

Coloma Convent Girls' School

Exclusions Policy and Procedure



Approved by:

Board of Governors - 3rd December 2020

This policy follows the Department for Education (DfE) guidance, *Exclusion from maintained schools, academies and pupil referral units in England*. The DfE document provides a guide to the legislation that will govern the exclusion of pupils from schools from 1 September 2017. It also provides statutory guidance to which Headteachers and Governing Bodies must have regard when carrying out their functions in relation to exclusions. The phrase 'must have regard' when used in this context, does not mean that the sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case. The maximum limit for a fixed term exclusion (or a number of fixed term exclusions) is 45 school days in any one academic year.

Before making the decision to exclude, the school will ensure that a thorough investigation has been carried out. The student will be given an opportunity to give his/her version of the events where appropriate on a Student Statement. Witness statements will be sought and consideration given to any evidence of provocation (racial, sexual or otherwise). Any record of previous misdemeanors will be taken into consideration and may be referred to in the correspondence to parents/carers.

No student will be sent off site before the end of the day unless contact has been established with parents/carers. In the event of contact not being made, the student must remain on site, withdrawn from class until the end of the normal school day.

At the point of exclusion, a letter will be sent home both by email, (or by hand if this is not possible) and by first-class post, stating the reason for the exclusion. Wherever possible, telephone contact will be made with parents/carers of the student informing them of the exclusion. All exclusions will be recorded on the school exclusion database and on the student's file.

The Local Authority will be informed of all permanent exclusions. They will also be given a copy of the outcome letter from Student Disciplinary Committee Meetings to consider permanent exclusion.

Only the Headteacher, or in her absence the Deputy Headteacher, will have discretionary power to exclude any student for a fixed period. In the event of a permanent exclusion, should the Headteacher be absent, an interim fixed period exclusion must be made.

- **After the first or second fixed term exclusion** a student will be re-admitted following a re-integration meeting between a member of the school's Leadership Team and the parents/carers in which the terms and conditions for re-admission are carefully explained to both the student and the parents/carers.
- **If a student is excluded three times the following procedures will be put into place.** At the re-integration meeting with parents/carers his/her situation will be reviewed leading to the agreement of an Additional Support Programme (ASP). The ASP will be closely monitored by the Assistant Head: Pastoral & Inclusion, SENCo and Head of Year and reviewed formally after 6 weeks. If during the 6 week monitoring period the student receives a further fixed term exclusion; fails to meet ASP targets or at the review shows no marked improvement this will usually lead to consideration of permanent exclusion.

- The decision to permanently exclude a student will be conveyed in writing both by email (or by hand if this is not possible) and by first-class post and include details of the procedure for parents/carers to follow in exercising their right of appeal against permanent exclusion. Wherever possible, telephone contact will be made with parents/carers of the student informing them of the exclusion.

A serious one off incident may also lead to permanent exclusion.

Fixed term exclusions of five days or less in any one term

Parents/carers who wish to make written representations about the exclusion should do so within five school days of the date of notification via the Clerk to the Governors. The Chair of the Student Disciplinary Panel will respond as appropriate within 20 school days. The Panel, which is not required to meet, cannot overturn the fixed term exclusion but it can add a note to the student's file.

The school will provide work for the student where the period of their exclusion exceeds two days. For two days or less students are expected to continue to work on current homework assignments.

Fixed term exclusions of more than five days, but not more than 15 days in total in any one term

For a fixed term exclusion (or series of exclusions) of more than five days, but not more than 15 days in any one term, a meeting with the Student Disciplinary Committee must take place if the parents/carers request it. The meeting must take place within 50 school days of receiving notice of exclusion. The parents/carers must request a meeting within five school days of notification.

If a meeting is held, it will be after the period of exclusion has been served. The meeting is not an appeal and will not cause an interim postponement of the exclusion.

The purpose of the meeting is to enable the parents/carers to be satisfied that their views have been heard and consideration given as to whether more information should be added to the student's record. The Student Disciplinary Committee must consider reinstatement.

The parents/carers will be informed in writing by the Headteacher of their right to make representations to the Governing Body. This letter will be conveyed in writing by both email (or by hand if this is not possible) and by first-class post.

Parents/carers will be notified in advance of details of the Student Disciplinary Committee meeting, including the venue, date and start time. If parents/carers fail to appear within 15 minutes of the start time of the meeting, and do not contact the school to request a postponement, the meeting will be cancelled and the Committee members will be free to depart without considering the case further.

Parents/carers and the school will be invited to present evidence using the procedure in **Appendix 1**. The parents/carers will be advised that they may, if they wish, have someone of their choice to accompany and assist them at the meeting. This request should be made in writing to the Clerk to Governors, as soon as possible. If a meeting is called the Chair of the Student Disciplinary Committee will follow the procedure outlined in **Appendix 1** for the meeting. A minimum of three Governors will constitute the Student Disciplinary Committee.

