



St David's School
Exclusion Policy
Whole School (including EYFS)
(Revised June 2021)

Aims of the Policy

This policy deals with the practice that informs the School's use of exclusion. It is underpinned by the shared commitment of all members of the School community to achieve the following aims:

1. To ensure the safety and well-being of all members of the School community whilst maintaining an appropriate educational environment in which all can learn and succeed.
2. To realise the aim of reducing the need to use exclusion as a sanction.

Definition of Exclusion (for purposes of this policy)

The decision to exclude a pupil from the School in response to a serious breach of the School's Behaviour Policies (the Home/School Agreement, the Positive Behaviour Policy or the Anti – Bullying Policy) if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the School.

The Procedure at St David's

The decision to exclude a pupil will be taken in the following circumstances:

- In response to a serious breach of the School's Behaviour Policies.
- If allowing the pupil to remain in school would seriously harm the education or welfare of other pupils in the School.

Exclusion is an extreme sanction and is only administered by the Head Teacher (or, in the absence of the Head Teacher, the Deputy Head who is acting in that role.)

Exclusion, whether fixed-term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the School's Behaviour Policies:

- Actions which put the pupil or others in danger
- Verbal abuse to staff and others
- Verbal abuse to pupils
- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs/supplying of illegal drugs
- Misuse of other substances
- Theft
- Serious actual or threatened violence against another pupils or a member of staff
- Sexual abuse or assault
- 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 pupil's behaviour
- Unacceptable use of any mobile device or breach of the School's Acceptable Use Policy

This is not an exhaustive list and there may be other situations where the Head Teacher makes the judgement that exclusion is an appropriate sanction.

It should also be noted that the Head Teacher and Governors reserve the right to exclude a pupil in the event of non-payment of fees in line with paragraph 3.5 of the school's Terms and Conditions.

Behaviour outside the School Boundaries

Pupils' behaviour outside the School on school 'business' for example on school trips (residential and non-residential) and away school sports fixtures is subject to the appropriate Behaviour Policies and is explained in more details in our Off-site Educational Visits Policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in school.

For behaviour outside school, but not on school business (for example when a pupil is identifiable as a member of the School at public transport stops) this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupil body as a whole. If pupils' behaviour in the immediate vicinity of the School or on a journey to and from school is poor and meets the School criteria for exclusion then the Head Teacher may decide to exclude.

General factors the school considers before making a decision to exclude

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the School or the pupil concerned.

Before deciding whether to exclude a pupil either permanently or for a fixed period the Head Teacher will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations (taking into account the Positive Behaviour, Anti-Bullying and Equality Policies)
- Take into account any special educational need and/or disabilities (SEND), and ensure that reasonable adjustments have been made to accommodate the pupils needs
- Allow the pupil to give his/her version of events
- Check whether the incident may have been provoked (for example, by bullying or by racial or sexual harassment).

If the Head Teacher is satisfied that on the balance of probabilities the pupil did what s/he is alleged to have done, exclusion will be the outcome.

Fixed-Term Exclusions

Most exclusions are of a fixed-term nature and are of short duration (usually between one and three days). The DfE regulations allow the Head Teacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

Following the decision to exclude a pupil, the parents are informed immediately. A confirmation letter is also sent by post giving details of the exclusion and the date the exclusion ends. Parents have a right to appeal against the decision to the Governing Body. The school informs the parents how to make any such appeal. (See Role of Governors below)

A fixed-term exclusion may take the form of an 'internal' exclusion, with the pupil being excluded from the class and supervised elsewhere.

During the course of a fixed-term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the School premises, and that daytime supervision is their responsibility, as parents/guardians.

A return to school meeting is held following the expiry of the fixed-term exclusion and this involves the Head Teacher, the Deputy Head and other staff where appropriate.

If appropriate, a Pastoral Support Plan is drawn up to support the pupil when they return to school.

Permanent Exclusions

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

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences 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 would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.
2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies. It would be appropriate to permanently exclude a pupil for a first or 'one off'

offence. These might include:

- Serious actual or threatened violence against another pupil or member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Using an illegal drug on the School site
- Carrying an offensive weapon*
- Arson

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

* Offensive weapons are defined in the Prevention of Crime Act 1953 as 'any article made or adapted for causing injury to the person; or intended by the person having it with him/her for such use by him/her.'

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.

Exercise of Discretion

In reaching a decision, the Head Teacher will always look at each case on its own merits. In considering whether permanent exclusion is the most appropriate sanction the Head Teacher will consider:

- a) The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour Policies and
- b) The effect that the pupil remaining in the School would have on the education and welfare of other pupil and staff.

Nonetheless, in the case of a pupil found in the possession of an offensive weapon, whether there is an intention to use it or not, it is the School's usual policy in this particularly serious matter to issue a permanent exclusion.

Alternatives to Exclusion

Alternative strategies to exclusion are included in the School's Behaviour Policies. The School works with the London Borough of Croydon and other schools to undertake managed moves where such a course of action would be of benefit both to the pupil and the two schools concerned. However, the threat of a permanent exclusion will never be used as the means to coerce parents to move their child to another school.

Counselling and Support

If there is a perceived need for counselling and external support the School provides guidance about professional services available.

Whilst staff are always willing to offer sensitive advice and support to pupils, they should be aware that any information divulged to staff about illegal activity cannot be held in confidence and will be passed to the relevant member of the Senior Leadership Team (SLT) or the Designated Safeguarding Lead if deemed appropriate.

The Role of Governors

The Head Teacher informs the Governing Body about any permanent exclusions, and about any fixed term exclusions beyond five days in any one term.

The Governing Body itself cannot either exclude a child or extend the exclusion period made by the Head Teacher.

In the event of an appeal, the Governing Body appoints an Appeals Panel. This is made up of at least two governors and one person who is independent of the running of the school. This panel considers any exclusion appeals on behalf of the governors.

When an appeals panel meets to consider an exclusion, they consider the circumstances in which the child was excluded. They will require the Head Teacher to explain the reasons for the decision and will look at appropriate evidence, such as the pupil's school record, witness statements and the strategies used by the School to support the pupil prior to exclusion. They will consider any representations by parents and then consider whether the child should be reinstated.

If the Appeals Panel decides that a child should be reinstated, the Head Teacher must comply with this ruling.

Monitoring and evaluation

The School keeps a variety of records concerning incidents of continual misbehaviour.

The Head Teacher keeps a record of any child who is suspended for a fixed-term, or who is permanently excluded according to the procedures detailed in the Storage, Retention and Disposal of Records policy.

The Head Teacher considers incidents with members of the Senior Leadership Team to determine what can be learned from them and how they were handled with a view to improving the School's strategies.

Confidentiality

The School's approach to ensuring how sensitive information is disclosed internally and externally is with careful attention to pupils'/staffs' rights and needs. Exclusion cases are treated in the strictest confidence.

This policy is in compliance with the current version of 'Keeping Children Safe in Education' (DFE) and is to be read in conjunction with the following related policies:

Anti-Bullying

Equality

Off-site Educational Visits

Pastoral Care

Positive Behaviour

Special Educational Needs and Disability

Storage, Retention and Disposal of Records

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