

# **St Katherine's School**



## **Exclusion Policy**

**Policy Number SKP A039**

**Next Review: November 2021**

**Signed : Justin Humphreys  
Headteacher**

**Dated : 21.11.19**

**Signed: William Harding  
Chair of Governors**

**Dated : 21.11.19**

## **1. INTRODUCTION**

1.1 The use of exclusion is governed by the provisions of the Education (No. 2) Act 1986 as amended by the Education Act 1993. This policy should be read in conjunction with the School Behaviour Policy.

## **2. AIMS & OBJECTIVES / RATIONALE**

2.1 This is an equal opportunity school and our aim is to ensure that all pupils achieve the highest standards of work and behaviour, in a stimulating and challenging environment which promotes and celebrates achievement.

## **3. PROCESS / PROCEDURE**

3.1 The Headteacher (or Deputy Headteacher in the Headteacher's absence) is legally the only person who can exclude a pupil either for a fixed term, or permanently, from school. Except in exceptional circumstances the decision to permanently exclude may only be taken by the Headteacher.

## **4. GUIDELINES**

- To exclude a pupil for a fixed term is a serious sanction and should not be used lightly.
- To exclude a pupil permanently from school is the ultimate sanction, and one that should be avoided if at all possible.
- There are a few actions which will result in an automatic exclusion (fixed term or permanent). Pupils should be made aware of these. Please see appendix A.
- In most cases the decision whether to exclude, for how long, takes into account cumulative unacceptable behaviour, and the response of the pupil to the support and advice offered.
- Parents/Carers should always be warned if their child's behaviour is such that it is likely to lead to an exclusion. Parents/Carers should be involved in preventative strategies.
- Use should be made of the observations of Inclusion colleagues and pastoral leaders to signify that a pupil's behaviour, unless altered, is likely to lead to permanent exclusion.
- Most pupils who are excluded have a history of unacceptable behaviour. The school tries to support pupils to help them improve their behaviour and focus on their work.
- Support available from Inclusion will normally include writing of Individual Education Plans (IEPs) focusing on improving behaviour.
- The School Behaviour Policy sets out the strategies used and the context in which exclusion is used.

## **5. RECOMMENDATIONS FOR EXCLUSIONS**

5.1 The following procedures must be followed:

- The decision to exclude is most likely to follow a particular incident. This may be serious enough to justify exclusion or be the culmination of a series of events.
- Statements must be taken from at least two reliable pupils who witnessed the incident(s), preferably not close friends of the culprit or victim (where a victim exists).
- Statements are usually given in confidence. These must not be directly quoted or shown to other pupils, or their parents, without the permission of the pupil who made the statement.
- Statements from adults who have witnessed the incident must also be taken if possible.
- An Assistant Headteacher, who is the line manager, will discuss what is the most appropriate action to be taken. If a pupil is the subject of an IEP discussions should include the SENDCo. If possible the tutor will also be consulted at this stage.
- If they decide to recommend to the Headteacher that the pupil should be excluded, they prepare the appropriate documentation.
- If the recommendation is to permanently exclude, the Deputy Headteacher (and SENDCo) must prepare the documentation to support the case. This will include a full past history of the pupil including information on attainment. Where appropriate, a full report from

Inclusion must be included. The documentation must be compiled within five working school days of the exclusion.

- The Headteacher makes the final decision (or the nominated person in his absence).
- Every effort must be made to contact parents/carers by phone by the Assistant Headteacher. The pupil must be seen by the Headteacher (or nominated person in his absence) to explain the punishment and arrangements for readmission.
- The standard letter must be used. The reasons for the exclusion must be explained.
- One copy of the letter is posted to the parents/carers and another is placed on the pupil's file.
- During the period of exclusion it is the responsibility of the Assistant Headteacher/Head of House to provide work to be done at home by the pupil.
- The parent must be asked to accompany the pupil on return to school following a fixed term exclusion. (This interview may take place during the period of exclusion. The pupil must be present). They will normally be seen by the Headteacher or nominated Deputy or Assistant Headteacher.
- Agreements to avoid a repeat of unacceptable behaviour must be agreed and documented.
- This may take the form of a behaviour contract or Pupil Support Plan. The pupil may be placed on report. It must be made clear that failure to abide by the agreement will lead to further exclusion. Copies are shared with relevant colleagues so that support can be organised.

