



EXCLUSIONS POLICY September 2016

(to be read in partnership with WG Guidance from Schools and PRU's No 171/295)

Introduction

Our mission must always be 'Social Inclusion'. However, despite our efforts and strategies used, situations regrettably, but perhaps inevitably, arise when exclusion of pupils becomes necessary. In keeping with guidelines issued by the National Assembly for Wales, Circular 3/99, the exclusion policy for Rhosnesni High has been written.

Under Section 64 of the 1998 Act, only the Headteacher has the power to decide whether or not to exclude a student. Exclusions can only be on disciplinary grounds and a student may be excluded for fixed periods that do not exceed 45 days in any one school year. A student may not be excluded for an indefinite period.

The name of a permanently excluded student will remain on the school roll until the appeal procedure is completed or until the time for appeal has expired without an appeal being lodged. It may be removed earlier if the parent gives notice in writing that they do not intend to appeal.

When considering whether to exclude a student permanently or for a fixed period that will result in more than 5 days in any one term, the Headteacher will contact the LEA.

Reasons for Permanent Exclusions

Permanent exclusion is an extremely serious step and is an acknowledgement by the school that it can no longer cope with a student. Therefore, any decision to exclude a student permanently will only be in response to:

- Very serious breaches of the school's discipline policy.
- As the final step in the process for dealing with disciplinary offences when all other strategies have been tried and failed.
- In exceptional cases where the exclusion is in response to a one-off very serious incident and where allowing the student to remain in school would be seriously detrimental to the educational welfare of the student or other students in the school.
- Severe and persistent cases of bullying, racial harassment or sexual harassment.

Responsibilities of the Headteacher

Informing parents about the exclusion

- 1) The Headteacher is not required legally to consult the parent prior to excluding a student but will do so whenever possible. The Headteacher will warn the student and

parent of the possibility of a fixed period or permanent exclusion if the student's behaviour does not improve, or where a student exhibits continuing poor behaviour.

- 2) The Headteacher will ensure that a senior member of staff notifies the parent of an excluded student immediately, preferably by telephone.
- 3) An exclusion will begin on the next school day. There may be exceptional circumstances, however, when the Headteacher may feel it is essential that the student be required to leave the school premises immediately. In such cases, the Headteacher will ensure that a senior member of staff checks with the parent to ensure the student is not left unsupervised. A formal letter of exclusion will follow the initial telephone notification to parents immediately. The boxes below set out details of what should be in letters about fixed and permanent exclusions.

Contents of headteacher's letter to parents, notifying the parent of the child's fixed period exclusion:-	Contents of headteacher's letter to parents, notifying the parent of the child's permanent exclusion:-
the period of the fixed period exclusion (in school days) and the date and time when the pupil should return to school;	the date the permanent exclusion is effective from;
the reasons for the exclusion and the circumstances surrounding the decision, including the steps taken to try to avoid an exclusion;	the reasons for the exclusion and the circumstances surrounding the decision, including the steps taken to try to avoid an exclusion;
the arrangements for enabling the pupil to continue their education, including the setting and marking of work;	any relevant previous warnings, fixed period exclusions or other disciplinary measures taken before the present incident;
if the exclusion is for lunchtimes only, the length of the exclusion (normally no more than five school days) and the arrangements for providing a meal for any pupil entitled to free school meals;	the arrangements for enabling the pupil to continue their education, including the setting and marking of work;
the parent's right to make representations to the governing body's discipline committee;	the parent's right to make representations to the governing body's discipline committee;
who to contact if the parent wishes to make representation (usually the clerk to the committee) with any deadline for receipt of written representations;	who to contact if the parent wishes to make representation (usually the clerk to the committee) with any deadline for receipt of written representations;
the parent's right of access to the child's school record;	the parent's right of access to the child's school record;
details of a contact at the LEA who can provide advice;	details of a contact at the LEA who can provide advice;
the telephone number for the Advisory Centre for Education (ACE) helpline (020 7704 9822).	the telephone number for the Advisory Centre for Education (ACE) helpline (020 7704 9822).

- 4) If the Headteacher decides to extend a fixed period exclusion or, exceptionally, to convert a fixed period exclusion into a permanent exclusion, the parent must be notified in writing.

- 5) The Headteacher will arrange for Progress Managers to provide work as soon as a student is excluded for a fixed period. Parents must arrange for the work to be collected and returned. The Headteacher will ensure that Progress Managers arrange for the work to be marked and further work set until the student returns to school. Failure to complete work will not constitute a reason for refusing to allow a student to return to school.
- 6) Where the Headteacher is considering excluding a student for more than 15 days in any one term, consideration will be given to how this time will be used to address the student's problems and what arrangements will be put in place to secure the student's continuing education.

