



# SILCOATES

Independent education for boys and girls aged 3-18

## Exclusions Policy

### Context

Exclusion from school, in accordance with the School's Terms and Conditions, can be a temporary withdrawal for a fixed term or a permanent exclusion. It is recognised that it is very much a last resort and only to be given when other sanctions have proved fruitless. The School is also mindful of the guidance 'Behaviour and Discipline in Schools' (DfE, January 2016), which states clearly the importance of school leaders dealing effectively with poor discipline in the interests of all pupils.

Section 6a) of the Terms and Conditions, which is shown below, states clearly the power of the Head in relation to the exclusion of pupils:

### **6. Suspension, Expulsion and Required Removal**

*(a) The Head may in his or her discretion suspend or, in serious or persistent cases, expel your child from the School, if the Head reasonably considers that your child's conduct or behaviour (including behaviour or conduct outside school) is unsatisfactory and the suspension or expulsion is in the School's best interests or those of your child or other children.*

### Behaviour and Conduct

The following list is not exhaustive but it provides an indication of the sort of behaviour or offence that the Head would consider serious enough to merit consideration of a temporary or permanent exclusion from school:

- physical assault against pupils or adults
- verbal abuse or threatening behaviour towards or malicious allegations against pupils or adults
- bullying
- racism
- sexual misconduct
- drug and alcohol misuse
- damage to property
- theft
- conduct that facilitates, encourages or makes possible any of the offences listed above
- persistent disruptive behaviour
- conduct that significantly harms the reputation of the School
- conviction for a criminal offence in a Court of Law

## **Temporary Exclusion**

In the event of temporary exclusion of a pupil being deemed appropriate, the parents of the excluded pupil will be invited to a meeting with the member of staff who conducted the investigation so that he/she can present the information that has been gathered and to give an opportunity for the pupil and parents to comment on the offence and the evidence relating to it. A member of the Senior Leadership Team, usually the Head, will also be present.

Depending on the nature of the offence, it may be necessary to suspend a pupil temporarily from school while an investigation is being carried out. It may also be necessary for the School to contact the Police or Social Services.

A formal letter from the Head to confirm the temporary exclusion will follow within two school working days of the meeting. The letter will explain the reasons for the temporary exclusion, the length of the exclusion and the date on which the excluded pupil is permitted to return to school.

Temporary exclusions usually range in duration from one to five days, depending on the circumstances and seriousness of the situation. Work will be provided for the duration of any temporary exclusion. This work will be marked and returned as appropriate, usually via the pupil's Tutor or the Head of Section.

Any pupil who has been temporarily excluded will be required to attend a re-entry interview with the Deputy Head (Pastoral) on his/her return to School. Parents are welcome to attend this meeting, where strategies for returning to normal school life, expectations for conduct and potential consequences of further breaches will be established.

## **Permanent Exclusion**

Permanent exclusion from school is regarded as a last resort and, as noted above, will usually be considered in response to a history of persistent disruptive behaviour or where other strategies and sanctions to modify the conduct of the pupil have proved to be ineffective. It may also be the case that a single instance of extremely dangerous or threatening behaviour will warrant a permanent exclusion.

The same process for Temporary Exclusion outlined above will apply, with the additional stage of a formal hearing with the Head.

The hearing will take place after the investigation has been completed and once the following have taken place:

- The pupil and his/her parents have had the opportunity to meet with senior staff, including those who conducted the investigation, to hear details of the allegation/offence and the pertinent evidence.
- There has been an opportunity for the pupil and his/her parents to provide any further evidence or submissions that may have a bearing on the final decision. Ideally, such documentation should be in place five working days before the date of the hearing but this may be reduced depending on the nature of the offence and with the mutual consent of both parties.

The hearing will normally be conducted by the Head and will be attended by the pupil, parents, a note-taker and any other person required, usually the Deputy Head (Pastoral) or the Head of Section with knowledge of the pupil and the relevant background.

The School will present its case and pupils and parents will then have the opportunity to ask questions and present their case. The Head's objective is to establish all the relevant facts to allow him to reach a fair decision. At the adjournment of the hearing, the Head will indicate when he/she expects to be able to consider all the evidence and reach a decision. Ideally, this will be within two school working days and the decision will be confirmed in writing. Prior to this, the Head will contact the Chair of Governors to explain what has happened and to alert them in advance to his decision.

Where a pupil is at risk of permanent exclusion, the option of a voluntary managed move to another school could be considered.

In reaching the decision to permanently exclude, the Head will review the evidence available, including mitigating and aggravating factors relating to any incident, medical or SEN considerations, the academic, extra-curricular and disciplinary record of the pupil concerned, representations of senior pastoral staff and a meeting with the pupil and his/her parents.

Parents should refer to the School's Terms and Conditions for details of the financial implications of exclusion, whether temporary or permanent.

### **Complaints Procedure and Appeals**

This information should be read in conjunction with the School's Complaints Policy.

When a decision is taken to temporarily exclude a pupil from school, parents and pupils may contact the Head if they have concerns about the process the School has followed or the fairness of the conclusion reached.

A formal appeal to Governors is not part of the temporary exclusions procedure but parents may enact the Complaints Procedure if they have any concerns about the decision or the process by which it was reached.

In the event of an appeal by parents against a permanent exclusion, the process followed will be the same as that followed when a formal complaint is made to the governors, as described in the Complaints Policy.

<b>Reviewed by:</b>	Mr Evans – Deputy Head (Pastoral)		
<b>Date of last review:</b>	June 2021	<b>Date of next review:</b>	June 2022