



URSULINE HIGH SCHOOL
Wimbledon

Exclusions
Policy

June 2020

HEADTEACHER Ms JULIA WATERS BSc (Hons) MA

URSULINE HIGH SCHOOL CRESCENT ROAD WIMBLEDON LONDON SW20 8HA

TEL: 020 8255 2688 FAX: 020 8255 2687

E-MAIL: enquiries@ursulinehigh.merton.sch.uk

WEBSITE: www.ursulinehigh.merton.sch.uk

The Ursuline is committed to maintaining discipline and good conduct in order to secure a safe and orderly learning environment so that teaching and learning is outstanding. It will adopt a range of strategies, including exclusion to ensure that it is providing a safe learning environment for all students. This policy has been developed in line with DfE guidance, i.e., Exclusion from Maintained Schools, Academies and Student Referral Units.

A decision by the Headteacher (or if absent, the Deputy Headteacher) to exclude a student for a fixed period or permanently will only be taken:

- in response to a serious breach of the school's behaviour policy (see Behaviour Policy)
- if a range of alternative strategies have been tried and failed
- if allowing the student to remain in school would seriously harm the education or safety of others in school. (Exclusions 2012 'A Guide for those with legal responsibilities in relations to exclusions')
- if allowing the student to remain in school would affect the good discipline essential to ensure that all students can benefit from the opportunities provided by education (Exclusion from maintained schools, academies and pupil referral units in England)

Generally before reaching a decision to exclude the Headteacher will:

1. consider all the relevant facts and firm evidence to support the allegations
2. allow the student to give their statement of events
3. check whether an incident appeared to be provoked by racial, sexual or homophobic harassment
4. consult others where necessary

In exceptional circumstances the Headteacher may exclude a student without going through all of the above procedures in advance.

The Headteacher will not exclude for:

1. minor incidents
2. poor academic performance
3. truancy
4. pregnancy
5. behaviour of parents

The Headteacher:

1. can exclude for up to 45 days in a school year
2. will exclude for the shortest time necessary commensurate with the reason for the exclusion
3. will arrange with a student's Year Head to have work set and marked for any fixed term exclusion
4. will make plans a) to enable a student excluded for more than 15 days in a term to continue their education, b) to how best use the time to address the student's problems and c) to put in place educational arrangements which help the student to reintegrate into the school at the end of the exclusion and manage future behaviour.
5. recognises that the decision to exclude a student permanently is a serious one. It is the final stage of the process for dealing with disciplinary offences and is an acknowledgement that the school can no longer cope with the student.
6. Will judge the standard of proof to be **the balance of probability** (the more serious the allegation the more convincing the evidence substantiating the allegation will need to be).
7. Will enforce high standards of behaviour which reflects the ethos and aspirations of students and their families.

8. will arrange education from the sixth day of a fixed period exclusion triggered by consecutive fixed period exclusions totalling more than five days
9. will considering exclusion will weigh up the seriousness or persistence of the student's behaviour, together with the impact of not excluding the student on the school as a whole and the integrity of the behaviour policy. The headteacher will make every effort to identify students at risk of exclusion and put into place strategies to address problematic behaviour.
10. will try to identify any causal factors for a student's poor behaviour for a student's behaviour and will intervene early in order to reduce the need for a subsequent exclusion. In these cases the headteacher will consider a multiagency assessment that goes beyond the student's educational need. In such case the headteacher will also consider whether alternative provision would help improve the student's behaviour.
11. will not discriminate against students on the basis of protected characteristics such as gender, sexual orientation, disability or race. The headteacher will treat all students fairly and lawfully.
12. will ensure that, where the parents (or the excluded student if over 16) dispute the decision not to reinstate a permanently excluded student they can asked for it to be reviewed by an independent review panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed term or permanent exclusion, parents can also make a claim to the First tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination)
- 13 will ensure that excluded students are enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.

Headteacher's action following a longer fixed term exclusion

The Headteacher will plan:

- a) how the student's education will continue during the course of the period of exclusion
- b) how the time might be used to address the student's problems
- c) what educational arrangements help with the student's reintegration in to the school at the end of the exclusion.

Exclusion Guidance

Fixed Term Exclusions

This guidance is offered to achieve consistency with regard to some reasons for excluding students from school.

