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# Exclusions Policy

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## **Exclusions Policy**

**This policy relates to fixed term and permanent exclusions.**

### **1. What is an exclusion?**

'Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports head teachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.'

(DfE 2017, Section 2, Key Points)

### **2. Gospel Values**

Our behaviour policy at BGN Catholic School is based on the Gospel Values of [Compassion](#), [Respect](#), [Truth](#), [Service](#) and [Forgiveness](#).

### **3. BGN Commitment to reducing exclusions**

BGN is committed to working to reduce exclusions. Staff work to identify any unmet needs which might be causing a student to disengage from learning or from others around them. They try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. This could be identifying a Special Educational Need. Consideration is also given to involve a multi-agency assessment that goes beyond the pupil's educational needs. BGN is committed to employing restorative approaches to encourage engagement with all aspects of learning.

BGN compile Pastoral Support Plans (PSP) and Inclusion Support Plans (ISP) for students at risk of exclusion.

BGN is part of the strategy to reduce exclusion in Oxfordshire by using Managed Moves as a supportive intervention.

BGN is committed to implementing a safeguarding duty of care by considering:

*Is it safe for the pupil to be excluded and sent home? Are there concerns about the pupil being at risk of exploitation in the community? Is there a safer alternative to exclusion? Where the pupil is open to Early Help or Social Care, has the keyworker (or representative of the team) been consulted first? Is there a trusted adult available to collect the pupil?*

BGN is committed to having students excluded for the shortest time possible bearing in mind that longer than 2 days makes it difficult to reintegrate students (OCC Guidelines). However, the Principal will make a decision based on the incident and previous records.

### **Exclusions will normally only take place:**

- In response to serious breaches of school's discipline.



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- When other strategies have been tried and have failed.
- If allowing a student to remain in school would seriously harm the education or welfare of other students or staff.
- Where a school caution has previously been issued unless it is a serious offence.

**Any exclusion, even for short periods of time, must be formally recorded.**

#### **4. Internal Isolation and Fixed Term Exclusion**

##### **Internal isolation**

Behaviour in class, or around the school site, which is of a serious nature, but not thought to warrant a fixed-term exclusion, may result in a period in isolation. Students will be asked to hand in their mobile phone at the start of the isolation and will be given it back when the isolation has finished. The student will be placed on a 'Special Report' for a period of 2 weeks following the internal isolation.

Students may also spend time in internal isolation with a Head of Year or a member of SLT while a serious incident is being investigated, or while we are waiting for parents to collect a student for a fixed-term exclusion.

##### **Fixed-Term Exclusion**

Wherever possible, the school seeks to avoid the issuing of fixed-term exclusions. However, in cases which involve students using physical or verbal abuse or aggression to staff or physical assault on another student, then a fixed term exclusion is a likely outcome. Moreover, any other high-level incident, such as theft, vandalism, substance misuse or the use or dealing of illegal drugs, is likely to result in a fixed-term exclusion and possibly in permanent exclusion. Fixed-term exclusions are generally served at home under parental supervision. This decision is made by the Head of Year and SLT when determining the details of any exclusion.

At times we recognise however, that there will be no alternative but to exclude a pupil. This exclusion allows students the time to reflect on their actions and what they have learned from this experience and gives the school time to consider how they will best support the student upon their return. It also allows the school community that was damaged by poor behaviour to heal. The length of the exclusion given will sometimes vary for very similar incidents depending on the student's history. A fixed exclusion could be part of the school day.

Reasons for External Exclusions include:

- Physical assault on pupils (2-5 days)
- Swearing at staff (1 day - 3 days depending on nature of offence)
- Continual disregard for school rules/disruption of learning of other following an internal exclusion.
- Any other incident deemed appropriate by SLT. These circumstances may include:



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- Serious or threatened violence against another student or a member of staff
- Supplying an illegal drug
- Carrying an offensive weapon
- Failure of PSP

The schools will take reasonable steps to set work for pupils during the first five days of a fixed period exclusion.

