



Gumley House Convent School FCJ

Exclusions Policy

Approved by:	Full Governing Body
Date approved:	26 th September 2018
Date of next review:	To be decided as appropriate
Designated Governor for	Nancy Roberts
Designated Teacher for	Fiona Russell

Gumley House Convent School FCJ exists to provide a Catholic education for all students. In partnership with parents/carers, we help each student to develop with dignity as a person in relationship with Jesus Christ and each other. The six FCJ values are at the core of the Exclusions Policy at Gumley: Companionship, Dignity, Excellence, Gentleness, Hope and Justice. We value each and every member of the community as unique and take every opportunity to support their well-being. At Gumley we believe that good student behaviour and discipline at school is fundamental to student and school progress, the raising of educational standards and to increasing educational inclusion. The words, beliefs and actions of Marie Madeleine d’Houet, foundress of the FCJ Community, provide us all at Gumley with the clearest guidance as to our responsibility to those in our care.

1. Introduction:

At Gumley House School FCJ we have high expectations of our students. We believe they should feel safe to work and play at School free from any adverse effects caused by the behaviour or attitudes of others in order to reach those expectations. We will never tolerate behaviour which makes other students unhappy, or prevents them from learning; this zero tolerance of any form of disruptive or disrespectful behaviour applies to the whole school day, the journey to and from school, and to all school excursions. It is fundamental to our values that all members of the school community (including students, staff, governors and parents/carers) should behave with due respect for each other, for each other’s property, and for the School’s good reputation. We actively seek and expect the support of parents/carers in this endeavour. Our aim is that all students realise their full potential and complete their secondary education with us successfully.

Students will be encouraged to develop:

- high aspirations and ambition for their work and behaviour in school
- respect for others; their feelings, opinions and cultures in keeping with the ethos of our school
- respect for themselves; pride in their own achievement and that of others within the school, high standards of dress and behaviour and the desire to produce their best work at all times.
- respect for the environment; the school, their own and other people’s property, and the community in which we live.

The school has a range of disciplinary sanctions available (detentions, isolation, internal exclusion, report cards etc). However, we will resort to formal, external exclusion when it is felt that such a sanction is appropriate and necessary to deal with an individual student and to send a clear message to the rest of the school. We pride ourselves on the excellent behaviour of the vast majority of our students but, occasionally, it is necessary to deal firmly with a specific issue or incident. It is the intention of the school to maintain our high standards, and this may result in a strong line being taken over an issue when elsewhere, a different approach may be adopted. The purpose of exclusion is to show that certain actions are unacceptable in a happy, purposeful and well-disciplined community and that if an individual cannot conform to the school's high expectations, she/he must be asked to leave from the school's community for a fixed period of time or permanently.

2. Rationale

This policy is underpinned by the commitment of all at Gumley House School FCJ to ensure the safety and well-being of the whole school community and to maintain an appropriate educational environment in which all can learn and achieve.

3. Aims

Our school aims to ensure that the decision to exclude, either for a fixed term or permanently, is made in accordance with the expectations and sanctions as described in the Behaviour Policy and that:

- the exclusions process is applied fairly and consistently
- the exclusions process is understood by governors, staff, parents/carers and students
- students in school are safe and happy
- students do not become NEET (not in education, employment or training)

4. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and student referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude students:

- [Education Act 2002](#), as amended by the [Education Act 2011](#)
- [The School Discipline \(Student exclusions and Reviews\) \(England\) Regulations 2012](#)
- [The Education and Inspections Act 2006](#)
- The [Education Act 1996](#)
- The [Education \(Provision of Full-Time Education for Excluded Students\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Students\) \(England\) \(Amendment\) Regulations 2014](#)

5. The decision to exclude

The decision will be made with reference to the levels of behaviour as described in the Behaviour Policy (pages 23-25).

The decision about a fixed term exclusion is made by the Headteacher or a person acting with the Headteacher's authority.

The decision about a permanent exclusion is made by the Headteacher after consultation with the Chair of Governors. The final decision is made by the Headteacher.

A decision to exclude a student will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the student to remain in school would seriously harm the education or welfare of others

Examples include:

- Verbal abuse to staff

- Verbal abuse to student
- Physical abuse to/attack on staff
- Physical abuse to/attack on student
- Sexually abusive language and/or behaviour
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs or other substances including supplying these
- Theft
- Serious actual or threatened violence against another student or a member of staff.
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which School sanctions and other interventions have not been successful in modifying the student's behaviour.

This is not an exhaustive list and there may be other situations where the judgment is made that exclusion is an appropriate sanction. Exclusions can be either fixed term or permanent.

Before deciding whether to exclude a student, either permanently or for a fixed period, the Headteacher or a person acting with the Headteacher's authority will:

- ensure appropriate investigations have been carried out
- consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- allow the student to give their version of events
- consider if the student has special educational needs (SEND)

The decision to exclude permanently will only be made if:

- All other sanctions, support offered and the final warning have been unsuccessful;
- the student has broken the rules where Zero Tolerance is expressly identified [Behaviour Policy page 20-23].

