



Exclusions and Appeals Policy

Responsibility	Students, Parents and Community	
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1. Policy Statement

At the Richmond upon Thames School, our ethos is clear: we believe that learning is the most important reason for being at the School and that nothing should stop learning. In order to support learning and to create a community that all students and staff want to be a part of, it may be necessary to consider exclusion as a consequence for behaviour which is contrary to the ethos and expectations of the School.

2. Statutory Framework

The School Exclusion policy is written in line with the following areas of legislation and guidance:

- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations, 2012
- Statutory guidance on the exclusion of pupils from local-authority-maintained schools, academies and pupil referral units, DfE September 2017

3. Links to other Policies

The exclusion policy refers to and is in accordance with the following areas of School policy:

- Behaviour for Learning,
- Anti-bullying and
- Drugs Education.

4. Principles

The School is a learning institution which aims to provide life chances for students. We view exclusion as a last resort when all other possible methods of managing student behaviour have been exhausted. The decision to exclude is never taken lightly and careful consideration is taken of the facts and surrounding circumstances before reaching the decision to exclude.

We recognise the detrimental impact of exclusion on both the education and well-being of students and their families. We also recognise the impact of social exclusion which can result from the permanent exclusion of a student and therefore try hard to avoid it.

Students are managed consistently but not necessarily in a uniform manner.

We do not operate a 'tariff' approach to the use of exclusion. When considering the decision to exclude, appropriate consideration will be made of aggravating and mitigating factors in each circumstance.

We pride ourselves on having exclusion rates that are significantly below national averages and that are falling each year as behaviour improves. We also pride ourselves on admitting many students who have been excluded from other schools and giving them another chance.

Permanent exclusion is an extremely serious step to take and has a significant impact on the ability of a student to access education in the future. It is only used where it is unavoidable and every possible alternative has been exhausted. We are committed to using alternatives to permanent

exclusion such as managed moves and alternative provision where appropriate.

5. The decision to exclude

The decision to exclude is made solely by the Head teacher. In her absence, a nominated member of the SLT may exclude a student.

There are five circumstances where a student may be required to leave the School site with the authorisation of the Head teacher:

- a) where a decision has been made to exclude
- b) where a student has committed a serious criminal offence outside the jurisdiction of the School and it is determined by the Head teacher that it is in the interests of the community for the student to be educated off-site. **This is not an exclusion.**
- c) where, for medical reasons, the presence of a student represents a serious risk to the health or safety of other students or staff. **This is not an exclusion.**
- d) if a student is given permission by the Head teacher to leave the premises briefly to remedy a breach of the School rules on appearance or uniform. This should be for no longer than is necessary to remedy the breach and is not an exclusion but an authorised absence.
- e) Where a student is asked to be screened for weapons and refuses to undergo screening. In this circumstance the student can be refused entry. **This is not an exclusion but an unauthorised absence.**

The decision to exclude a student is not taken lightly and the Head teacher will:

- a) ensure that a thorough investigation has taken carried out
- b) consider all the evidence available to support the allegations
- c) allow and encourage the student to give their version of events
- d) keep a written record of the actions taken including the signed statements of witnesses

The standard of proof applied when deciding to exclude is on the balance of probabilities. The more serious the allegation, the more convincing the evidence substantiating the allegation needs to be.

Exclusion will not be used as a consequence for the following:

- a) minor incidents such as a failure to complete homework
- b) poor academic performance
- c) lateness or truancy
- d) breaches of School rules on uniform or appearance except where these are persistent or in open defiance of such rules
- e) pregnancy
- f) punishing a student for the behaviour of their parents

Once the decision has been made to exclude, a student will only be sent home once contact has been made with parent and where it is clear that the student will be returning to a place of safety. Work will be provided and either sent with the student or arrangements made for collection.

6. Fixed-term Exclusion

A decision to exclude a student for a fixed-term may be taken in response to breaches of the school's

behaviour.

Examples of behaviour that may lead to a fixed-term exclusion include the following:

- Verbal abuse of staff or students
- Physical abuse of staff or students
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs or other substances
- Theft
- Serious actual or threatened violence against another student or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon¹ or a banned item (see Behaviour for learning Policy)
- Arson
- Persistent poor behaviour contrary to acceptable behaviour outlined in the Behaviour Policy

This is not an exhaustive list and there may be other examples of behaviour where the Head teacher judges that exclusion is an appropriate sanction.

The Head teacher may exclude a student for one or more fixed periods which do not exceed a total of 45 school days in any one school year.

During a fixed term exclusion of 5 or fewer days, work will be set by the School for the student to complete at home. This work should be returned completed at the end of the exclusion for marking.