It may be appropriate to impose a fixed term exclusion in the first instance, pending a decision about permanent exclusion, to allow time to check the guidance, assess the evidence, give the pupil the opportunity to state their case, seek advice and explore alternatives.

A fixed-period exclusion may be reduced in length or rescinded by the head teacher. Such changes will be communicated in writing to the parents/carers with an explanation. A fixed term exclusion cannot be extended, but in exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period. (Paragraph 3, DfE 2017)

### **5. Reintegration Meetings**

After an exclusion, a reintegration meeting will take place. The purpose of a reintegration meeting is not to further punish a child but to ensure that the child, and the parent, is committed to acting in accordance with the ethos of the school. Should this be failing during the reintegration meeting the person running the meeting has the option to send the child home again as a further fixed term exclusion and reintegrate another day or to ask for another member of staff to assist in the meeting to support the child and parent to make the right decision. The student will be placed on a 'Special Report' for a period of 2 weeks following the reintegration meeting.

### **6. Permanent Exclusion**

An individual high-level incident or a series of serious incidents may result in a permanent exclusion of the student from school. This decision is taken by the Head Teacher (or acting Head Teacher) after careful consideration.

#### **Before an exclusion is made the Principal (or his representative) should:**

- Consider all relevant facts
- Allow the student to give their version
- Check if the incident was provoked by racial or sexual harassment
- Consult others
- Have due regard to the various school policies
- Apply the civil standard of proof i.e. the balance of probabilities



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### **7. Students with Educational Health Care Plan (EHCP)**

If concerns arise suddenly, escalate quickly or a serious incident occurs which leads to consideration of exclusion of a student who has an EHCP, the relevant parties will be contacted including the SENCO. An emergency annual review should be requested at the school's discretion.

### **8. Looked After Children**

Looked After Children are particularly vulnerable to exclusion. If a concern arises that a Looked After pupil is at risk of exclusion, BGN will contact [The Virtual School for Looked After Children in Oxfordshire](#) immediately.

### **9. Role and responsibilities of Academy Committee Discipline Committee**

It is the role of the Academy Committee to review the exclusion policy and individual cases.

The governing body's discipline committee will need to convene by the 15th school day after the date a permanent exclusion was issued to review the head teacher's decision to permanently exclude. A Clerk is appointed to administrate the process.

The Governor Disciplinary Committee hearing must consist of at least 3 Governors, the Head Teacher must attend as they took the decision to permanently exclude; Parents and the pupil will be invited and may choose to bring an advocate or friend for support. The hearing should be arranged at a time that the Parents can attend, although some Parents choose not to attend at all or some choose to attend without their child. The hearing must proceed even if the parent chooses not to attend and should be conducted and minuted as if the parent were in attendance.

### **10. Informing Parents, Governors and Local Authority**

Parents are informed either face to face if there is a meeting, or over the telephone in the first instance. Written notification must follow without delay, the letter must include specific information as outlined in the DfE guidance.

All permanent exclusions must be communicated with Oxfordshire County Council using the PEX email [pex@oxfordshire.gov.uk](mailto:pex@oxfordshire.gov.uk) by emailing the letter notifying parents and a completed Exclusion Form.

An Exclusion and Reintegration Referral form (ERRF) must be completed and sent with supporting documents to [ERT@oxfordshire.gov.uk](mailto:ERT@oxfordshire.gov.uk). The ERRF enables OCC to arrange interim provision for the pupil from day 6 of the permanent exclusion.

### **Independent appeal panels**

All students who are permanently excluded have the right to have their case heard by an independent appeal panel.



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### **11. Criminal Offence**

If a student is accused of a serious criminal offence but the offence took place outside the school's jurisdiction, the Principal 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 fixed period, subject to review at regular intervals. **This is not an exclusion.**

The school will consider whether or not to inform the police where such a criminal offence has taken place. We will also consider whether or not to inform other agencies, e.g. Youth Offending Teams, social workers, etc.

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community.