## **6. ADMISSION OF PUPILS EXCLUDED FROM OTHER SCHOOLS**

6.1 Any pupil joining St Katherine's School following exclusion from another school will be considered through North Somerset or Bristol panel meetings. The Assistant Headteacher will attend all Admission Forums and Fair Access Panels as part of this commitment by the school.

## **7. MONITORING EXCLUSIONS**

7.1 The Assistant Headteacher will keep a record of all exclusions. Exclusions are reported to the Governors at their Local Governing Body (LGB) meeting each term. Any exclusion of more than five days in aggregate in any one term, or one that would cause a pupil to miss a public exam, must be reported immediately to the Chair of Governors. The Governors can direct that excluded pupils be re-instated either immediately or on a fixed date.

## **8. MEETINGS OF GOVERNORS**

8.1 The decision to exclude permanently, or for five days or more, or for an accrued number of exclusions of 15 days or more over the academic year must be followed by a meeting of Governors to consider the case.

## **9. RIGHT TO APPEAL**

9.1 Parents/Carers have the right to appeal against the Headteacher's decision to exclude their child from school. A meeting is organised by the Clerk to the Governors. The Deputy Headteacher would normally attend this hearing to present evidence. At the end of the meeting the Governors must decide separately whether they agree with the decision of the Headteacher. For a fixed term exclusion they must consider whether the length is appropriate. The Headteacher must abide by the decision. Parents/Carers have a further right to appeal to the Local Governing Body.

## **9.2 Resources**

### **Appendices**

- A. Exclusion offences – See Behaviour Policy
- B. Fixed term exclusion standard letters (1, 2, 3, 4)
- C. Return from Fixed Term Exclusion Reflection Sheet
- D. Permanent exclusion standard letter
- E. Process for Exclusions
- F. Behaviour Contract

## **Appendix A**

A fixed term exclusion will be invoked for serious offences such as bullying or theft. It may also be used for more minor offences after warnings and other sanctions have been tried and failed. Permanent exclusion from school is rare and will only be invoked for very serious offences or after two fixed term exclusions within a reasonable time frame have failed to produce the required satisfactory level of behaviour.

Although this is not an exhaustive list, very serious offences include:

- Serious actual or threatened violence (including bullying) against another pupil or a member of the teaching or non-teaching staff
- Involvement in the possession of or supply of illegal drugs
- Sexual abuse or assault
- Carrying an offensive weapon
- Persistent and defiant misbehaviour
- Any breach of discipline that the Headteacher considers to be serious whether contrary to the school's Code of Conduct, Rules or otherwise

## APPENDIX B

### Exclusion Letter 1 - for exclusion of one or two days

«Todays\_date»

«Parent\_Name»  
«Address\_Line\_1»  
«Address\_Line\_2»  
«Address\_Line\_3»  
«Address\_Line\_4»

Dear «Salutation»

Student: «Student\_Forename» «Student\_Surname» Tutor Group: «Tutor\_Group»  
Date of Birth: «Date\_of\_Birth» UPN: «UP\_Number»

I am writing to inform you of my decision to exclude «Student\_Forename» for a fixed period of «Period\_of\_Exclusion». This means that «heshe» will not be allowed in school for this period. The exclusion begins on «Start\_date» and ends on «End\_date».

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude «Student\_Forename» has not been taken lightly. «Student\_Forename» has been excluded for this fixed period for «Reason\_for\_Exclusion».

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion period unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates above. If so, it will be for you to show reasonable justification.

The school will expect «Student\_Forename» to catch up with work «heshe» misses during this period of exclusion, using homework information on Class Charts.

