

# LADY MANNERS SCHOOL

## EXCLUSION OF STUDENTS POLICY



## 1. AIMS

At Lady Manners School we strive to attain the highest standards in our work, have respect for others and develop our individual talents.

## 2. PRINCIPLES

- 2.1 Lady Manners School is an inclusive community comprehensive school and does not seek to exclude students from education.
- 2.2 There is a 'Code of Conduct' for students and school rules are derived from the spirit of that 'Code of Conduct'. The 'Code of Conduct' is part of Governors' documentation as an appendix to the Behaviour for Learning Policy. It is widely available to students, parents and staff and can also be found on the school website.
- 2.3 Only the Headteacher can exclude students from school. However, if the Headteacher is unavailable then a Deputy Headteacher or Assistant Headteacher, in acting as the Headteacher, can issue an exclusion.
- 2.4 Generally, exclusions will be used:
- either for serious breaches of the Code of Conduct
  - or when other possible sanctions have been tried and have not led to sufficiently improved conduct
  - or when the presence of the student on site could seriously harm the education of others or the smooth operation of the school as a whole
  - or in emergency circumstances when the continued presence of a student on site cannot be managed and would pose a real danger to other students or staff
- 2.5 A permanent exclusion will normally be used:
- either for very serious breaches of the 'Code of Conduct'
  - or if allowing the student to remain in school could seriously harm the education or welfare of others
  - or when all other possible strategies have been considered or applied and this is the only possibility that remains
- 2.6 A fixed term exclusion will be for the shortest time necessary, because exclusions of more than a few days may make it more difficult for the student to successfully reintegrate into school. However, exclusions may be longer if previous fixed-term exclusions have been given to the student.
- 2.7 Exclusion will not be used as the response to every form of serious behavioural difficulty. When student disruption occurs, staff will intervene promptly in order to keep students in school wherever possible and so avoiding the sanction of exclusion, particularly permanent exclusion.
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- 2.8 The Headteacher will take the decision to temporarily or permanently exclude having considered all available evidence. The decision can be based on a 'balance of probability' when absolute proof is unavailable.

### **3. AVOIDING EXCLUSION**

Staff at Lady Manners School take reasonable steps to avoid exclusion. These steps can include:

- implementing and monitoring the Behaviour for Learning Policy
- arranging staff training in behaviour management strategies and helping staff to develop their skills and professional expertise
- engaging support and involvement from parents - this can include negotiated agreements which avoid exclusion
- the use of appropriate outside support agencies providing support through a Pastoral Support Plan (PSP), the Special Educational Needs Code of Practice and through the use of the Common Assessment Framework (CAF)
- managing changes to educational provision and placements - this could include a change of class or lesson, or the provision of an element of appropriate work experience
- linking with neighbourhood schools for the possibility of managed moves or deferred transfers
- providing facilities and capacity for internal, supervised work when deemed appropriate
- using other school strategies like counselling, detention, removal from particular activities, placing on-report, disciplinary warnings or meetings

### **4. OTHER REMOVAL FROM THE SCHOOL SITE**

There are other circumstances in which individual students can be removed from the school site. The following circumstances are not exclusions.

- 4.1 Where a student is accused of a serious criminal offence but the offence took place outside the school's jurisdiction or in circumstances when the school is not allowed to gather evidence. In these circumstances the Headteacher may decide that it is in the interests of the individual concerned and of the school community as a whole for that student to be educated off site for a certain period, subject to review at regular intervals. In these circumstances, the Headteacher can authorise leave of absence if parental consent is granted. If parental consent is not granted, then the Headteacher can use delegated powers from the Governors to provide for the education of the student elsewhere, if such provision is available. This type of authorised leave of absence should be ended as soon as possible, and if a future exclusion regarding the linked circumstances is a possibility, then the parents should be informed at the outset.

