MOUNT HOUSE
SCHOOL

SCHOOL POLICIES

EXCLUSIONS

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Policy Statement

In order to meet the School's stated aims we require certain standards of student behaviour to be maintained. Mount House School's Behaviour Policy clearly sets out these standards and the corresponding expectations placed on students at the school. The disciplinary procedures in that policy identify the appropriate action which will be taken when a student'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 review by the Head. It is formally reviewed annually.

Related School Policies

- Anti-Bullying Policy
- Behaviour Policy
- Complaints Procedure
- Educational Trips and Visits Policy
- ICT acceptable Use and Online Safety Policy
- Parent Contract
- Safeguarding Policy
- Smoking, Drugs, Alcohol and Other Substances Policy
- Special Educational Needs Policy

Principles

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

The School's Behaviour Policy provides a framework for a range of intervention strategies which minimise the need for Internal Fixed Term Exclusions (for a period of up to two days), External Fixed Term Exclusions (for a period of up to five days) or Permanent Exclusions (see appendix). Within this framework, the system of ascending referrals of a student to the Form Tutor, Head of Year, SLT and finally the Head can lead ultimately to the possibility of an exclusion.

Exclusion will be used:

- Where the initial incident is considered so serious that no other sanction is deemed suitable (for example, but not limited to: assault, bullying, carrying anything that could be conceived to be a weapon or a drug related incident)
- Where all other sanctions have been tried and it is felt there is no other alternative route
- An escalation or pattern of recurring behaviour that is seriously harming the education or welfare of another student or students

The decision for an internal or external Fixed Term Exclusion [FTE] (temporary) 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 Head. FTEs will also be used where, in the opinion of the Head, an individual incident requires a greater sanction than may be imposed by the Deputy Head. The length and type of these exclusions will be decided in relation to the incident. FTEs can last for up to five days depending on the seriousness of the student's action. Temporary exclusions for more than five days can also be issued, but are rare.

Decisions to permanently exclude a student will only be taken by the Head in response to serious breaches of the School's Behaviour Policy AND if the decision for the student to remain would seriously harm the education or welfare of another student or students. The parents/guardians can appeal against the exclusion.

Procedure

With regards to an Internal Fixed Term Exclusion or External Fixed Term Exclusion, the Deputy Head may make the decision in the absence of the Head, but only the Head may make the decision for a permanent exclusion of a student; the decision will be reached after consideration of all the evidence following a thorough investigation. Students may be asked to go home or stay at home while an investigation is carried out.

A thorough investigation should where possible include the following:

- A statement written by the student, outlining their involvement in the incident as soon as practicable. The statement, where possible, should be signed and dated.
- If a student is interviewed, where possible, a summary transcript should be recorded
- Witness statements or interviews from other students and staff should be taken and signed and dated where possible.
- Provision of a supportive teacher, where possible, to assist the student(s).
- Provision of rest or water breaks, where possible.
- Respect for each student as an individual and a platform for them to share their evidence.
- Consideration of all the evidence, taking account of the student's age, the School's policies, equal opportunities legislation, and the personal circumstances of the student.
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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 which may require a student 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 regarding a Fixed Term

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

The written confirmation of the exclusion will include the following details:

- for an Internal / External 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 (if necessary it will include 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: Clerk to the Board of Directors on clerk@mounthouse.org.uk
- the arrangements that will be put in place to ensure that the student 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 Exclusions (for a period of up to five days) the arrangements for reintegrating the student into the School will be provided including the date and time the student should return to the School; a student's return to School requires at least one parent / guardian to attend an interview with a member of SLT prior to a student returning to school.

Please see Appendix B for a Letter Template

Notifying Directors

The Head will inform the Chair of Directors prior to all Fixed Term or Permanent Exclusions which would result in a student being excluded for more than five school days in a term. This notification will include the following:

- the student's name
- the length of the exclusion
- the reason for the exclusion
- the student's age, year group, gender and ethnicity
- if the student has a Statement of Special Educational Needs

Appeals

Parents have the right to appeal against a Permanent Exclusion made by the Head. To do so, parents must lodge an appeal in writing with the Clerk to the Board of Directors on clerk@mounthouse.org.uk no later than ten school days after receipt of the School's 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 process. One member will be independent of the management and running of the school. The other two members shall be Directors of the School. The panel will be supported by the 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 Head 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 friend. 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 student has done what is alleged; and
- whether the exclusion was 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 student, the student's past history, how the School's policies have been implemented as well as balancing the needs of the student 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 student has returned to 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 student'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 Head specifying the date by which the student must be readmitted. The student's record will be amended accordingly.