You have the right to make representations to the School Governors' Discipline Committee. If you wish to make representations please contact The Clerk to the Discipline Committee, Mrs J Moller, at the school as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the exclusion relates to a disability your child has under Equality Act 2010, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal or a County Court.

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>

You also have the right to see a copy of «Student\_Forename»'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of «Student\_Forename»'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact The Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>. The advice line is open from 8.00 am to 8.00

pm Monday to Friday, except Bank Holidays and 24 December to 1 January. You may also want to contact North Somerset Council Prevention and Re-engagement Service, Castlewood, Tickenham Road, Clevedon, BS21 6FW, telephone number 01275 884470, who can advise on what options are available to you.

You may also find it useful to contact IAS at ([www.iassnetwork.org.uk](http://www.iassnetwork.org.uk)). IAS Services provide information, advice and support to disabled children and young people, travellers and those with SEN, and their parents. (Delete if not disabled, SEN or traveller).

We expect «Student\_Forename» to be back in school on «Return\_Date». Mrs Crocker, Assistant Headteacher, has arranged to meet with (Parent/Carer) and «Student\_Forename» at «Meeting\_time\_and\_date» to manage «his/her» return to school. «Student\_Forename» must be in full school uniform. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

Please ask «Student\_Forename» to complete the "Return from Fixed Term Exclusion Reflection Sheet" which is enclosed and bring it to the meeting.

Further information about statutory guidance and regulations on exclusions can be found on: [www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion).

Yours sincerely

Justin Humphreys  
Headteacher

Enc.

Return from Fixed Term Exclusion Reflection Sheet

## **Exclusion Letter 1 - for exclusion of 3 days or more**

«Todays\_date»  
«Parent\_Name»  
«Address\_Line\_1»  
«Address\_Line\_2»  
«Address\_Line\_3»  
«Address\_Line\_4»

Dear «Salutation»

**Student: «Student\_Forename» «Student\_Surname» Tutor Group: «Tutor\_Group»**  
**Date of Birth: «Date\_of\_Birth» UPN: «UP\_Number»**

I am writing to inform you of my decision to exclude «Student\_Forename» for a fixed period of «Period\_of\_Exclusion». This means that «heshe» will not be allowed in school for this period. The exclusion begins on «Start\_date» and ends on «End\_date».

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude «Student\_Forename» has not been taken lightly. «Student\_Forename» has been excluded for this fixed period for «Reason\_for\_Exclusion».

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion period unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates above. If so, it will be for you to show reasonable justification.

The school will set work for «Student\_Forename» during the period of exclusion. This will be e-mailed/printed off to you by «Student\_Forename»'s Head of Year. Please ensure that this work is completed and returned to the school at the time of the re-integration meeting.

You have the right to make representations to the School Governors' Discipline Committee. If you wish to make representations please contact The Clerk to the Discipline Committee, Mrs J Moller, at the school as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the exclusion relates to a disability your child has under Equality Act 2010, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal or a County Court.

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>

You also have the right to see a copy of «Student\_Forename»'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of «Student\_Forename»'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact The Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>. The advice line is open from 8.00 am to 8.00 pm Monday to Friday, except Bank Holidays and 24 December to 1 January. You may also want

to contact North Somerset Council Prevention and Re-engagement Service, Castlewood, Tickenham Road, Clevedon, BS21 6FW, telephone number 01275 884470, who can advise on what options are available to you.

You may also find it useful to contact IAS at ([www.iassnetwork.org.uk](http://www.iassnetwork.org.uk)). IAS Services provide information, advice and support to disabled children and young people, travellers and those with SEN, and their parents. (Delete if not disabled, SEN or traveller).

We expect «Student\_Forename» to be back in school on «Return\_Date». Myself and Deputy Headteacher have arranged to meet with yourself and «Student\_Forename» at «Meeting\_time\_and\_date» to manage «his/her» return to school. «Student\_Forename» must be wearing full school uniform. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

Please ask «Student\_Forename» to complete the "Return from Fixed Term Exclusion Reflection Sheet" which is enclosed and bring it to the meeting.

Further information about statutory guidance and regulations on exclusions can be found on: [www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion).