- 4.2 Where, for medical reasons, a student's presence on the school site represents a serious risk to health or safety the Headteacher may send the student home after consultation with the student's parents and a health professional, if available. This can often be in circumstances when a student has a notifiable disease or some other health situation that poses a risk. It might also apply if there are social, mental or emotional well-being considerations that temporarily emerge and have an impact on the immediate capacity of the student to cope in the school environment. In such situations the school records this as an authorised absence.
- 4.3 A student can be given permission by the Headteacher to leave school to remedy breaches of the school's rules on appearance or uniform, where this can be done quickly and easily. When making this decision, the child's age and vulnerability must be considered. If the process of changing appearance takes any significant time then it should be recorded as an absence. This absence should be authorised unless the circumstances apply regularly to the student concerned, when it can be an unauthorised absence.
- 4.4 If a condition applies to a student that they can only be allowed onto the school site once they have been screened for offensive weapons, then they can be refused entry that day if they refuse to undergo screening. This is not an exclusion but counts as an unauthorised absence.

## **5. GENERAL ROLE OF THE HEADTEACHER**

- 5.1. The Articles of Government of the School require the Headteacher to promote:
- students' self discipline;
  - proper regard for authority;
  - good behaviour and respect for others.
- 5.2. The Headteacher, senior leaders and the staff in general will endeavour to strike the balance between:
- the need to maintain discipline and good conduct to secure an orderly learning environment in the interests of all students;
  - the need to ensure that students experiencing difficulties are given every opportunity to improve their behaviour.
- 5.3. If exclusion is deemed necessary, the Headteacher will:
- follow the prevailing legal procedures and regulations, and school policy;
  - ensure full possession of available facts before acting although where there is overall immediate risk to the safety of students or staff a provisional decision would be required at once;
  - consider any views expressed by student and/or parents.

## **6. GENERAL ROLE OF THE GOVERNING BODY**

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- 6.1 The Governing Body will seek to influence the ethos of Lady Manners School - its general atmosphere and philosophy, and hence its standing within the community. In so doing, it will:
- support the Headteacher and staff in maintaining high standards of discipline;
  - ensure fairness to individual students and their parents.
- 6.2 The Governing Body will be informed about each individual exclusion. In the case of permanent exclusions, exclusions which result in the student being excluded for more than five days in a term<sup>1</sup>; or exclusions which would result in the student missing an external public examination, the Governing Body and Local Authority will be notified within one working day. For all other exclusions the Governing Body will be notified at the next Governing Body meeting. The Local Authority will be informed accordingly.
- 6.3 The Governing Body will consider parents' representations about exclusions. This will normally be undertaken by a sub-committee of at least three governors.
- If the exclusion is either permanent or would bring the student's total number of school days excluded to more than 15 in the term, then consideration and possible reinstatement will take place within 15 school days after receiving notification of the exclusion.
  - If the exclusion is for more than 5 school days, but not more than 15, then the Governing Body will consider reinstatement of the student, if requested to do so by parents, and this will be within 50 school days of receiving notice of the exclusion.
  - If any exclusion would result in the student missing a public examination then, so far as is reasonably practicable, this will be considered by governors before the date of the examination. In such circumstances, the exclusion can be considered by the Chair of Governors independently.
  - In the case of a fixed period exclusion which does not bring the student's total number of school days exclusion to more than 5 in a term, the Governing Body will consider any representations made by parents, but it cannot direct reinstatement and there is no requirement to hold a meeting with parents. Any such consideration will normally take place within 50 school days following notification of the exclusion, but there is no actual time limit.

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<sup>1</sup> There are six terms in a Derbyshire academic year.

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## 7. APPROPRIATENESS OF EXCLUSION AS A SANCTION

The Headteacher will seek to ensure that any punishment is appropriate to the offence. In determining the need and duration of any exclusion, the Headteacher will take into account a range of relevant and potentially influential factors including:

- previous record;
- special circumstances (e.g. domestic problems);
- special educational needs;
- contribution of peer group pressure to the problem;
- severity of the behaviour, frequency of occurrence and likelihood of recurrence;
- effect on the functioning of the students and other students and the school in general;
- location of the offence, whether on school premises or beyond;
- presence or otherwise of staff when the offence was committed;
- group influence;
- effect of previous disciplinary sanctions;
- age and health of student;
- safety implications;
- likely effectiveness of support agencies

This list is not exhaustive and the circumstances of vulnerable students will be considered carefully, although the general needs of the school and of other children could well mean that an exclusion is still the sanction which is applied.

