



# HOLY TRINITY

A learning community providing Catholic and Church of England education for all

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## Exclusion Policy

### Rationale

This policy is underpinned by the commitment of all at Holy Trinity to ensure the safety and well-being of the whole school community and to maintain an appropriate educational environment in which all can learn and achieve. In this policy and the accompanying procedures the Governing Body aims to discharge appropriately its statutory duties as set out in The School Discipline (Pupil Exclusion and Reviews) (England) Regulations 2012. (Appendix 1)

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Headteacher, the Deputy Headteacher who is acting in that role). Before deciding whether to exclude a pupil either permanently or for a fixed period the Headteacher will ensure that:-

- a) appropriate investigations have been carried out
- b) all the evidence available has been considered
- c) the pupil's version of events has been heard
- d) that statutory guidance on exclusions, equalities policy and disability discrimination has been taken into account

Having considered these matters the Headteacher will make a decision on exclusion based on the balance of probabilities established. In reaching a decision, the Headteacher, or Deputy Headteacher will look at each case on its own merits.

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the School's Behaviour Policy:

- Sustained challenge to the authority of a member of staff
- Bullying, harassment or abuse verbal, written or via forms of electronic communication, including acts of racism.
- Physical abuse of and violence or threats of violence towards staff or pupils
- Persistent defiance of Holy Trinity rules
- Acts of vandalism or violence
- Indecent behaviour
- Sexual abuse or assault
- Carrying an offensive weapon ("any article made or adapted for causing injury to the person; or intended by the person having it with him or such use by him")
- Conduct likely to bring the school into disrepute
- Malicious Fire alarm
- Arson
- Possession of banned substances
- Theft
- Dangerous behaviour which may harm a pupil or member of staff
- The use of electronic technology to record, without permission of a member of staff, images of buildings, pupils or staff of Holy Trinity, irrespective of location
- Uploading to the internet images or written content concerning Holy Trinity without the permission of a member of the Senior Leadership Team.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that exclusion is an appropriate sanction.

## **Strategies which may be used prior to Exclusion**

Before resorting to exclusion alternative solutions will be tried.

- Internal exclusion
- A restorative justice process
- Adapted school day – sunrise/twilight provision
- In addition, Holy Trinity works closely with other schools within the Barnsley Local Authority. As an alternative to exclusion, the Headteacher may decide to refer a pupil on a SWAPP (Students Wanting Alternative Placement Panel) at one of the named schools for a set number of weeks. The school also works closely with other schools to undertake managed moves where such a course of action would be of benefit both to the pupil and the two schools concerned.

## **Fixed Term exclusion**

- A pupil will not be excluded for a period that exceeds 45 days in any one school year
- The school will make every effort to inform parents and carers of a fixed term exclusion before the end of the school session by telephone.
- This will be followed up in all cases with a letter.
- Parents and carers will be informed of the length of the exclusion, the reasons for the exclusion and their rights, including their right to make representations and who to contact if they wish to make representations about the exclusion
- When a pupil is required to be at home, parents/carers will be advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility, as parents/carers
- The letter will also make clear the date and time when the pupil should return to school for a reintegration meeting
- The school will continue to provide school work for all pupils on fixed term exclusion and mark the work that is completed and returned to school
- If a pupil with an EHCP is excluded the school may call an Interim Annual review seeking the advice of the LA.
- The school will plan the return and reintegration into school after fixed term exclusions with parents/ carers and pupils
- The Headteacher will inform the Local Authority within one school day of any fixed term exclusions totalling more than five school days per term and each term of fixed term exclusions totalling fewer than five school days a term. Governors are updated through the Ethos, Welfare and Admissions Committee.
- According to Department for Education guidance school is obliged to provide full time education from the sixth day of any period of fixed term exclusion of six days or longer
- The school will consult with the LA officers for any exclusion of more than five days in order that appropriate full time education and transport is arranged.

## **Permanent Exclusion**

- The decision to exclude a pupil permanently could be taken by the Headteacher in the following circumstances:-
  - a) in response to a serious breach, or persistent breaches, of the School's Behaviour for Learning
  - b) where allowing the pupil to remain in school would seriously harm the education or welfare of the other pupil or others in school
- In the case of a permanent exclusion the same process as that for fixed term exclusions will be followed except the communication will make clear that it is a permanent exclusion
- The Headteacher will inform the Governors' and Local Authority within one school day of any permanent exclusions

## Equality Act 2010

The school will follow the guidance on the Equality Act 2010 published by the 'Equality and Human Rights Commission' in Section 5.4 entitled 'What equality law means for you as an educational provider'

This guidance states that whilst a 'school must not discriminate against a pupil by excluding them from school', "*it does not mean a school cannot exclude a pupil with a protected characteristic*". The guidance recognises that "*there may be occasions when it is appropriate to exclude a pupil with a protected characteristic*". It stresses it is important that a school does not exclude 'because of' the protected characteristic.

## Lunchtime Exclusion

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. This will be treated as fixed term exclusion and parents will have the same right to gain information and to appeal.

## Behaviour Outside School

Pupils' behaviour outside school, for example educational visits and journeys, away school sports fixtures or a work experience placement is subject to the School's Behaviour Policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in school. If pupils' behaviour in the immediate vicinity of the school or on a journey to and from school is inappropriate and meets the school criteria for exclusion, then the Headteacher may decide to exclude.

## Drug Related Exclusions

In making a decision on whether or not to exclude for a drug-related offence the Headteacher will have regard to the school's published policy on drugs and substance misuse and will also seek advice from the Local Authority's Drugs Education Advisor.

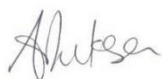
## Links to other policies

Behaviour Policy  
Drugs and Substance Misuse Policy  
E Safety Policy  
Complaints procedure  
School Visits policy

## Policy Review

This policy will replace the previous policy and will be reviewed every 3 years by the Ethos, Welfare and Admissions Committee of the Governing Body.

The policy was last reviewed and agreed by the Ethos, Welfare and Admissions Committee of the Governing Body on 15<sup>th</sup> March 2018 and is due for review before 31<sup>st</sup> March 2021.



15<sup>th</sup> March 2018

Signature .....  
Head Teacher

Date .....



15<sup>th</sup> March 2018

Signature .....

Date .....

Chair of Committee