Yours sincerely

**Justin Humphreys**  
**Headteacher**

Enc.  
Return from Fixed Term Exclusion Reflection Sheet

**Exclusion Letter 2 - for exclusion of more than 5 and up to 15 school days in one term  
(2 old terms)**

«todaysdate»

«parentname»

«address1»

«address2»

«address3»

«address4»

Dear «salutation»

**Name of Student: «studentforename» «studentsurname»; Tutor Group: «tutorgroup»**

**DoB: «dateofbirth»**

**UPN: «UPN»**

I am writing to inform you of my decision to exclude «studentforename» for a fixed period of «periodofexclusion». This means that «studentforename» will not be allowed in school for this period. The exclusion begins on «start\_date» and ends on «expirydate».

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude «studentforename» has not been taken lightly. «studentforename» has been excluded for this fixed period for «reasonforexclusion».

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion period unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates above without reasonable justification. If so, it will be for you to show reasonable justification.

The school will expect «studentforename» to catch up with work missed during this period of exclusion.

**(if the individual exclusion is for more than 5 days – take this paragraph out if not needed)**

**From the [6th school day of the pupil's exclusion [specify date] until the expiry of his exclusion we [For PRUs the local authority] - set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.] will provide suitable full-time education. On [date] he/she should attend at [give name and address of the alternative provider if not the home school] at [specify the time – this may not be identical to the start time of the home school] and report to [staff member's name]. [If applicable – say something about transport arrangements from home to the alternative provider. If not known, say that the arrangements for suitable full time education will be notified by a further letter].**

You have the right to request a meeting of the local governing body at which you may make representations and the decision to exclude can be reviewed. As the length of the exclusion is more than 5 school days in one term the local governing body must meet if you request it to do so. The latest date by which the local governing body can meet is «meeting\_dateno\_later\_than\_50\_days\_from\_». If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact Mrs J

Moller, at St Katherine's School, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also please inform Mrs Moller if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has under Equality Act 2010, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal or a County Court.

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>

You also have the right to see a copy of «studentforename»'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of «studentforename»'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact The Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>. The advice line is open from 8.00 am to 8.00 pm Monday to Friday, except Bank Holidays and 24 December to 1 January. You may also want to contact North Somerset Council Prevention and Re-engagement Service, Castlewood, Tickenham Road, Clevedon, BS21 6FW, telephone number 01275 884470, who can advise on what options are available to you.

You may also find it useful to contact IAS at ([www.iassnetwork.org.uk](http://www.iassnetwork.org.uk)). IAS Services provide information, advice and support to disabled children and young people, travellers and those with SEN, and their parents.

We expect «studentforename» to be back in school on «returndate». You are required to attend a re-integration meeting before «studentforename» can return to school. Please can you bring «studentforename» into school, in full school uniform, at «time\_of\_meeting» on «day\_of\_meeting» to meet with «Contact\_name». Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

Please ask «studentforename» to complete the "Return From Fixed Term Exclusion Reflection Sheet" which is enclosed and bring it to the meeting.

Further information about statutory guidance and regulations on exclusions can be found on: [www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion).

Yours sincerely

**Justin Humphreys**  
**Headteacher**

Enc. Return from Fixed Term Exclusion Reflection Sheet

### **Exclusion Letter 3 - more than 15 school days in one term (old term)**

«todaysdate»

«parentsname»

«address1»

«address2»

«address3»

«address4»

Dear «salutation»

Name of Student: «studentforename» «studentsurname»; Tutor Group: «tutorgroup» DoB: «DoB»  
UPN: «UPN»

I am writing to inform you of my decision to exclude «studentforename» for a fixed period of «periodofexclusion». This means that «studentforename» will not be allowed in school for this period. The exclusion begins on «start\_date» and ends on «expirydate».

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude «studentforename» has not been taken lightly. «studentforename» has been excluded for this fixed period because of «reasonforexclusion».

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion period unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates above without reasonable justification. If so, it will be for you to show reasonable justification.

