

KING EDWARD VII SCHOOL POLICY



Exclusions

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Introduction

This policy outlines the School's responsibility and approach to exclusions (suspensions) and permanent exclusions in line with the statutory framework: 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement.'

King Edward VII School, in line with statutory guidance, believes that a suspension (for a fixed period of time) or a permanent exclusion are appropriate sanctions if a student breaches the School's Consistent Conduct Policy.

Only the Headteacher of the School can issue a permanent exclusion in line with policies and procedures. If the Headteacher is absent for an extended period, the Deputy Headteacher can make this decision.

This policy supports the School's Consistent Conduct Policy. The policy and practice it describes seeks to ensure the safety and well-being of all members of the School community and to maintain an appropriate educational environment in which all can learn and succeed. Good behaviour in the School is essential to ensure all students benefit from the opportunities provided by education. Suspensions and permanent exclusions must be applied appropriately, equitably and with due regard to current legislation, including the Equality Act 2010 and the SEND Code of Practice when making a decision.

Decisions to suspend a student from School are the responsibility of the Headteacher. Such a decision would be taken in the following circumstances:

- A serious breach of the Consistent Conduct Policy
- A serious breach of the Drugs Education and Guidelines on Dealing with Drugs Related Incidents Policy
- If allowing a student to remain in School would seriously harm the education, welfare or safety of others in the School.

The School will always exercise judgement in deciding whether to impose a fixed-term suspension but the following are examples of reasons why the suspension of a student would be considered:

- Verbal abuse directly to staff
- Physical violence towards staff
- Physical violence towards a student
- Serious actual or threatened violence against a student or member of staff
- Serious, deliberate damage to property
- Indecent behaviour
- Sexual abuse or assault
- Possession or use of illegal substances
- Supply of illegal substances
- Theft

- Possession of an offensive weapon – real or replica
- Deliberate unnecessary setting off of fire alarm/act of arson
- Repeated refusal to co-operate with other School sanctions
- Persistent failure to comply with expectations in lessons, as indicated by an accumulation of behaviour points
- Accumulation of unacceptable behaviour which continues despite other sanctions and interventions – see Consistent Conduct Policy

The list refers to all behaviour by students during the School day, on the School premises, travelling to and from School (including on public transport), and on School trips, placements and all other situations when a student is representing the School. The list is not exhaustive and there may be other situations where the Headteacher judges that a suspension is an appropriate sanction.

It should also be noted that suspension should **not** be used in the following circumstances:

- Poor attendance or truancy
- Inability or refusal of a parent or carer to meet or co-operate with the School

Suspension (exclusion) procedure

A decision to impose a fixed term suspension will be discussed with the Deputy Headteacher or Assistant Headteacher responsible for each Key Stage and the Headteacher. An incident for which suspension is considered should first be thoroughly investigated by the staff dealing with it (likely to include the Key Stage Leader, Pastoral Manager, Assistant Headteacher, on-call staff). The Deputy Headteacher or Assistant Headteacher will expect to be presented with: a written account of the incident; written accounts by the alleged perpetrators and witnesses; advice/recommendations from the Assistant Headteacher with line management responsibility for the key stage group. Each document must be signed and dated clearly using legible handwriting. The time each document was completed must be noted on the document. The full title and surname of staff must be used not initials. The responsibility of the member of staff must be noted clearly, in brackets.

The student in question should be isolated with work to do. The student's own account of events should be recorded, signed and dated. The time the student's account was written should also be recorded on the document. It is usually best practice not to inform the student about the decision to suspend until the end of the School day, particularly if it is likely to provoke further unacceptable behaviour. It should be noted that it may not always be possible to secure a student's account immediately but this should be addressed as soon as practically possible e.g. a student may leave the site without permission preventing the member of staff from securing an account.

The Deputy or Assistant Headteacher will contact the student's family, or may ask the relevant Key Stage Leader or Pastoral Manager to do so, to explain the incident and the decision to exclude. During the conversation a date and time for a re-admission meeting should be agreed if possible.

A suspension letter, including a date and time for a re-admission meeting, will be written and sent to the parent(s). The letter will include specific information on how the student can access work while suspended so they can continue with their learning.

Length of fixed-term suspension

The School does not apply a rigid tariff when imposing a fixed-term suspension. Such a suspension would normally be for between one and five days, depending on previous record, the severity of unacceptable behaviour and extenuating circumstances.

N.B. A decision to impose a suspension and the length of the suspension, would be based on the merits and circumstances of each case. The decision will be made by the Headteacher in consultation with the Deputy Headteacher or Assistant Headteacher. Evidence from staff and students will inform the decision but the views of staff, students and students' families have no part to play in determining a suspension or its length.

For very serious, unacceptable behaviour, a four or five day suspension is likely to be imposed. The reason for this is to allow time for the School to consider options and consult with other organisations about future strategies to support that student, be they back in School, working with the Compass Programme or in alternative provision.

Re-admission procedure

A re-admission meeting will take place before a suspended student returns to lessons. There may be times when the readmission meeting will need to take place via telephone if the parent/carers is unable to attend face-to-face. If a student returns before the meeting has taken place, the student will work in isolation (lessons and social times) until the re-admission meeting has taken place. Standard procedure, after a student has returned from suspension, is to spend one day in isolation to reflect upon the reasons and learning from the suspension.

First three suspensions in an academic year – normally to be re-admitted by the relevant Assistant Headteacher, assisted by a member of the student's pastoral team.

