



MOUNT HOUSE SCHOOL

SCHOOL POLICIES

EXCLUSION

Review	Date	By
Last Reviewed		
Next Review	August 2018	

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Policy Statement

In order to meet the school's stated aims we require certain standards to be maintained. Our Behaviour Policy clearly sets out these expectations. The disciplinary procedures identify the appropriate action to be taken when a pupil's behaviour fails to meet the required standards on behaviour and discipline.

The implementation of this policy will be monitored by the Directors of the School and remain under constant review by the Principal, SLT and all staff members. It is formally reviewed annually.

Principles

Mount House School, in keeping with its ethos, is committed to treating its pupils fairly and with the same respect and consideration as adult members of the School. The School's expectations of behaviour are based on individual responsibility and mutual respect, to generate an environment where positive relationships pupil to pupil and pupils to staff members can flourish.

The Schools Behaviour Policy provides a framework for a range of intervention strategies which minimise the need for fixed period exclusions or permanent exclusions. The Referral System leads ultimately to the possibility of exclusion.

Decisions to exclude a pupil for a fixed term period will only be taken in response to breaches in the School's policy on behaviour and discipline, including persistent and disruptive behaviour leading to the matter being referred to the Principal. Fixed term exclusions will also be used where, in the opinion of the Principal, an individual incident requires a greater sanction than may be imposed by the Deputy Head.

Decisions to permanently exclude a pupil will only be taken in response to serious breaches of the School's policy AND if the decision for the pupil to remain would seriously harm the education or welfare of another pupil or pupils.

Procedure

Only the Principal (or acting Deputy Head) may take the decision to exclude a pupil after consideration of all the evidence following a thorough investigation.

A thorough investigation should where possible include the following:

- Asking the pupil to write a statement outlining their involvement in the incident as soon as practicable. The statement should be signed and dated.
- If a pupil is interviewed, making a written transcript recording each of the questions asked and responses given.
- Obtaining witness statements from other pupils and staff which should be signed and dated.
- Providing a supportive teacher to assist the pupil
- Providing rest or water breaks
- Consider all the evidence, taking account of the pupil's age, the school's policies and equal opportunities legislation
- Recording all information relating to the incident and investigation.

In some cases, it may be necessary to refer incidents to Children's Services or the Police (e.g. criminal activity or child protection issues). In such cases, the school will be guided by the requirements of those agencies and may require a pupil not to attend school. The school will continue to provide education in such circumstances and will review the authorised absence from school on a regular basis.

Notifying parents

When the decision to exclude a pupil has been made the parent will be notified immediately by telephone and this will be confirmed in writing by email within one school day, and by hard copy letter within three school days.

Written confirmation of the exclusion will include the following details:

- for a fixed term exclusion, the precise period of the exclusion
- for a permanent exclusion, the fact that it is a permanent exclusion and the date from which the exclusion takes effect
- the reasons for the exclusion including any relevant previous history
- the parent's right to make representations regarding the exclusion through the appeal procedure
- the person in the School who the parent should contact if they wish to make representations as well as the date by which this should be done.
- the arrangements that will be put in place to ensure that the pupil is able to continue their education (it is the parent's responsibility to ensure that any work is completed and returned to the School)
- for fixed term exclusion the arrangements for reintegrating the pupil into the School will be provided including the date and time the pupil should return to the School and this must also require the parent to attend an interview with the Principal prior to reintegration.

Notifying Directors

The Principal will inform the Chair of Directors prior to all permanent exclusions or fixed term exclusion which would result in a pupil being excluded for more than five school days in a term. This notification will include the following:

- the pupil's name
- the length of the exclusion
- the reason for the exclusion
- the pupil's age, form class, gender and ethnicity
- if the pupil has a Statement of Special Educational Needs

Appeals

Parents have the right to appeal against a fixed term or permanent exclusion made by the Principal. To do so, parents must lodge an appeal in writing with the clerk to the governors no later than 10 school days after receipt of the letter stating the outcome.

Any appeal received after the latest date for lodging appeals will be rejected by the School.

Where an appeal is received, the School will convene an appeals panel which will comprise of members as per the School's Complaints Policy. The persons selected will have had no direct involvement in the exclusion. One member will be independent of the management and running of the school. The other two members shall be Directors/Governors of the school. The panel will be supported by a clerk.

An appeal panel will normally meet to consider the appeal no later than the 15th school day after the day on which the appeal is lodged. The panel may however, agree to adjourn the hearing if, after having regard to the particular circumstances, it considers it would not be appropriate for it to proceed to determine the outcome. This may arise from circumstances where further information is required or the parent requests a hearing after the 15th school day following the lodging of the appeal and the Principal considers the request to be reasonable.

Prior to the hearing, both parties (the School and the parents) must provide to the clerk all relevant evidence and documentation upon which they intend to rely at the hearing. The documentation will be provided to the panel and shared with both parties. New evidence may be presented at the hearing however the panel may, in the interests of fairness, adjourn the matter to allow proper consideration of such material.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friends. Legal representation for either party will not normally be appropriate.

The role of the appeal panel is to make a fresh decision on the exclusion. In coming to their decision, the panel will consider

- whether, on the balance of probabilities, the pupil has done what is alleged; and
- whether exclusion is a proportionate response to the incident. In looking at this element, the panel will consider the actions taken by the school in relation to the pupil, the pupil's past history, how the School's policies have been implemented as well as balancing the needs of the pupil against the needs of the school community as a whole.

The appeal panel may:

- uphold the decision to exclude; or
- direct immediate reinstatement with a specified date for return

In cases where an appeal is heard, is lodged, or heard after a fixed term exclusion has expired and the pupil has returned to the school, the appeal panel may:

- uphold the decision to impose a fixed term exclusion; or
- decide that fixed term exclusion was not a proportionate response in all the circumstances of the case and recommend that the pupil's record is amended to show this fact.

The appeal panel is independent and the decision is binding on the parent and the School.

The appeal panel will inform all parties of the outcome by the end of the second working day after the hearing outlining the reasons for the decision, giving clear information about the behaviour and offences.

Where the appeal panel recommends reinstatement the panel must immediately inform the Principal specifying the date by which the pupil must be readmitted. The pupil's record will be amended accordingly.

Exclusions: practical details

The pupil may no longer enter the school premises nor take part in any school organised activities. An exception may be made for a senior pupil during any public exam period but only under conditions of strict supervision.

The pupil may not attend functions at the school or join the Alumni Association nor attend any of its activities until 10 years have passed since the date of the exclusion. Even then the Principal may decide, in the interests of the school, that a longer, even unspecified, period is required.

All items of school owned equipment must be returned within one week of the permanent exclusion beginning – or within one week of the Appeal's panel confirming the exclusion.

The school will provide a suitable reference (which will specify that a permanent exclusion has been made) on request to a new educational establishment or prospective trainer/employer.

Policy review

This policy will be reviewed annually as part of the School's annual review.

(N.B. Reference to 'school days' throughout this policy should be taken to mean Monday to Friday during school term times. However, with the agreement of all parties, and in the interest of a speedy but well considered conclusion, the same timescale should also apply in holiday times should an issue spill over beyond the end of a term. Thus, 'school days' becomes 'working days' (Monday through to Friday) in holiday times.)

This policy should be read in conjunction with the following:

- Pupil Handbook
- Anti-Bullying policy
- Complaints policy and procedures
- Parental Contract (and information)
- Drugs