In cases where a student is permanently excluded for:

- a) One of the above offences; or
- b) 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 the Secretary of State would not normally expect the Academy Committee or an Independent Appeal Panel to reinstate the student.

### **12. Drug-related exclusions**

Refer to the school's drug policy

### **13. Police involvement and parallel criminal proceedings**

A school-related incident may sometimes also be the subject of a police investigation which may subsequently result in criminal proceedings. This can mean that the evidence available to the Principal, Academy Committee is very limited. It should be remembered that the police and the courts will be applying the criminal standard of proof — beyond reasonable doubt — whereas the Principal, Academy Committee and Independent Appeal Panel will apply the civil standard of proof (the balance of probabilities).

### **14. Legislation and statutory requirements**

This policy is based on advice from the latest advice and guidance from the Department for Education (DfE) on:

- Behaviour and discipline in schools
- The Equality Act 2010
- Supporting pupils with medical conditions at school
- Special Education Needs and Disability (SEND) code of practice



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## References

Exclusion from maintained schools, academies and pupil referral units in England 2017:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/641418/20170831\\_Exclusion\\_Stat\\_guidance\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf)

Oxfordshire County Council Quick Reference PEX Process for Schools (August 2015)  
<https://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/socialinclusion/PEXFlowchart.pdf>

Oxfordshire County Council Exclusion and Reintegration Team Guidance:  
<http://schools.oxfordshire.gov.uk/cms/content/exclusion-guidance>

Checklist for reducing exclusions in schools in Oxfordshire:  
<http://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/attendanceandengagement/Checklistforsupportingschoolstoreduceexclusion.pdf>

The Virtual School for Looked After Children in Oxfordshire:  
<http://schools.oxfordshire.gov.uk/cms/node/87>



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## Exclusions – Checklist

Exclusions should not be made in the heat of the moment but after due consideration.

### **EXCLUSION CHECKLIST (FIXED TERM)**

**Where appropriate attach information from a central source**

NAME: \_\_\_\_\_ FORM: \_\_\_\_\_

1. Conduct Log from SIMs
2. Pastoral support plan (details of that given and responses) – (HOY)
3. Reports (stages / dates) – (copies attached or summary)
4. Attainment report information – copies attached.
5. SEN level if applicable \_\_\_\_\_
6. Is child 'looked after'? Y / N
7. Is child from ethnic minority group? Y / N
8. Has warning / caution been given before? Y / N

Date:

Details:

9. Information on incident / incidents giving rise to consideration of exclusion. These should be in a bullet point, incident by incident.
10. Evidence of misdemeanour? (Detail or attach)
11. Is this a serious breach of school's discipline? Y / N
12. Is this a one-off serious incident? Y / N
13. Will allowing the student to remain in school affect the education and welfare of other students? How? Y / N
14. Has student given their version of events? Y / N (in writing, signed, dated and attach).
15. What previous strategies have been tried with this student?

### **PERMANENT EXCLUSION CHECKLIST (IN ADDITION TO FIXED TERM CHECKLIST)**

NAME: \_\_\_\_\_ FORM: \_\_\_\_\_

1. PSP / Full details should be attached.
2. All strategies tried? (detail) Y / N Reports, pastoral support plans, caution.
3. Have parents/carers and child been warned by letter. Y / N OR verbally.
4. Other reason for request.



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**DECISION TO EXCLUDE  
(FIXED TERM OR PERMANENT)**

To be completed by Principal or Representative.

NAME: \_\_\_\_\_

A)

1. Any doubt on allegations.
2. Student version of events logged/checked.
3. Sexual / racial incident.
4. Criminal offence.
4. Drugs.
5. PSP evidence.

B)

1. Informing parents – who, how and when
  
2. Informing student – who, how and when

**Academy Committee Representative /Link Governor Link to complete**

1. Post exclusion meeting (if appropriate)  
Academy Committee Representative

Parent

Staff

Day \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

2. Work set details / letter sent informing of work.
  
3. Arrangements for reintegration:
  - a) Work catch up
  - b) Report
  - c) Review
  - d) PSP