



THE NORTON KNATCHBULL SCHOOL
ACADEMY TRUST

EXCLUSIONS POLICY

Reviewed by	Richard Hoyte & Head Teacher
Approved by Education Committee	1 st October 2021
Date of Review	Spring 2023

1. Rationale

The Norton Knatchbull School promotes an inclusive ethos, which focuses on mutual respect between all members of its community. In order to uphold this, NKS has a clearly defined code of conduct for students and an approach of using rewards frequently and sanctions as and when appropriate. The overwhelming majority of students respond very well to this approach. However, the Head Teacher may deem it necessary to exclude a student on a fixed-term basis if there has been a serious breach of this code of conduct and therefore the school ethos has been undermined.

A decision to exclude a pupil will be taken only:

- In response to a serious or persistent breaches of the school's behaviour policy, and
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

The Head Teacher may impose permanent following either a one-off incident of a very serious nature, or following a series of fixed term exclusions.

2. Purpose

Exclusion should be used sparingly in response to serious breaches of school policy or criminal law.

Out of school behaviour

We have a statutory power to discipline students for misbehaving outside of the school premises. Section 89(5) of the Education and Inspections Act 2006 gives us a specific statutory power to regulate pupils' behaviour in these circumstances "to such extent as is reasonable." The misbehaviour could be witnessed by a staff member or otherwise reported to the school. We therefore reserve the right to discipline a student for:

- any misbehaviour when the child is: taking part in any school-organised or school-related activity, travelling to or from school, wearing school uniform or in some other way identifiable as a pupil at the school.
- or misbehaviour at any time, whether or not the conditions above apply, that: could have repercussions for the orderly running of the school or poses a threat to themselves or another pupil or member of the public or could adversely affect the reputation of the school.
- The punishment will be proportionate to the misbehaviour and could be up to and including a fixed term or permanent exclusion.

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Permanent exclusion should be used as a last resort, when all other reasonable steps have been taken, and when allowing the student to remain in school would be seriously detrimental to the education and welfare of the student or of others in the school community.

Each child will be treated as an individual and in the case of Children who are Looked After, every effort will be made to contact social services and deal with matters sensitively.

Alternative measures for application (in no specific order) in advance of exclusion may be:

- interviewing the parent(s)/carer(s) and student;
- identifying special education needs;
- negotiating an agreement with the parent(s)/carer(s) and student;
- issuing a formal warning;

- withdrawal from class;
- isolation;
- detention, subject report, school report, Senior Leadership Team red report; community service;
- the involvement of external support services as appropriate.

A student may be excluded on a temporary basis for a serious breach of school discipline. Examples of behaviour likely to lead to fixed term exclusion are as follows:-

- Physical violence
- Possession, consumption or being under the influence of drugs or alcohol on school premises
- Using an aerosol, in a manner likely to harm self or others
- Persistent breaches of the school's behaviour policy
- Non-compliance with rules which are connected with aspects of safety
- Possession of an offensive weapon or object so fashioned

3. Implementation

The power to exclude a student is exercisable only by the Head Teacher. However, a person acting for the Head Teacher, in his or her absence, may make temporary exclusions, pending the return of the Head Teacher.

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has special educational needs (SEN)

When a decision is taken to exclude a student the parent/carer will be notified immediately, ideally by telephone, as well as in writing. The Head Teacher informs the Chair of Governors of exclusions.

The letter will state:

- For a fixed period of exclusion, the precise period of the exclusion;
- for a permanent exclusion, the fact that it is a permanent exclusion;
- the reasons for the exclusion;
- the parents'/carers' right to make representations about the exclusion to the Discipline Committee of the Governing Body;
- the person whom the parent/carer should contact if they wish to make such representations;
- the parents'/carers' right to see a copy of their son/daughter's school record upon written request;
- for a fixed period exclusion, the date and time when the student should return to school;
- for a permanent exclusion, the date it takes effect and any relevant previous history;
- the arrangements made for enabling the student to continue his education, including the setting and marking of work;
- the name and telephone number of an officer of the Local Authority who can provide advice;
- the telephone numbers of other appropriate helplines.

Within one school day, the Head Teacher will inform the Chair of the Governing Body of:

- permanent exclusion;
- exclusions which will result in the student being excluded for more than 5 school days or 10 half days, in any one term;
- exclusion which will result in a student missing a public examination.

Exclusions will be reported to the Governing Body via the regular Head Teacher report and at least annually.

Exclusion reports for the LA will include:

- the student's name;
- the length of the exclusion;
- the reason for the exclusion;
- the student's age and ethnicity;
- whether the student has special educational needs
- whether the student is in Local Authority Care.

4. Governing Body duties:

4.1 Permanent exclusion or fixed period exclusion totalling more than 15 days in a term

The Governing Body will consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if:

- The exclusion is permanent;
- It is a fixed-period exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or

4.2 Exclusion resulting in a pupil missing a public examination or national curriculum test

The Governing Body will consider the reinstatement of an excluded pupil where it is a fixed-period exclusion which would result in a pupil missing a public examination or national test. As far as reasonably practical the meeting will take place before the date of the examination or test but in any event within 15 school days of receiving notice of the exclusion.

4.3 Exclusion totalling more than 5 but less than 15 days in a term

Where a pupil is excluded for more than 5 but less than 15 days in a term, the parents may make a written representation. The Governing Body will consider within 50 school days of receiving notice of the exclusion whether the excluded pupil should be reinstated. In the absence of any representations from the parents, the governing board is not required to meet and cannot direct the reinstatement of the pupil.

4.4 Exclusions totalling 5 school days or less in a term

Where a pupil's total number of days of exclusion is not more than five in a term, the Governing Body will consider any representations made by the parents but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Where a meeting is required the Chair of the Discipline Committee will

- invite, within the statutory time limit, the parent/carer and Head Teacher to the meeting, at a time and place convenient to all parties;
- ask for any written statements, including witness statements, in advance of the meeting;

- circulate in advance any written statements, including witness statements and a list of all those who will be present at the meeting to all parties.

The order of proceedings will be as follows:

- the Chair of the Discipline Committee makes introductions and outlines the reason for the meeting;
- the Head Teacher presents the reasons for the exclusion;
- the parent(s)/carer(s) may question the Head Teacher;
- the parent(s)/carer(s) to give their views;
- the Head Teacher may question the parent(s)/carer(s);
- the panel may question all parties;
- the Chair to summarise the proceedings;
- the Head Teacher and parent(s)/carer(s) withdraw;
- all parties will be informed of the Committee's decision, in writing, within one school day of the meeting, stating their reasons;
- parent(s)/carer(s) are notified of their right of appeal, if appropriate.

Sufficient time will be allowed for each party to put their case. No party attending the meeting will be present alone with the committee in the absence of any other party.

If requested by the parent/carer the excluded student will be permitted to attend the meeting and to speak. The parent/carer may be accompanied by a friend or legal representative.

If the Discipline Committee decides to re-instate a student, then a date for reinstatement will be given. The committee may attach conditions to any direction they may give regarding reinstatement.

Where a decision is taken not to re-instate then the letter will include the following information:

- the reason for the decision;
- their right of appeal to an Independent Appeal Panel, together with the name and address of the person to whom any notice of appeal should be sent;
- the date by which any notice of appeal should be lodged;
- that any notice of appeal must set out the grounds on which the appeal is made.

After the meeting a note of the Discipline Committee's views on the exclusion will be placed in the student's school record, with copies of relevant papers.