1. Misbehaviour while in school uniform on the way to and from school. The behaviour of students outside school may be relevant and can be considered as grounds for an exclusion decision. This will include behaviour on Social Media. The school will also discipline students whose actions pose a threat to *another* student or a member of the public or adversely affect the reputation or the safe efficient running of the school.
2. Students may be excluded for one day for smoking or having cigarettes, matches or a lighter with them in school. This amount will be increased for repeated offences (see Substance Abuse Policy).
3. Students may be excluded for any number of school days up the maximum permitted by the regulations in force for fighting on or off the school premises, bullying, for defiance of any member of staff whether teacher or non-teacher, for swearing, for disruption of lessons, for stealing or any action that brings the school into disrepute.
4. Students who inappropriately use the internet according to the internet policy.
5. Students in possession of alcohol or controlled substances.
6. Any physical violence.
7. Production or distribution of pornographic images.
8. Malicious accusations against staff.

Permanent Exclusions

The decision to exclude a student permanently is a serious one. It will usually be the final step in a process following a wide range of other strategies which have been tried without success.

Students who continue to defy staff School Policy, fight, engage in bullying (see Anti-Bullying Policy), disrupt lessons, continue to steal after fixed term exclusion and have received a programme of support may therefore be permanently excluded.

There will be exceptional circumstances where, in the Headteacher's judgement it is appropriate to permanently exclude for a 'first' or 'one off' offence. This will include:

- a) any violent act or serious violent threat against another student or a member of staff
- b) sexual abuse or assault
- c) possession, use or distribution of an illegal drug.
- d) carrying an offensive weapon, this includes but is limited to, knives and guns.
- 3) Malicious accusations against staff

These instances, above, are not exhaustive, they will also include any actions by students which endanger the health and safety of others.

The home LA and Merton will be informed of any exclusions. It will also provide the Secretary of State with information about any exclusions within 14 days of a request.

Where a student's name is to be deleted from the school's admission register because of a permanent exclusion the school will make a return to the local authority giving the full name of the student; the address of any parents with whom the student normally resides and the ground on which their name is to be deleted from the admission register(i.e. permanent exclusion) This return will be made as soon as the ground for deletion is met and no later than the deletion of the student's name

Support

(see Behaviour Policy)

At the Ursuline, in appropriate circumstances, we consider using the following as alternatives to permanent exclusion:

- (a) Alternative Education
- (b) Managed Move
- (c) A placement in a Student Referral Unit

The Governors

The Governors Pastoral Committee reviews exclusions on a termly and annual basis. They will consider any representations about an exclusion made by the parents of the excluded student.

The Headteacher will notify the Governing Body, without delay, of:

- a permanent exclusion
- exclusions which would result in the student being excluded for more than 5 days
- exclusions which would result in the student missing a public exam

The Governors delegate its functions in respect of exclusions to the 'Discipline Committee' consisting of at least 3 Governors.

Governors on the Discipline Committee will receive training to equip them to discharge their duties properly.

It is the Governors' decision to allow an excluded student on the school's premises to take a public examination.

It is the role of the Governing Body to review exclusions imposed by the Headteacher. They can uphold an exclusion, or direct the student's reinstatement either immediately or by a particular date.

The Governing Body must in the case of a fixed term exclusion or more than 5 but not more than 15 school days in one term convene a meeting between the 6th and 50th school day to consider the exclusion, but only if a parent requests such a meeting.

In the case of a permanent exclusion or more than 15 days in one term a meeting will be convened between the 6th and 15th school day, after the receipt of notice to consider exclusion.

Where reinstatement is not practical or the student has already returned to school or because the parents do want the child reinstated the Governing Body must consider whether the Headteacher's decision to exclude the child was justified based on the evidence. The outcome should be recorded on the student's record.

Governors also apply the Civil Standard or proof on the balance of probabilities when making a judgement. It is more likely than not that a fact is true.

3

Equalities

The school will have regard to the SEN code of Practice and the Equalities Act and seek out specific advice and guidance in respect of these areas.

Review and Evaluation

The Governors will review this policy once every three years.

Appeals

If a parent wishes to appeal against the Governing Body's disciplinary decision they will need to appeal to the Independent Review Panel (IRP). The IRP has the power to:

1. Uphold the exclusion.
2. Recommend that the Governing Body reconsiders the decision
or
Quash the decision and direct that the Governing Body considers the exclusion again.

Where an IRP qualifies a decision the Governing Body must reconvene within 10 working days of that decision. In the event of an IRP quashing a decision and the Governing Body, upon recommendation, upholds the exclusion, the school will be required to pay 4k to the LA as a contribution towards the cost of Alternative Provision. This would be additional to Merton's local agreement of 3k.