Informing the Discipline Committee and the LEA

- the headteacher must inform the governing body's discipline committee and the LEA immediately of all permanent exclusions and all exclusions over five school days in any one term and of any exclusion when a pupil may miss the opportunity to take a public examination*;
- short term exclusions (less than five school days) should be reported termly;
- all exclusions, for whatever period, must be recorded by the school.

*No student will be excluded from taking public examinations – special arrangements will be made if required.

The following information must be provided for each exclusion:-

- the name of the pupil;
- the length of the exclusion;
- the reason(s) for the exclusion (using the LEA's categories);
- the pupil's age, gender, ethnicity and SEN (if applicable);
- whether the pupil is looked after by the local authority;
- if child is not within the local authority, the 'home' social services department should be informed.

Responsibilities of the Discipline Committee

- 1) The Discipline Committee will discharge the functions of the Governing Body in reviewing exclusions.
- 2) The Committee will be made up of 5 Governors except for the Headteacher and will include a range of different types of governor. The quorum for a meeting of the Committee will be three.
- 3) Where a Governor has a connection with the student or the incident leading to exclusion which might reasonably raise doubts about their ability to act impartially in relation to the student, they should not serve at that particular hearing.
- 4) Where four members consider an exclusion, the Chair has the casting vote.
- 5) Each meeting of the Committee will be minuted.

- 6) The role of the Committee is to review the use of exclusion with the school. In the case of exclusions of more than 15 days in a school term, the Committee must meet to consider the exclusions and, where practical, decide whether the student should be reinstated.
- 7) Where a student receives a series of exclusions of 15 days or fewer, the Committee will meet once the student has missed a total of more than 15 days in the term due to exclusion. It will meet again to consider each subsequent exclusion in the same term.
- 8) Where an exclusion is for 15 days or fewer but would result in the student missing an opportunity to sit a public examination. The school will put in place special arrangements.
- 9) In the case of exclusions of fewer than 15 days in a school term, the Committee has no power to direct reinstatement but must consider any representations from the parent.
- 10) The Committee will be given regular information about shorter exclusions at their regular termly meetings.
- 11) In the case of exclusions of more than 15 days, the Committee will meet to consider the exclusion no earlier than the 6th school day and no later than the 15th school day from the date on which they were notified of the exclusion.
- 12) The Clerk will invite both the parent and LEA to attend a meeting to consider the exclusion and arrange the meeting at a time and place convenient to all parties, so far as this is possible within the time limits.
- 13) The Committee will allow the parent to have a relative or friend to accompany and help them at the meeting, and the parent should advise the Clerk in advance if they wish to be accompanied by a friend.
- 14) The Clerk will ask for any written representations to be sent before the meeting to allow the Clerk to circulate this to all parties. Where the evidence includes written statements from students, the statements will be typed to conceal the identity of the students.
- 15) The Chair of the Committee will allow the excluded student to attend the meeting if requested by the parent, unless there is good reason to refuse, and allow the students to speak on their own behalf although the parent remains the appellant.
- 16) Where the student is out of school at the time of the meeting, the main purpose of the meeting will be to consider whether or not to direct reinstatement. In reaching their decision, the Committee will consider the parents' and LEA's representations.
- 17) In the case of a permanent exclusion, the Committee must satisfy themselves that all other strategies to improve the student's behaviour have been tried and proven to have failed.
- 18) Where the Committee is minded to confirm the Headteacher's decision to exclude for more than 15 school days, they will consider what arrangements have been made or are in hand to ensure the student receives a suitable education during this period.

The Committee will ensure that extra support such as home tuition or specialist services such as counselling have been arranged by the Headteacher at the school's expense.

- 19) If the Committee is minded to direct reinstatement, they will discuss with the LEA whether extra short-term support is necessary to ensure a successful reintegration.
- 20) Where the Committee orders reinstatement, it will notify the parent and the LEA of the decision within one school day of the date of the hearing, giving reasons for that decision. The Committee will not attach conditions to the reinstatement of the student.
- 21) A note of the Governors' views on the exclusion will be placed on the student's record along with a copy of the Headteacher's exclusion letter. The school is under no obligation to comply with any request from parents to delete details of the exclusion from a student's record.
- 22) Where the Committee upholds the Headteacher's decision to permanently exclude a student, they will immediately inform the parent in writing giving the reasons for the decision. The Committee will also inform the parent of their right to appeal to an independent appeal panel and that they will be able to make oral and written representations to that panel.
- 23) The name of a permanently excluded pupil should remain on the school roll until the appeals procedure is completed, or until the time for appeals has expired without an appeal being lodged. It may be removed earlier if the parents give notice, in writing, that they do not intend to appeal. Schools should continue to set and mark work for the permanently excluded pupil whilst his/her name remains on the school roll; and letters to parents informing them of the exclusion must include the arrangements for setting and marking work.
- 24) Details of exclusion cases must always be treated in the strictest confidence.