The school will continue to set work for «studentforename» during the period of «hisher» exclusion. Please ensure that any work set by the school is completed and returned to us promptly for marking.

As the length of the exclusion is more than 15 school days in total in one term the governing body must meet to consider the exclusion. At the review meeting you may make representations to the governing body if you wish. The latest date on which the governing body can meet is «meeting\_dateno\_later\_15\_days\_from\_Commi». If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact Mrs J Moller at the school as soon as possible. You will, whether you choose to make representations or not, be notified by Mrs Moller of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform Mrs Moller if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has under Equality Act 2010, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal or a County Court.

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>

You also have the right to see a copy of «studentforename»'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of

«studentforename»'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact The Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>. The advice line is open from 8.00 am to 8.00 pm Monday to Friday, except Bank Holidays and 24 December to 1 January. You may also want to contact North Somerset Council Prevention and Re-engagement Service, Castlewood, Tickenham Road, Clevedon, BS21 6FW, telephone number 01275 884470, who can advise on what options are available to you.

You may also find it useful to contact IAS at ([www.iassnetwork.org.uk](http://www.iassnetwork.org.uk)). IAS Services provide information, advice and support to disabled children and young people, travellers and those with SEN, and their parents.

«studentforename»'s exclusion expires on «expirydate» and we expect «studentforename» to be back in school on «returndate». You are required to attend a re-integration meeting before «studentforename» can return to school. Please can you bring «studentforename» into school, in full school uniform, at «time\_of\_meeting» on «day\_of\_meeting» to meet with «Contact\_name». Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

Please ask «studentforename» to complete the "Return From Fixed Term Exclusion Reflection Sheet" and bring it to the meeting.

Further information about statutory guidance and regulations on exclusions can be found on: [www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion).

Yours sincerely

Justin Humphreys  
Headteacher

Enc.

**APPENDIX C**

**Return from Fixed Term Exclusion Reflection Sheet**

**Please complete this form so that you can discuss the incident that has resulted in you receiving a Fixed Term Exclusion with a member of SLT or your Head of House**

<b>Name</b>	
<b>TG</b>	
<b>Date</b>	
<b>Period/Time of Incident</b>	
<b>What did you do?</b>	
<b>Why did you do it?</b>	
<b>Who has been affected by what you did?</b>	

**How were they affected?**

**How do you feel about what has happened now?**

**How would you behave differently next time?**

**What do you need to do to make things right?**

## Appendix D - Permanent Exclusion

Date

«parentname»  
«address1»  
«address2»  
«address3»  
«address4»

Dear «parentname»

Student: «studentforename» «studentsurname» Tutor Group: «tutorgroup»  
Date of Birth: «DoB» UPN: «UPN»

I regret to inform you of my decision to permanently exclude «studentforename» with effect from «dateofexclusion». This means that «he\_she» will not be allowed in this school unless «he\_she» is reinstated by the Governing body, discipline committee or by an appeal panel.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude «studentforename» has not been taken lightly. «studentforename» has been excluded permanently because (1) persistent breaches of the school's behaviour policy (2) serious breach of the school's behaviour policy (include relevant previous history, also demonstrating how allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school«reasonforexclusionplusrelevanthistory».)

You have a duty to ensure «studentforename» is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. «M\_1st\_5\_days\_dates» unless there is reasonable justification. You could be prosecuted or receive a penalty notice if he is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

Alternative arrangements for «studentforename»'s education will continue to be made. In the first 5 school days of the exclusion we will set work for «studentforename» and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards i.e. from «Sixth\_day» I Bristol/North Somerset Local Authority will provide suitable full-time education. [Set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter].

As this is a permanent exclusion the governing body must meet to consider it. At the review meeting you may make representations to the governing body if you wish and ask them to reinstate «studentforename» in school. The governing body have the power to reinstate your child immediately or from a specified date, or alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an Independent Appeal Panel.

