

EXCLUSION POLICY

Heart of England is committed to being a fully accessible and inclusive school. The organisational focus on respect for equality is central to our vision of creating futures. Our core values underpin a safe and caring educational environment where all are able to achieve their personal best.

The school's core purpose is learning and our high expectations are clarified in the behaviour policy. Parents and carers agree to support these values and expectations in the home/school agreement.

Rationale

“Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education.” Department for Education - Exclusion Guidelines

In this policy the Governing Body aims to discharge appropriately its statutory duties as set out in The School Discipline (Pupil Exclusion and Reviews) (England) Regulations 2012 and the Equality Act 2010.

Introduction

Exclusion is a sanction only used by the Principal (or in the absence of the Principal, the Vice Principal who is acting in that role). Before deciding whether to exclude a student either permanently or for a fixed period the Principal will ensure that:

- a) Appropriate investigations have been carried out to establish the facts
- b) All the evidence available has been considered and the civil standard of proof applied
- c) That statutory guidance on exclusions, the Equality Act 2010 and the SEND code of practice has been followed

Having considered these matters the Principal (or Vice Principal acting in that role) will make a decision on exclusion based on the balance of probabilities established and in line with the principles of administrative law. In reaching a decision each case will be considered on its own merit taking into account the complexity of individual context and mitigation.

Exclusion 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: including discriminatory, prejudicial or racist abuse
- Physical abuse
- Indecent behaviour
- Damage to property
- Endangering the safety/welfare of others
- Possession or use of weapons / dangerous objects, banned substances, stolen items
- Theft

- Bullying
- Repeated failure to follow instruction
- Repeatedly disrupting/harming the education of others

This is not an exhaustive list and there may be other situations for which exclusion is judged an appropriate sanction. Exclusions can be either fixed term or permanent. All exclusions will be issued in line with the Department for Education's guide for those with legal responsibilities in relation to exclusion.

Permanent Exclusion

- The decision to exclude a student permanently could be taken 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.

Equality Act 2010

All decisions 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'.

Alternatives to Exclusion

The school will work closely with other local secondary schools to undertake managed moves where such a course of action is deemed appropriate and agreed by the 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.

Behaviour Outside School

The behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgement for the Principal (or Vice Principal acting in this role) in accordance with the school's behaviour policy.

Drug Related Exclusions

In making a decision on whether or not to exclude for a drug-related offence the Principal will have regard to the school's published policy on drugs and will also seek advice from the Local Authority's Drugs Education Adviser.