to attend. We will be as flexible as we can be about the timings to suit families: our priority is ensuring that everyone is there, however, this meeting must take place before your daughter returns to her regular lessons.
9. Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
10. Advice on the exclusions process can also be obtained from the Inclusion Team at Lambeth Council on 020 7926 6928 or via email at inclusion@lambeth.gov.uk.

What happens if my child is recommended for permanent exclusion?

1. You will be telephoned as soon as possible by the headteacher, or, in their absence, a senior leader to inform you of the reasons for the decision.
2. You will be asked to come as soon as possible to collect your child from the school or to nominate another person to do so. Exclusions, particularly at this level, often occur because it is unsafe for the student to remain on-site and their behaviour is likely to make it very difficult for staff to manage. Please therefore attend without delay.
3. It may not be possible to tell you during the telephone call or on arrival to collect your child, any more details than originally disclosed as an investigation may still be continuing.
4. Should your child be in KS4, have the means to get home and regularly makes this journey by themselves, you as the parent may authorise them to make their own way home. However, it remains the parent's responsibility to make sure that the student goes straight home and arrives there promptly.
5. You will then receive a letter within 24 hours explaining in further detail the reasons for the permanent exclusion. If the investigation is still going on, you will be given opportunities to submit your views.

What are the steps the school will take?

1. The headteacher will come to the decision that a permanent exclusion is necessary.
2. The headteacher will come to this conclusion only in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the student to remain on the school roll would seriously harm the education or welfare of the student or others in the school.
3. The school will contact the Inclusion Team at Lambeth council or your local authority (if it is not Lambeth) and send a referral form. If the exclusion decision is upheld, the inclusion team will provide a place for your child until an alternative school is found.
4. You will receive a letter as soon as possible and within 24 hours stating the key reasons and all the required information from the Department for Education guidance. A copy of this letter and a standard form will be sent to the local authority to inform them.
5. The Local Authority inclusion team will arrange for alternative provision from the 6th day of the exclusion. The school will provide work for the first five days.
6. On receiving notice of the exclusion, the student discipline committee must convene a meeting within 15 school days to consider the exclusion. The student discipline committee must invite the parent, student and headteacher at a mutually agreed time. Written evidence should circulate as far as possible, at least 5 days before the meeting: written statements, including witness statements and the excluded student's views; and a list of attendees.
7. The student discipline committee will inform the parent, the headteacher and the Local Authority of its decision to uphold the permanent exclusion or otherwise, in writing, without delay, stating the reasons. If the student is to be reinstated, details of how this will be conducted will be included.

8. If the decision is to uphold the permanent exclusion, the letter must also state the last date for lodging an application for a review and explain that the grounds for the review must be set out in writing, requesting a Special Education Needs expert if required. A copy of the letter should be placed on the student's school record with copies of relevant papers and minutes kept in Governors' confidential files.

How do I ask for an exclusion review?

1. By the last day stated on the letter upholding the permanent exclusion, you may lodge an application for a review, in writing. You must explain the grounds for review, requesting a Special Educational Needs expert if required.
2. If you make an application for a review within the time limit, the review should take place within 15 school days after the day on which the review is lodged. The review panel considers and has only three options: uphold the student discipline committee's decision; recommend the student discipline committee reconsiders its decision; or quash the student discipline committee's decision and direct it to reconsider its decision.
3. If the student discipline committee's decision is upheld the student is removed from the admission attendance register only after the review process has been completed.
4. If you are still unhappy about the conduct or decision of the review panel, you may be able to make a complaint to the local ombudsman (regarding maladministration) or seek a judicial review (where you wish to challenge the outcome). Advice on these routes can be obtained via The Advisory Centre for Education: 0300 0115 142 or enquiries@ace-ed.org.uk This is an independent charity founded to support families.