The latest date by which the governing body must meet is «meetingdatenolaterthan15days». If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact Mrs J Moller (Clerk to Discipline Committee), St. Katherine's School, Ham Green, Pill, Bristol BS20 0HU, telephone 01275 376852 or email: [mollerj@stkaths.org.uk](mailto:mollerj@stkaths.org.uk) as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the Discipline Committee of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform my PA, Mrs Moller, if it would be helpful for you to have an interpreter present at the meeting.

If you think this exclusion relates to a disability «studentforename» has, and you think disability discrimination has occurred, you may raise this issue with the governing body.

You have the right to see a copy of «studentforename»'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of

«studentforename»'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

**(Delete two of these paragraphs depending on Local Authority)**

**Bristol**

I have also today informed Chris Davies, Headteacher, Alternative Learning Provision, ALP Hub at Bristol City Local Authority of «studentforename»'s exclusion and he will be in touch with you about arrangements for «his\_her» education from the sixth school day of exclusion, which is «Sixth\_day». You can contact Chris Davies on 0117 903 7299.

**North Somerset**

As a school we are under a duty to inform the Local Authority of the permanent exclusion, we have already done this; but you may also wish to contact Jaida Aldred at The Education Inclusion Service, North Somerset Council on 01275 888 801 or email Jaida.aldred@n-somerset.gov.uk for further advice and support.

**Other**

I have also today informed [name of officer] at [name of authority] of your child's exclusion and they will be in touch with you about arrangements for «his\_her» education from the sixth school day of exclusion. You can contact them at [give contact details].

You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. Coram Children's Legal Centre ([www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)) or ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10am to 1pm during term time).

Other free sources of information:

(<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) (0808 800 4002 or [schoolexclusions@nas.org.uk](mailto:schoolexclusions@nas.org.uk)), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>).

Further information about statutory guidance and regulations on exclusions can be found on: [www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion).

Yours sincerely

**Mr Justin Humphreys  
Headteacher**

## **APPENDIX E**

### **PROCESS FOR EXCLUSIONS**

Exclusion should be a last resort. Strategies of early intervention, multi-agency assessment and the implementation of the school's behaviour policy may be sufficient to deal with disruptive behaviour.

However, good discipline in schools is essential so that all pupils can learn, therefore the government supports the Headteacher in using exclusion as a sanction when warranted.

The legislation on exclusions applies to maintained schools, academies, free schools and pupil referral units.

The decision to exclude a pupil must be

- Lawful
- Rational
- Reasonable
- Fair
- Proportionate

Informal or unofficial exclusions are unlawful; all exclusions must be formally recorded.

A lunchtime exclusion must be officially recorded as a half day exclusion

### **The Process**

Key people are:

Headteachers

Governing Bodies

Local Authorities

Academy Trusts

Independent Panel review members

Special Educational Needs Experts

When considering exclusion, schools must not discriminate on

- Sex
- Race
- Disability (including a duty to make reasonable adjustment)
- religion or belief
- sexual orientation
- pregnancy/maternity
- gender reassignment

Schools must consider their statutory duties in line with Special Educational Needs.

Only the Headteacher can exclude a pupil and this must be on disciplinary grounds. The Headteacher has a duty to notify parents/carers and governors. The parent/carer will be notified about their right to make representation to the Governing Body.

The behaviour of pupils outside school can be grounds for exclusion. Please refer to the school behaviour policy.

Schools may provide off-site education if this is deemed appropriate or transfer to another school as part of a managed move. This must be with the consent of all parties (including parents/carers).

The Headteacher must inform the Governing Body without delay of any of the following:

- A permanent exclusion
- Exclusions of more than 5 days in a term
- Exclusions that would result in a pupil missing a public examination or national curriculum test

For all other exclusions the Headteacher must notify the Governing Body once a term including information on the reasons and duration of the exclusions.

The Governing Body must submit to the Secretary of State and the Local Authority information about exclusions annually.

Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.

### **Fixed Period Exclusions**

A fixed period exclusion does not have to be for a continuous period.

A fixed period exclusion may be extended or converted to a permanent exclusion but only in exceptional circumstances (e.g. if new evidence has come to light).