Exclusions: practical details

For the duration of a Fixed Term Exclusion, the student may no longer enter the School premises nor take part in any school-organised activities. An exception may be made for a senior student during any public exam period, but only at the discretion of the Head and under certain conditions.

For those permanently excluded, the student may not attend functions at the School or join the Alumni Association nor attend any of its activities until ten years have passed since the date of the exclusion. Even then the Head 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.

Returning from a Fixed Term Exclusion (FTE): Reintegration strategy

Following a FTE, the school will put in place a strategy to help the student reintegrate successfully into school life and full-time education. Where necessary, the school will work with third-party organisations to identify whether the student has any unmet special educational and/or health needs. The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life:

- Maintaining regular contact during the suspension or off-site direction and welcoming the student back to school
- Daily contact in school with the relevant Learning Coordinator
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the student and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the student, parents and staff of potential external support
- Placing the student on a report

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the student, parents, and other relevant parties.

Returning from a Fixed Term Exclusion (FTE): Reintegration meetings

The school will explain the reintegration strategy to the student in a reintegration meeting before or on the student's return to school. During the meeting the school will communicate

to the student that they are getting a fresh start and that they are a valued member of the school community.

The student, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents in the event that they cannot or do not attend.

The school expects all returning students and their parents to attend their reintegration meeting, but students who do not attend will not be prevented from returning to the classroom.

Policy review

This policy will be reviewed annually.

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 time.

Appendix A: Fixed Term and Permanent Exclusions

A student can be excluded from School. At Mount House there are Internal Fixed Term Exclusions (for a period of up to two days), External Fixed Term Exclusions (for a period of up to five days) or Permanent Exclusions. Only the Head or, in their absence, one of the Deputy Heads, can exclude a student. The length and type of the exclusion will be decided based upon:

- The nature and context of the incident
- Where all other sanctions have been considered / tried and it is felt there is no other alternative route.
- An escalation or pattern of recurring behaviour that is seriously harming the education or welfare of another student or students
- The context of the children involved (including both the victim and the perpetrator)

Fixed Term Exclusions can last for up to five days depending on the seriousness of the student's action. In each instance the following will happen:

- **Fixed Term Internal Exclusion:** telephone to parents/guardians and explanation given
- **Fixed Term External Exclusion (up to five days):** telephone to parents/guardians and explanation given, followed up with a letter by the end of the next working day. A reintegration meeting will be organised and a parent / guardian must attend before the student can return to School. The Student is then put on daily report for an agreed period (usually two weeks in the first instance)
- **Fixed Term External Exclusion (more than five days):** this is a long term exclusion for a student whilst the whilst the school are investigating something and / or who needs time and space to consider their future with the prospect of permanent exclusion. The school and parents/guardians work closely during this period and the Chairman of the Board is kept informed of any developments.

If an incident happens during the school day, the parents/guardians may be asked to come and pick up their child and have a brief meeting with a member of SLT to discuss the incident.

Permanent Exclusion: the Head may find it necessary to use their discretion to permanently exclude a student. The parents/guardians can appeal against the exclusion. The procedure to follow is mentioned in the Appeals section of this policy.

Appendix B: Sample Exclusion Letter Template

Dear **,**

I am writing to inform you of my decision to exclude … for a fixed period of … This means that … will not be allowed in school for this period. The exclusion begins on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family but the decision to exclude **[child's name]** has not been taken lightly. **[Child's name]** has been excluded for this fixed period because **[reason for exclusion]**.

We will set work for **[name of child]** to be completed during the period of exclusion as specified in the previous paragraph. Please ensure that work set by the school is completed.

You have a duty to ensure that your child is not found in a public place during this exclusion i.e. **[specify dates]** unless there is reasonable justification for this.

You have the right to make representations to the governing board. If you wish to make representations please contact **[name of contact]** via clerk@mounthouse.org.uk as soon as possible. Whilst the governing board has no power to direct reinstatement and is not required to arrange a meeting with you, they must consider any representations you make and may place a copy of their findings on your child's school record.

If you think this exclusion has occurred as a result of discrimination then you may also make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Education Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body.

You may find the following sources of free and impartial advice and information useful:

The Department for Education's Guidance for parents and carers on behaviour, exclusion and permanent exclusion, which can be found here: https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions / exclusions, which can be found here: https://councilfordisabledchildren.org.uk/about-us-0/networks/information-advice-and-support-services-network

Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.

Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get

the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

A copy of the Government's guidance, '*Exclusion and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement*' can be downloaded from the Department for Education's website at: https://www.gov.uk/government/publications/school-exclusion.