The Student Disciplinary Committee will make a decision, which will be conveyed via the Clerk to Governors in writing by both email (and by hand if this is not possible) and first class post to the parents/carers and posted within five school days after the meeting.

For the first 5 school days of the fixed term exclusion work will be set and marked by the school. The responsibility for this rests with the Assistant Head: Pastoral & Inclusion. Arrangements for the provision of full-time education will be made by the school via the Local Authority from the sixth school day of the fixed term exclusion. Parent(s)/carers will be advised of these arrangements by the Pastoral Manager.

Fixed Term Exclusions of more than 15 days in total in any one term

The Student Disciplinary Committee must meet to consider reinstatement within 15 school days of receiving notice of the fixed term exclusion which would bring the student's total number of school days of exclusion to more than 15 in a term, even if the parents/carers do not request a meeting.

Arrangements for the Student Disciplinary Committee and provision of work for the student are as described above.

Permanent Exclusions

Only the Headteacher of the school shall have the discretionary power to exclude permanently any student, after notifying the Chair of Governors. In exceptional circumstances, the Headteacher may decide to take this course of action without the student having had any previous fixed term exclusions.

For permanent exclusions, the Student Disciplinary Committee must meet to consider reinstatement within 15 school days of receiving notice of exclusion, even if the parents/carers do not request a meeting.

Arrangements for the Student Disciplinary Committee are as described above.

For the first 5 school days of the permanent exclusion work will be set and marked by the school. The responsibility for this rests with the Assistant Head: Pastoral & Inclusion. From the sixth school day of the permanent exclusion full-time education will be provided by the student's Local Authority.

There is no restriction on Governors who have served on a fixed period Student Disciplinary Committee serving on any subsequent permanent exclusion Student Disciplinary Committee for the same student.

Any meeting of the Student Discipline Committee may, at their discretion, consider in sequence more than one exclusion case at that meeting.

Missing a public examination or National Curriculum Test

If an exclusion would result in a student missing a public examination, the Headteacher will review this decision. In the event of the Headteacher deciding it is not appropriate for a student to take an examination the Student Disciplinary Committee must meet to consider reinstatement of the excluded student within 15 school days of receiving notification of exclusion even if parents/carers do not request a meeting. The Headteacher can refer the decision to the Chair of Governors alone if it is not practical for the Student Disciplinary Committee to meet prior to the date of the public examination or national curriculum test.

Independent Review Panel

Parents/carers have the right to ask for the Student Disciplinary Committee decision to permanently exclude a student to be reviewed by an Independent Review Panel. The application for review must be made within 15 school days from the date on which notice in writing of the Student Disciplinary Committee's decision was given to the parents/carers.

Procedure for meetings of Governors to hear parents/carers representations in person

All Student Discipline Committee meetings will be conducted using the procedure below:

- Parents/carers will be notified in advance of details of the Student Disciplinary Committee meeting, including the venue, date and start time. If parents/carers fail to appear within 15 minutes of the start time of the meeting, and do not contact the school to request a postponement, the meeting will take place in their absence.
- Written statements will be requested in advance from parents/carers and the school by the Clerk to the Governors.
- The school and parents/carers will be allowed to call witnesses. Any witnesses should provide written statements in advance.
- Documents should be circulated at least five school days in advance if possible alongside a list of all those attending to all parties. (These documents will include witness statements generally showing witness names unless it is judged that this will put these witnesses at risk).
- The Clerk to the Governors will attend to take minutes.
- The student should be allowed to attend and to speak if the parents/carers request this.
- When establishing the facts in relation to an exclusion decision the Student Discipline Committee must apply the civil standard of proof i.e. 'on the balance of probabilities' it is more likely than not that a fact is true rather than the criminal standard of 'beyond reasonable doubt'.

The procedure for hearing the representations and evidence will be as follows:

1. The School Case

- a. The Headteacher or Deputy Headteacher presents the school case
- b. The parents/carers question the Headteacher or Deputy Headteacher
- c. The Student Disciplinary Committee question the Headteacher or Deputy Headteacher

2. The Parents/Carers Case

- a. The parents/carers present their case
- b. The Headteacher or Deputy Headteacher question the parents/carers
- c. The Student Disciplinary Committee question the parents/carers

3. Summing-up by the School

The Headteacher or Deputy Headteacher sums up the school case

4. Summing-up by the Parents/Carers

The parents/carers sum up their case

5. The Headteacher or Deputy Headteacher, school representatives, the parents/carers and any representatives withdraw while the Student Disciplinary Committee considers the case, with the Clerk to the Governor in attendance.