Staff at Lady Manners School take care to ensure that disciplinary procedures are applied objectively and consistently across all students and cultural groups.

## 8. EXCLUSION PROCEDURES

At Lady Manners School exclusion procedures are applied according to the current national requirements.

**APPENDIX****Additional Information Regarding Exclusion Procedures**

1. On the day of the exclusion, parents will be contacted, probably by telephone, to inform them about an exclusion. Fixed term exclusions can range from occasionally just a lunchtime or half a day (lunchtime exclusions are recorded as half day exclusions) up to a maximum of 45 days in any one school year.
2. The exclusion will then be confirmed by letter which will be sent within one school day of the exclusion. This letter will include information about why the exclusion has been necessary; the length of the exclusion; the parental right to make representations to the governors if they feel that the school has acted unreasonably and unfairly; and contact details of where they can gain advice.
3. The school will also inform the local authority and governors about all exclusions. There is no obligation to inform governors or the local authority about fixed term exclusions of 5 days or less immediately, as long as they are reported at least once per term. For longer exclusions, the Headteacher must inform the governors and local authority within one working day.
4. For exclusions between 1 and 5 school days, students will access work via Myvle. Work will also be accessed via Myvle in the case of permanent exclusions, but only for the first 5 days of the exclusion. Parents are expected to ensure that the work is submitted to school.
5. For the first 5 school days of an exclusion parents must ensure that their child is not present in any public place during normal school hours without reasonable justification. This requirement applies whether or not the student is in the company of the parent. Failure to comply is an offence and has serious consequences including fines (starting as a £50 penalty notice) and can include prosecution. The child is also likely to be removed from the public place by the police and taken to designated premises.
6. If a fixed term exclusion extends to a sixth day and beyond, educational provision elsewhere will be provided. This provision will continue until the child is readmitted to school.
7. Parents may send in representations to the Governing Body if they feel that their child has been treated unfairly and the Headteacher has acted unreasonably. The representations would normally be considered by a committee comprised of three governors.
8. If the exclusion is for 5 days or less, then the governors can consider the representations at any time. There are no statutory time limits. In such cases there is no requirement to hold any sort of meeting with parents and the governors have no authority to change the decision taken by the Headteacher.

9. If the exclusion is for more than 5 days in any one Derbyshire term (six terms per year) but not more than 15 days in one Derbyshire term, then the parents can request a meeting with governors. If requested, this meeting will be held at some time by the 50<sup>th</sup> school day after Governors have been notified of the exclusion. In these situations the governors are allowed to decide whether they feel that the Headteacher has acted reasonably and whether to uphold the decision to exclude. Governors can decide to reinstate the student if the exclusion is still continuing, but if it is not then they can place a note on the student's records to indicate that they would have reinstated the student had the exclusion still been in place. Governors cannot choose to increase the length of the exclusion or change a fixed term exclusion into a permanent exclusion. The Local Authority can be asked to send a representative to advise the governors at such meetings, but they are not obliged to provide this support.
10. For any fixed term exclusion there will be generally be a reintegration interview and this will be particularly important. For any fixed term exclusion of six or more days there will be a reintegration interview with parents during or following the exclusion. Whenever possible, this should be held on the day that the students returns to school, but this may not be possible. The meeting takes place on the school premises and is normally conducted by the Headteacher or another senior member of staff. The student should be present for at least part of the meeting and at least one of the student's parents is expected to attend. If parents fail to attend then this can be reported to the magistrates' court with regard to imposing a parenting order. Minutes of this meeting will be taken and placed on the student's file.
11. If parents generally fail to engage with the school or Local Authority in attempting to improve their child's behaviour, and misbehaviour does continue to occur, then this can also be reported to the magistrates' court for a parenting order. This order compels parents to comply with certain standards, including compulsory attendance at parenting classes. The kind of misbehaviour that can trigger a parenting order is behaviour that has, or could have, resulted in exclusion.