You **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively specify the name of another member of staff]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school as soon as possible to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

[Name of child]'s exclusion expires on **[date]** and we expect **[name of child]** to be back in school on **[date]** at **[time]**.

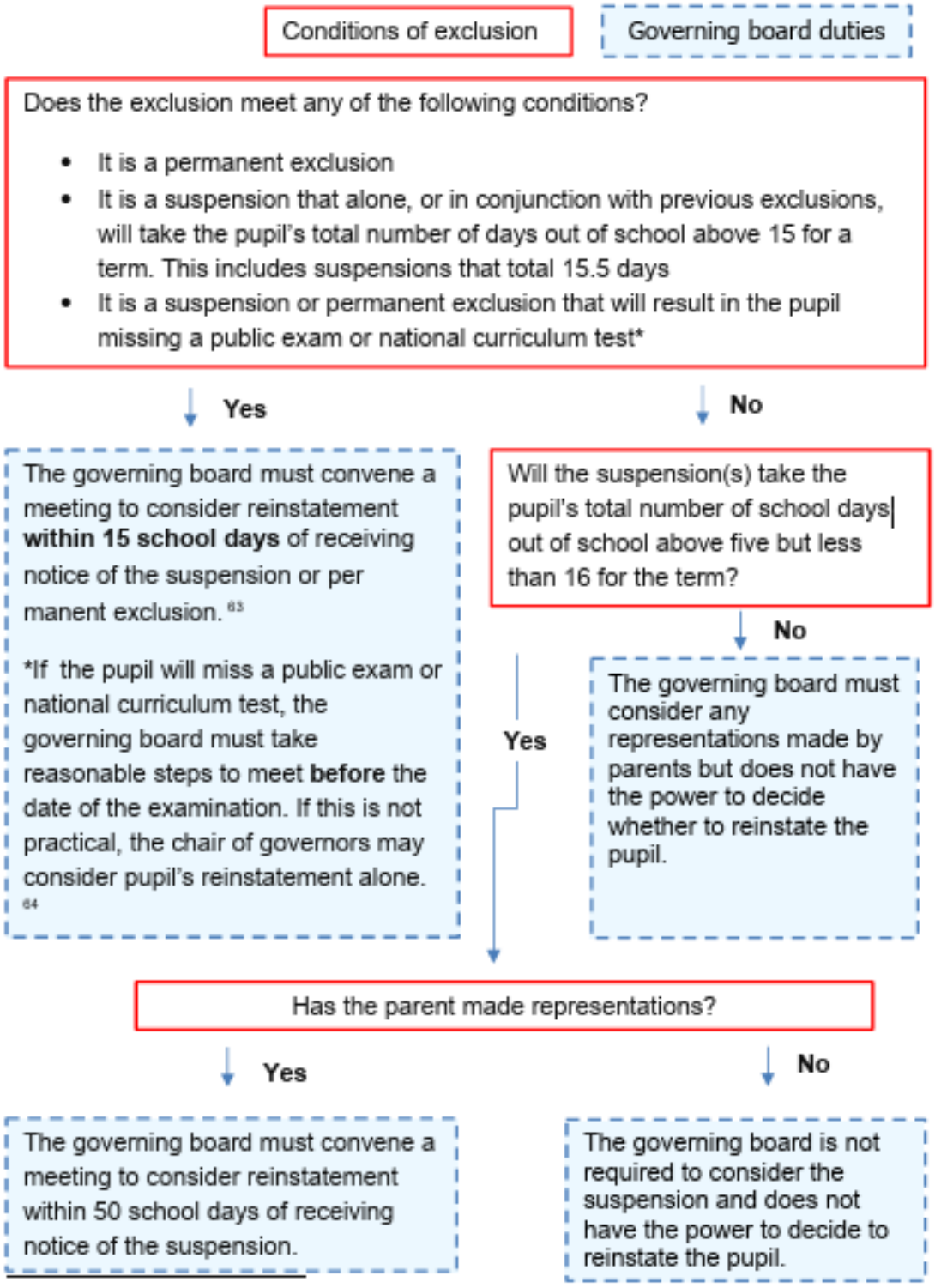
Yours sincerely

Mr J Cooper / Mr G Crosby / Mr R Cawley

Headteacher / Deputy Head Pastoral / Deputy Head Academic

Appendix C: Board of Directors Processes

A summary of the governing board's duties to consider reinstatement[62]



[62] Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

[63] The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

[64] The ability for a chair to review in the case of public exams refers only to maintained schools.