



PLYMSTOCK SCHOOL

Exclusion Policy

Lead Officer: Deputy Headteacher (Behaviour)

Date for Review: Autumn 2020

This policy pays full regard to statutory guidance issued by the DFE in September 2017 'Exclusion from maintained schools, academies and pupil referral units in England', and the Education Act 2002 (as amended by the Education Act 2011).

Who can exclude?

Only the Headteacher has the power to exclude a child. However, this authority can be delegated to any of the Deputy Headteachers. Other members of staff such as Heads of Year cannot exclude, though they may provide information to support the Headteacher's or Deputy Headteacher's decision.

Reasons for exclusion

All exclusions must be for disciplinary reasons only. Our Behaviour Policy sets out what the school rules are. Whilst not an exhaustive list, the following incidents are likely to result in exclusion at Plymstock School:

- Swearing at a member of staff
- Violence or aggression (including threats and inciting others to be violent) towards other students or staff
- Racism
- Deliberate damage to school property
- Refusal to follow reasonable staff instructions
- Persistent disruptive behaviour
- Possession or use of drugs and alcohol
- Theft
- Sexual assault or harassment
- Being in possession of a weapon
- Persistent bullying

Standard of proof

The Headteacher's decision to exclude must be taken on the 'balance of probabilities'. That means that it is more likely than not that the student did what they are accused of. This is not the same as the 'beyond reasonable doubt' standard required in a criminal case.

When exclusion is not allowed

It is unlawful to exclude or to lengthen an exclusion for a non-disciplinary reason. Some examples are below:

- If the exclusion is specifically about a child's special educational needs (however, this does not mean a child with SEND cannot be excluded).
- If a child is not doing well in school or is not as able as other children. A child cannot be excluded because they are not likely to get good exam results.
- Due to something a parent has done. That might be something like making a complaint or not going to a meeting at school.
- Not allowing a child back into school after a fixed period exclusion unless they meet particular conditions. Once the exclusion is ended a child must be allowed to go back. For example, the Headteacher can't extend the exclusion because a child won't admit they are guilty.

Off-rolling

Plymstock School is aware that off-rolling is unlawful. Ofsted defines off-rolling as, "the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil."

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Behaviour outside school

Students can be excluded for behaviour outside school, but this will be in line with the school's behaviour policy. Commonly this will include behaviour on school trips, behaviour when in uniform or on the way to and from school and behaviour which may bring the school into disrepute.

Having a say

Where practical, a Headteacher should allow a student to present their case before deciding whether to exclude. If this hasn't happened, find out your child's version of what happened and send this into school yourself.

What the school must tell you

If your child is given a fixed period exclusion, you must be notified in writing without delay.

The letter must tell you:

1. the reason for the exclusion;
2. the length of the exclusion;
3. the right to put your views in writing to the governing body;
4. for longer exclusions, your right to go to a meeting of the governing body and put your views in person.

If your child is of compulsory school age, you must also be told about your responsibilities to keep them at home during the first five days of the exclusion. This will be covered in the exclusion letter. If you haven't had a letter by the end of the first day of exclusion, you should contact the school to check that your child has been formally excluded.

Keeping your child at home

The first five days

Even though your child is not allowed on the school site, they still should be receiving education. Schools should take reasonable steps to set and mark work for the first five days of any exclusion. If no work has been sent home, contact the school and ask for some.

During these five days, you as a parent are responsible for your child's whereabouts. You must make sure they are not in a public place without reasonable justification during school hours. This duty is similar to that on school attendance and you could be fined if you breach it. The fine is £60 and goes up to £120 pounds if you do not pay within 28 days. Failure to pay within 42 days could lead to prosecution.

Alternative education

Day six and beyond

If your child has been given a longer fixed term exclusion of more than five days, the school has a duty to provide suitable full-time alternative education no later than day six. That is most likely to take place at an alternative provision, such as Plymouth ACE.

If your child has a statement of special educational needs, the alternative provision must be able to meet the child's needs as set out in the statement/EHCP. The placement must be identified in consultation with parents.

For looked after children, it is recommended that alternative educational provision start from the first day of an exclusion. In this circumstance we will liaise with the Plymouth Virtual School.

Reintegration meetings

It can be difficult going back to school after an exclusion. Your child may have missed work and you may be worried about the possibility of further exclusions

At Plymstock School there will be a reintegration meeting when your child returns. This is likely to be with the Head of Year and another senior member of staff. At this meeting, it's important to look at how you, your child and the school can all work together to avoid problems in the future. You may wish to ask for extra support for your child.

Permanent exclusion

The decision to exclude a student permanently is a very serious one. There are two main types of situation in which permanent exclusion may be considered.

The first is a final, formal step in a concerted process for dealing with disciplinary issues following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is

used as a last resort. This may include persistent and defiant misbehaviour e.g. repeated bullying (which could include racist or homophobic bullying).

The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a student for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another student or a member of staff.
- Sexual abuse or assault.
- Possession, use or supplying an illegal drug.
- Carrying a weapon.
- Arson.

The School will consider police involvement for any of the above offences.

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.

If a child is recommended for permanent exclusion a Governors' Disciplinary Committee (GDC) will be held to hear the case and decide whether to uphold the decision or reinstate the student. The child and their parents will be invited to attend the hearing to present their case, along with the Headteacher and key personnel. Parents will be written to with clear details about the process and their right to appeal the decision, should they disagree with the GDC's decision.

Monitoring and evaluation

The pastoral team with the Deputy Headteacher (Behaviour) will annually review behaviour data and trends to see if this policy needs amending. The pastoral team will regularly evaluate and update their approach to behaviour management.

This policy will be reviewed by governors every two years.