In this case, to ensure justice, the exclusion might begin as fixed term whilst investigations continue and, later, be confirmed as permanent.

Having considered these matters the Headteacher or a person acting with the Headteacher's authority will make a decision on exclusion based on the balance of probabilities. Before reaching a decision, the Headteacher or person acting with the Headteacher's authority will look at each case on its own merits.

6. Duration of Exclusions

- The Headteacher may exclude a student for one or more fixed periods not exceeding a total of 45 days in any school year.
- If the exclusion is to take place during the lunch time, each lunch time counts as a half day.
- The Headteacher may exclude a student permanently if she/he judges the circumstances warrant it.

7. Definition

A school day is defined as any day on which there is a school session. Therefore INSET, staff training days and holidays do not count as a school day.

8. Notification of an Exclusion

Following any exclusion of whatever type or duration, the Headteacher or a person acting with the Headteacher's authority will:

- Inform the parents/carers of the period and nature of the exclusion
- Give the reasons for the exclusion

- Take account of her/his legal duty of care when sending a student home following an exclusion. 'Holding' arrangements until the student can be collected may be necessary.
- Inform parents/carers of their right to make representations about the exclusion to the governing body
- Make arrangements to provide suitable full time education from the sixth day onwards for students who have been given a fixed period exclusion lasting longer than five days. Once alternative provision has been arranged from the sixth day of the exclusion, the Headteacher must by law inform the parents/carers without delay of the start date, times and venue of the provision. This must be done no later than 48 hours before the alternative provision is to start.
- If the excluded student is in year 11 or 13 and has completed all public examinations, no alternative educational provision after six days is necessary.
- This information will be put in writing and sent to the parents/carers either by e-mail, text message, or by post to the address held on the school's records. The information can also legally be sent home with the excluded student. We will always send a duplicate copy by a reliable alternative method.
- Where the excluded student is of compulsory school age, the school will also notify parents/carers by the end of the afternoon session, where possible, that:
 - for the first five days of an exclusion they are legally required to ensure that their child is not in a public place during school hours without reasonable justification and
 - they may be given a fixed penalty notice if they fail to do so.
- Parents/carers must be informed where a fixed term exclusion has been extended or has been converted to a permanent exclusion due to further information coming to light. In such cases, the Headteacher must write again to the parents/carers explaining the reasons for the change and providing any additional information required.
- A member of staff will explain the reason for the exclusion to the student so they understand why their behaviour was unacceptable.

In the case of a permanent exclusion parents/carers will be notified by the Headteacher in a face-to-face meeting or in writing.

The Chair of Governors, Local Authority Inclusion Officer and relevant school staff will be notified of all fixed term and permanent exclusions the same day of the production of the exclusion letter, which they will receive a copy of and which will clearly outline the reasons for the exclusion.

9. Returning from a fixed-term exclusion

All students returning from a fixed term exclusion:

- are required to attend a reintegration meeting, accompanied by a parent/carer. This meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership with student, parent/carer and school. During this meeting a PSP (Pastoral Support Plan) will be agreed and signed.
- will be placed on Senior Leadership Report for a minimum period of 4 weeks.
- in some cases the return from a fixed term exclusion involves students attending sessions in the Inclusion Room (A01) so that a phased reintegration of the student can take place.

10. Informing Other Bodies

For any exclusion of more than five days, be it in a single block of days, an accumulation of short exclusions of more than five days in any one term, or a permanent exclusion, the Headteacher will also:

- notify the Local Authority (LA) giving the details of the exclusion and reasons for it
- notify the governing body giving the same details
- inform the 'home authority' of students living outside of the LA of the school about the exclusion without delay.

11. Public Examinations during any period of exclusion

Whilst there is no automatic right for an excluded student to take an examination or test on the school's premises, the Headteacher will consider whether it would be appropriate to exercise her/his discretion to allow an excluded pupil onto the premises for the sole purpose of taking the examination or test.

12. Appeals

All correspondence regarding an exclusion from the school will inform parents/carers of their right to appeal to the Governing Body against the decision to exclude. This procedure is clearly set out in the statutory guidance.

The person who should be contacted to initiate an appeal is the Clerk to the Governing Body.

Responsibilities regarding exclusions is delegated to Board of Governors subcommittee, Exclusions Appeal Panel which consists of at least 3 governors.

13. Links with other policies

The Exclusion Policy should be read in tandem with the school's Behaviour Policy as well as other relevant school policies, particularly the Special Educational Needs Policy and the Equality and Diversity Policy. It also has a close link with the Anti-Bullying Policy and Attendance Policy.

14. Monitoring and Review

- The full Governing Body will review the impact of this policy as required.
- The Headteacher will provide the Governors with termly reports on Exclusions.
- The policy and procedures will be reviewed at least annually and amended in the light of such evaluation and in consultation with representatives of all key stakeholders.

15. Further information

Impartial advice to parents

www.childrenslegalcentre.com

www.ace-ed.org.uk or call on 03000115142 Mon-weds 9-1pm term time

Independent Governor review panel training

The Academy Trust must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of Head teachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

N.B. This policy must be read with reference to the Behaviour Policy, September 2018