For an exclusion of longer than 5 days, the School will arrange full-time educational provision from the sixth day of exclusion.

Before the end of any fixed-term exclusion, parents will be invited to attend a reintegration meeting at the School with their child. The purpose of the meeting is to ensure that the child understands the reason for the exclusion and is committed to preventing the behaviour that led to the exclusion from being repeated. The School will consider all further support needed to support the student, including referrals to external agencies. The student will also spend a period of time on report to support their reintegration.

During the first five days of any exclusion, the parents of an excluded student must ensure that they are not present in a public place during normal school hours without reasonable justification, whether with or without a parent. A failure to comply with this is an offence for which a fixed penalty notice can be issued by the Local Authority.

There may be circumstances where the investigation of a serious incident may not be immediately possible due to the complexity of the incident or the need to gather statements from a number of witnesses. In such cases, the Head teacher may issue a fixed-term exclusion of up to five days in order to allow an investigation to take place and to give the opportunity to make a reasoned decision. This is used in circumstances where the incident may result in permanent exclusion. In such cases, the fixed-term exclusion is not a sanction for the incident under investigation. Once the investigation is complete, the Head teacher will make the decision for the student to return to school, or to extend the fixed-term exclusion, or to make the exclusion permanent.

In exceptional cases, usually where further evidence which was not available at the time of the initial

¹ A weapon is defined as any item made or adapted for causing injury

investigation is discovered, a fixed-term exclusion may be extended or converted into a permanent exclusion. Similarly, the Head teacher may choose to withdraw an exclusion on the basis of new evidence.

7. Permanent Exclusion

Permanent exclusion is an extremely rare sanction at the School and always avoided where possible.

The decision to permanently exclude is taken only:

- a) in response to serious breaches of the School behaviour for learning policy and
- b) if allowing the student to remain at the School would seriously harm the education or welfare of the student or others at the School

A student may be permanently excluded where there have been repeated breaches of the behaviour policy for which a range of consequences and strategies have been applied without success. It is an acknowledgement that the School has exhausted all available strategies for dealing with the student and is a last resort.

There may be exceptional circumstances where, in the judgement of the Head teacher, it is appropriate to permanently exclude a student for a first or 'one off' offence. These might include:

- a) serious actual or threatened violence against another student or member of staff
- b) sexual abuse or assault
- c) having an offensive weapon in school
- d) Possession of any illegal drugs in school
- e) Supply or intent to supply illegal drugs in or out of school

The School operates a 'zero tolerance' approach to the carrying of offensive weapons due to the seriousness of their impact on the School community. This is communicated clearly to students throughout the curriculum and the home-school agreement.

The Head teacher will meet with the parents and student before reaching a decision to permanently exclude a student. Under normal circumstances, a student will be excluded for a fixed-term period in order to allow an investigation to take place before the decision is made to permanently exclude.

8. Appeals

The School's Trust Board has responsibility for supporting the Head teacher in making decisions and reviewing them in relation to exclusions. The Behaviour Committee consists of at least 3 members of the Trust Board, including the Chair of the Trust Board.

The Behaviour Committee of the Trust Board will review any exclusion which results in a student being excluded for more than 15 school days in any one term, any permanent exclusion, or any exclusion which would result in a student missing a public examination. This review will take place whether or not the parent requests it. The Behaviour Committee will decide whether to reinstate the student, if appropriate, or whether the Head teacher's decision to exclude was justified and appropriate.

If requested to do so by the parents, the Trust Board Behaviour Committee will meet and consider the reinstatement of a student excluded for more than 5 days but less than 15 within one school term.

In the case of one or more exclusions totalling 5 days or less in a school term, the GB behaviour Committee will consider any written representations from a parent but they cannot direct reinstatement of the student.

Parents have the right to appeal the decision to permanently exclude their child to an Independent Review Panel within 15 days of receiving a letter from the Trust Board's Behaviour Committee confirming the decision to uphold a permanent exclusion. The parent must set out in writing the grounds for a review within 15 days. If the deadline for this is not met, the Trust Board will reject the application for review. The process which is followed is outlined below:

9. Permanent Exclusion

Student excluded for a fixed-term in order to carry out an investigation Head Teacher meets with parents to discuss likely exclusion

Case discussed with Behaviour Committee by Head Teacher

Behaviour Committee decide whether to uphold the decision

Parents may appeal to an Independent Review Panel within 15 days

An Independent Appeals Panel will consist of 3 or 5 members and will be chaired by a lay member and two other independent members, one with governance experience; the other with Headship experience. This panel will decide whether to uphold the decision to exclude a student

The Independent Appeals Panel can either uphold the decision to exclude the student or recommend that the School reconsiders the exclusion. They cannot, however, direct the reinstatement of the student.