



# Diss High School

## Exclusion Policy

Updated Annually



Diss High School is committed to being a fully accessible and inclusive organisation, welcoming and respecting the diversity of its student, staff, community and visitors to the school.

## **RATIONALE**

This policy is underpinned by the commitment of all at Diss High School 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) and all subsequent updated amendments. This policy should be read in conjunction with the school's Behaviour Policy.

## **INTRODUCTION**

Exclusion is an extreme sanction and is only used by the Headteacher (or, in the absence of the Headteacher, the Acting Headteacher). Before deciding whether to exclude a student 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 has been heard
- d) That statutory guidance on exclusions, equalities policy and disability discrimination has been taken into account

Having considered these matters the Head will make a decision on exclusion based on the balance of probabilities established. In reaching a decision, the Headteacher, or Acting Headteacher will look at each case on its own merits and avoid a tariff system, i.e. fixing a standard penalty for a particular action, as unfair and inappropriate.

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:

- Verbal abuse to staff and others;
- Verbal abuse to student;
- Physical abuse to/attack on staff;
- Physical abuse to/attack on student;
- Sexually abusive language and/or behaviour;
- Indecent behaviour;
- Damage to property;
- Misuse of illegal drugs or other substances including supplying;
- Theft;
- Serious actual or threatened violence against another pupil or a member of staff;
- Carrying an offensive weapon;
- Arson;
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the student's behaviour.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction. Exclusions can be either fixed term or permanent.

## **FIXED TERM EXCLUSION**

- A student 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 of a fixed term exclusion before the end of the school session (the school office closes at 4.30pm) by telephone, email or text;

- This will be followed up in all cases with a letter;
- Parents 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 student is required to be at home, parents/carers will be advised that the student 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 student should return to school;
- The school will continue to provide education for all students on fixed term exclusion and mark the work that is completed and returned to school;
- In reviewing the statement, if a student with a Statement of SEN is excluded the school will 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 and students;
- The Head will inform the Governors and Local Authority within one school day of any fixed term exclusions totalling fewer than five school days a term;
- According to the Department for Education guidance the 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 student 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 Policy;
  - b) Where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the 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 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.

## **ALTERNATIVES TO EXCLUSION**

The school will work closely with other local secondary schools to undertake managed moves where such a course of action would be of benefit both to the student and the two schools concerned. The threat of a permanent exclusion will not be used as the means to persuade parents/carers to move their son/daughter to another school.

**LUNCHTIME EXCLUSION**

Students 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**

Students' behaviour outside school on school 'business', 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 students' 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**

Drug-related offences will be assessed on a case by case basis, and a decision on whether or not to exclude will be made following professional advice from the police/LA/other relevant professional bodies.

**REVIEWED ANNUALLY**