Suspensions four to six within the same year – to be re-admitted by the Deputy Headteacher, assisted by the relevant Key Stage Leader.

Any further suspension – to be re-admitted by the Headteacher. By this stage, the School is likely to be looking at alternative options for the student if the pattern continues.

A standard re-admission pro-forma must be completed to record the issues discussed and outcome of the meeting, including targets set for the student once re-admitted and any additional support e.g. referral to an external agency. A copy of this should be placed in the student's file by uploading it to the Child Protection Online Management System (CPOMS). It is important to

note that readmission is not automatic and will depend on the student's response during the meeting. On very rare occasions, the person leading the meeting may determine that re-admission should be postponed to a future day. Another suspension would be issued immediately after the first period ends. This would be because the student may continue to present a threat to the safety and well-being of the rest of the School community or because the student continues to be uncooperative or refuses to accept responsibility for his/her actions or the authority of the School.

Unofficial or informal suspensions

A formal suspension is the only legal method of preventing a student from being present in School on disciplinary grounds. Schools are not permitted to send a student home 'to cool off' because of their behaviour. This would be deemed an 'informal' or 'unofficial' suspension which would breach guidance and legislation. A student can only be suspended through the formal suspension process.

Supporting a student following re-admission

A range of support strategies are available and these should be discussed at the re-admission meeting and recorded on the re-admission pro-forma. These strategies include:

- Student being placed on report
- Regular feedback to the family during the weeks following re-admission (possibly by weekly telephone contact)
- Temporary withdrawal from some lessons
- Use of an out-of-class pass; agreed places and person to go to for instant support
- Round-robin to determine academic progress and engagement in lessons
- Referral to other appropriate in School support strategies including: the Pastoral Manager (Behaviour Support); SEND support/assessment; anger management intervention.
- Referral to appropriate external School support agencies including: School's liaison police officer; Community Youth Team; Education Psychology Service; Children and Adolescents Mental Health Service (CAMHS); The Corner (Sheffield young people's drug and alcohol project)
- Completion of an Early Help Assessment Form
- Completion of an Extended Support Plan document to access support
- Discussion with the family about considering a Managed Move to allow a fresh start in another Sheffield School
- Off-site direction where student is educated elsewhere for a limited time; this could be via the Compass Partnership.

Step before (or alternative to) fixed term suspension

The School operates an isolation room on each site. Students who have not responded to the use of other sanctions, or who are low level persistent offenders, may be referred to the isolation room. Students are isolated to

work in silence for one or more whole days. Referrals are made through the Assistant Headteacher responsible for each key stage.

Permanent exclusion

There are circumstances in which the School is likely to judge that it is no longer appropriate for a student to continue to be educated at King Edward VII School. Each situation will be viewed and assessed on a case by case basis. Such circumstances would include:

- Extremely serious behaviour which endangers the safety or welfare of the rest of the School community. For example, possession of an offensive weapon in School (real or replica weapon), possession or supply of a controlled substance in School, extreme violence against others.

The laws on the use and purchase of airguns (including BB pistols) is such that, under the Violent Crime Reduction (VCR) Act which governs the age at which you can legally buy an airgun, and by extension legally possess one, is 18 years of age.

The penalties for breaking the laws that govern airguns and BB pistols are, rightfully, severe and those penalties bring these weapons entirely under the jurisdiction of the full Firearms Law. In simple terms, when used unlawfully, airguns and BB guns regarded by the legal authorities as firearms and carry exactly the same legal status as shotguns and live ammunition guns, with no concession in law for their reduced power levels.

Those using airguns and BB pistols face huge penalties, including terms in prison, again fully in-line with the laws covering firearms.

If a student is in possession of any firearm, or weapon, the School's response will be robust.

- An overwhelming accumulation of disruptive, uncooperative behaviour and has not responded to a range of sanctions or support strategies over time which is causing sustained harm to the education and well-being of others.

As with suspension cases, any permanent exclusion will be carefully investigated and used as a last resort, in line with guidance from the Department for Education (DfE)). Inevitably, in some cases, it might not be possible to complete a comprehensive investigation on the same day as the incident, especially if it occurs at the end of the School day. Simultaneously, DfE guidance is also clear that a suspension cannot be extended or converted into a permanent exclusion. The only rare exception would be if **new** and **additional** evidence came to light.

Procedure if an incident is subject to a police investigation

The Headteacher can make a decision to suspend or permanently exclude a student even if the incident is also subject to a police investigation.

The School exclusion process and police investigations can proceed concurrently.

The Headteacher:

- Has the authority to suspend or permanently exclude a student. There is no requirement to postpone the decision making process pending the outcome of a police investigation.
- Will make the decision to exclude based on the evidence available to them at the time – even if it is limited as a result of the police investigation.
- Will ensure the decision to exclude is fair and reasonable, taking into account the circumstances.

Additional information:

- The standard of proof for exclusion is on the balance of probabilities i.e. it is more likely than not that the student committed the offence, and not the higher criminal standard of ‘beyond reasonable doubt.’
- The School will adhere to safeguarding procedures when considering an exclusion.
- The School should consult with the police before starting its own investigation to avoid undermining the police investigation.

The Headteacher and the School will follow procedures when a suspension or permanent exclusion is issued, including notifying the relevant people and organisations regarding the latter.

Other relevant policies:

This policy should be read alongside the following policies:

- The Consistent Conduct Policy
- Drugs Education and Guidelines on Dealing with Drugs Related Incidents Policy