

# BROCKINGTON COLLEGE



## Exclusion Policy

Brockington College, a Church of England Academy, has at its heart a distinctive Christian ethos. Based on our Christian foundation and values we seek to promote a culture of developing every person and therefore every school policy is written from this perspective, with a commitment to learning and maturing in the context of communal and individual development. We lay particular stress on the Christian values of perseverance, learning, wisdom, justice, koinonia, forgiveness and compassion for individuals and across the school community.

Signature: ..... Date: .....

Printed Name: ..... Position: .....

Date of Review	March 2017
Next Review	March 2019
Approval By	Principal
Review Frequency	Two-yearly

## **Rationale**

This policy is underpinned by the commitment of all at Brockington College 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. In this policy and the accompanying procedures the governing body aims to discharge appropriately its statutory duties as set out in The School Discipline (Pupil Exclusion and Reviews) (England) Regulations 2012.

## **Introduction**

Exclusion is an extreme sanction and is only used by the Principal (or, in the absence of the Principal, the Vice Principal who is acting in that role). Before deciding whether to exclude a pupil either permanently or for a fixed period the Principal will ensure that:

- a) appropriate investigations have been carried out
- b) all the evidence available has been considered
- c) the pupil's version of events has been heard
- d) that statutory guidance on exclusions, equalities policy and disability discrimination has been taken into account

Having considered these matters, the Principal will make a decision on exclusion based on the balance of probabilities established. In reaching a decision, the Principal, or Vice Principal will look at each case on its own merits and avoid a tariff system, ie fixing a standard penalty for a particular action, as unfair and inappropriate.

Exclusion, whether fixed period 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 Management Policy:

- Verbal abuse to staff and others
- Verbal abuse to pupils
- Physical abuse towards/attack on staff
- Physical abuse towards/attack on pupils
- Sexually abusive language and/or behaviour
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs or other substances including supplying
- Theft
- Serious actual or threatened violence against another pupil 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 pupil's behaviour

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

## **Fixed Period Exclusion**

- A pupil may be excluded for one or more fixed periods, up to a maximum of 45 days in a school year

- The school will make every effort to inform parents/carers of a fixed period exclusion before the end of the school session (the school office closes at 5.00 pm) by telephone, email or text
- This will be followed up in all cases with an exclusion letter, which will inform parents/carers of the length of the exclusion, the reasons for the exclusion and their rights, including their right to make representations and who to contact if they wish to make representations about the exclusion
- When a pupil is required to be at home, parents/carers will be advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility, as parents/carers
- The letter will also make clear the date and time when the pupil should return to school for a reintegration meeting
- The school will continue to provide education for all pupils on a fixed period exclusion and will mark the work that is completed and returned to school
- The school will plan the return and reintegration into school after fixed period exclusions with parents/carers and pupils
- The Principal will inform the governors and local authority within one school day of any fixed period exclusions totalling more than five school days per term
- The Principal will inform the governors and local authority within one school day of any fixed period exclusions resulting in a pupil missing a public examination
- The Principal will inform the governors and local authority on a termly basis of all fixed period exclusions
- We will provide full time education from the sixth day of any period of fixed period exclusion of six days or longer
- In the case of one or more fixed period exclusions totalling more than 15 school days in any one term, or where a pupil would miss a public examination, a governors' disciplinary committee meeting will be convened

### **Permanent Exclusion**

- The decision to exclude a pupil permanently could be taken by the Principal in the following circumstances:
  - a) In response to a serious breach, or persistent breaches, of the school's Behaviour Management Policy;
  - b) Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school
- In the case of a permanent exclusion the same process as that for fixed term exclusions will be followed except the communication will make clear that it is a permanent exclusion
- The Principal will inform the governors and local authority within one school day of any permanent exclusions
- In the case of a permanent exclusion, a governors' disciplinary committee meeting will be convened

### **Equality Act 2010**

The school will follow the guidance on the Equality Act 2010 published by the 'Equality and Human Rights Commission' in Section 5.4 entitled 'What equality law means for you as an educational provider'.

This guidance states that whilst a "*school must not discriminate against a pupil by excluding them from school*", "*it does not mean a school cannot exclude a pupil with a protected characteristic*". The guidance recognises that "*there may be occasions when it is appropriate to exclude a pupil with a protected characteristic*", it stresses it is important that a school does not exclude "*because of the protected characteristic*".

## **Alternatives to Exclusion**

Brockington College works closely with the Learning South Leicestershire Behaviour Support Partnership. As an alternative to regular exclusion, the school will work with the partnership to provide alternative education and support designed to reduce/remove the use of exclusion. The threat of a permanent exclusion will not be used as the means to persuade parents/carers to move their child to another school.

## **Lunchtime Exclusion**

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. This will be treated as a half-day, fixed period exclusion and parents will have the same right to gain information and to appeal.

## **Behaviour Outside School**

Pupils' behaviour outside school on school "business", for example educational visits and journeys, away school sports fixtures or a work experience placement is subject to the school's Behaviour Management Policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in school. If pupils' behaviour in the immediate vicinity of the school or on a journey to and from school is inappropriate and meets the school criteria for exclusion, then the Principal may decide to exclude. Additionally, if a pupil's behaviour is felt to bring the school into disrepute during at any point outside school hours, then the Principal has the right to consider the use of exclusion from school.