



## Europa School UK

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### EUROPA EXCLUSION POLICY

| Version and Date           |  | Action/Notes        |
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#### Introduction

Exclusion from school, whether for a fixed period (Fixed Term Exclusion/FTE) or permanently (Permanent Exclusion/PEX) is used as a final sanction in securing the welfare of students and establishing the good order which is essential for effective learning to take place. In accordance with Department for Education guidelines, a student will only be excluded from school where there is sufficient evidence that a pupil has committed a disciplinary offence and if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. It will normally be used only after other sanctions and support have failed to achieve the desired change in behaviour and attitude.

#### 1. Fixed Term Exclusions

Only the Principal (or, in the absence of the Principal or teacher in charge, the acting Principal or teacher in charge) will exclude a pupil.

Individual fixed-period exclusions will be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school afterwards. Ofsted inspection evidence suggests that 1-3 days are often long enough to secure the benefits of exclusion without adverse educational consequences.

A decision to exclude a pupil for a fixed period can be made on a balance of probabilities. Fixed-term exclusion may be used for a single occurrence of serious misconduct or for persistent misbehaviour. It will not be made as a response to nonattendance or truancy. In making the decision to exclude, several factors will be considered, including the student's record of previous behaviour and any previous exclusions. Statements from the student, any staff involved, any victims and witnesses will also be considered.

Fixed-term exclusion will always be considered in cases of serious and unprovoked violence towards fellow students or staff. It will also be considered in cases of the bringing of dangerous objects or illegal substances on to the school premises. Fixed term exclusion may also be used in cases of serious misbehaviour on the way to and from school and on the school buses.

Where it is clear that fixed-period exclusions are not being effective in deterring poor behaviour, for example if they are being repeatedly imposed on a pupil in response to the same behaviour, the Principal and teachers in charge should consider alternative strategies for addressing that behaviour.

When the Principal or another senior member of staff has decided that there are adequate grounds for excluding a student, the parents will be informed as soon as possible, by telephone if this is available. A letter will be sent to parents setting out:

- the reasons for the exclusion
- the length of the exclusion
- arrangements for a readmission meeting
- parents' responsibility to ensure that their child is not found in a public place during school hours
- their right to make representations to the Governing Body
- sources of advice

Information regarding the exclusion will be sent to the Chair of Governors. Representations to the Governing Body concerning fixed-term exclusions will normally be made in the first instance to the Chair of Governors. If the matter cannot be resolved by the Chair of Governors, s/he may decide to refer the matter to an informal governors' sub-committee convened for that purpose.

Before the student returns to school, a senior member of staff will normally meet with the parents to discuss the incident and future conduct. The readmitting member of staff may decide to impose conditions on the return or to draw up a home-school contract concerning the student's future conduct.

Support to help the student follow this contract successfully will be discussed. A restorative meeting with any injured party is often beneficial to a successful reintegration and this will be discussed during the meeting. Where the exclusion was for a serious incident, a risk assessment may be carried out and discussed at the reintegration.

Although it will normally not be necessary, the school reserves the right to use fixed term exclusion up to the maximum period allowed in current legislation. If the exclusion is for 5 days or less, work will be sent home for completion.

If the exclusion is beyond 6 days or more the Principal will ensure that full-time, offsite, educational provision will be arranged from day 6 of the exclusion. Work is set for completion.

In the case where a student is at risk of being permanently excluded for persistent breaches of the Behaviour code, the school will ensure that all possible strategies have been considered to help the student to alter his or her behaviour. This might include using alternative provision or an interim reduced timetable; intervention from relevant staff or outside agencies; assessment by an Educational Psychologist; engaging with the family using the CAF/TAC process.

The school will also arrange a pre-governors' Disciplinary Committee to give the student a clear final chance to alter his or her behaviour. The school will keep records of all support offered and its effectiveness, including when the young person or the family decline the support.

## **2. Permanent Exclusion**

The Principal alone may decide if a student is to be permanently excluded. If the Principal is temporarily absent from school and an incident occurs in which the appropriate member of staff feels that permanent exclusion may

be the appropriate response, the member of staff may exclude the student concerned for a fixed-term long enough to allow the Principal to consider the case on his/her return. Permanent exclusion is seen as a very serious matter and will only be used as a last resort. It is likely to be applied only after all other sanctions, including fixed term exclusion, have failed to produce the desired response in the student. It may, however, be an appropriate response to a single incident of extreme misconduct.

These might include:

- a) serious actual or threatened violence against another pupil or a member of staff;
- b) sexual abuse or assault;
- c) supplying an illegal drug; or
- d) carrying an offensive weapon

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community. The school will consider whether or not to inform the police where a criminal offence may have taken place.

Before making the decision to permanently exclude the Principal will:

- a. Ensure that a thorough investigation has been carried out.
- b. Allow and encourage the pupil to give their version of events.
- c. Check whether the incident may have been provoked, for example by bullying, or by racial or sexual harassment.
- d. Consider all the evidence available to support the allegations, taking account of the school's behaviour and equal opportunities policies, and, where applicable, the Race Relations Act 1976 as amended and the Disability Discrimination Act 1995 as amended
- e. If necessary, consult others, but not anyone who may later have a role in reviewing the Principal's and teacher in charge's decision, for example a member of the governing body
- f. Keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the pupil concerned. Witness statements must be dated and should be signed, wherever possible.

The Principal will inform the parents of a permanent exclusion immediately by letter and, if possible, by telephone. The letter will give parents at least seven days' notice of a hearing before the governors' Discipline Committee to consider the exclusion.

The letter will state:

- that the student has been permanently excluded
- the reasons for the permanent exclusion
- details of previous disciplinary measures leading up to the permanent exclusion.
- the parents right to examine the student's record
- the purpose of the hearing
- that the parents and student should attend and that they may be accompanied by an adult friend
- that if they do not attend the Hearing it may proceed in their absence
- that if the Governors confirm the exclusion, the parents have a right of appeal to an Independent Appeals Committee.

A copy of this letter will be sent to:

- The Chair of Governors
- The Chair of the Governors' Discipline Committee

The Principal will make arrangements for a hearing before the Governors' Discipline Committee to take place within fifteen days of the date of the exclusion. Normally, three members of the Discipline Committee will hear the case. No Governor who has any prior knowledge of the case will participate in the hearing. The procedure followed at the hearing will be as informal as possible. It will normally follow the format set out below:

- a. The committee will meet jointly with the Principal and the parent and/or the student and any accompanying friends of the parents. An external adviser may be present to advise the meeting.
- b. The governors will invite the Principal to give his/her reasons for recommending permanent exclusion.
- c. The parents will be invited to ask questions of the Principal.
- d. The parents will be given the opportunity to explain why they think permanent exclusion is inappropriate.
- e. The Principal will have an opportunity to ask questions of the parents.
- f. The Principal and the parents will be given an opportunity to sum up and to ask further questions of the governors. The governors may wish to ask further questions of either the Principal or the parents. The external adviser will advise what other schools might do in similar circumstances.
- g. The Principal and the parents and student will then withdraw from the meeting and allow the governors to consider the case on their own.

The governors will decide to either:

- a. Confirm the permanent exclusion
- b. To order the immediate reinstatement of the student.

The decision of the governors' Discipline Committee will be communicated to the parents by letter on the same day. If the governors have decided to confirm the permanent exclusion, the letter will inform parents of their right of appeal to an Independent Appeals Committee.