An exclusion cannot be extended for a non-disciplinary reason. For example, the failure of parents/carer or pupil to meet certain conditions such as attending a reintegration meeting cannot be used to prolong the exclusion.

the first five days of an exclusion, schools should take steps to set and mark work for the pupil. After the 6th day alternative provision must be made.

The legal limit for fixed term exclusions is 45 days in one year.

### **Re-integration strategy (see below):**

Schools should have a strategy for reintegrating pupils after a fixed period exclusion and for managing their subsequent behaviour.

Permanent exclusion should:

- be in response to persistent or serious breaches of the school's code of behaviour and be implemented when allowing the pupil to remain in school would seriously harm the education or welfare of other pupils.

### **Governors' duties:**

The Headteacher must inform the Governing Body without delay of any of the following:

- A permanent exclusion
- Exclusions of more than 5 days in a term
- Exclusions that would result in a pupil missing a public examination or national curriculum test

For all other exclusions the Headteacher must notify the Governing Body once a term including information on the reasons and duration of the exclusions.

The Governing Body must submit to the Secretary of State and the Local Authority information about exclusions annually.

### **Re-integration strategy:**

Schools should have a strategy for reintegrating pupils after a fixed period exclusion and for managing their subsequent behaviour.

For a fixed period of exclusion of more than 5 days the Governing Body must arrange suitable full time education for the pupil.

The Governing Body has a duty to consider parents' representations about an exclusion.

If the exclusion will result in a pupil missing a public exam or National Curriculum test the Governing Body must convene a meeting to consider reinstatement - within 15 days, but take reasonable steps to meet before the examination. If this is not practicable the Chair of Governors may act independently. The governors will consider whether an excluded pupil should be allowed on site for the sole purpose of taking the test or examination.

If the exclusion is permanent, or the fixed period will take the pupil over 15 excluded days for the term, the Governing Body must convene a meeting to consider reinstatement within 15 days of the exclusion.

If the exclusion takes the excluded days for the pupil above 5 for the term the governors must convene a meeting within 50 days of the exclusion if the parents request it.

The Governing Body may delegate its functions to a designated sub-committee.

For an exclusion of less than 5 days the governors must consider any representations made by parents/carers but cannot overturn the Headteacher's decision.

The meeting with parents/carers will consist of the Headteacher, the designated governors (and a representative of the Local Authority for maintained schools and PRUs).

### **Governors' Roles and Responsibilities**

The Governor's Meeting In preparing for a consideration of exclusion meeting Governors should

- Not discuss the exclusion with any other party
- Try to arrange the meeting at a convenient time for all parties taking account of statutory time limits
- Circulate written evidence before the meeting
- Allow parents and pupils to be accompanied by a friend
- Make reasonable adjustments as appropriate for people attending the meeting
- Take steps to enable the excluded pupil to attend the meeting, taking into account their age and understanding

Governors should identify the steps they will take to ensure all parties are supported to participate and their views properly heard. Minutes should be taken and made available to all parties on request.

Governors should ask all parties to withdraw before making a decision.

They must take into account the Headteacher's legal duties and consider whether the exclusion was

- Legal
- Reasonable
- Procedurally fair

Governors must consider the interests and circumstances of the excluded pupil and listen to representations of the pupil, parents, the Headteacher and, if a maintained school or PRU, the Local Authority.

They must apply the civil standard of proof 'on the balance of probabilities.'

The governors must consider whether the Head's decision to exclude was justified. They can either

- Uphold the exclusion
- Direct the reinstatement of the pupil either immediately or on a specific date

The outcome should be noted on the pupil's educational record along with copies of all relevant documents.

If governors do not have the power to reinstate (for an exclusion of less than 5 days) they should consider whether they should place a note on the pupil's record.

Governors must notify all parties of their decision and reasons in writing and without delay. If the exclusion is permanent they must include information about the right for parents to have the decision to be reviewed by an independent review panel and the right to require the Local Authority/Academy Trust to appoint a SEN expert to attend.

Where parents dispute the decision of the governors not to reinstate a permanently excluded pupil they may ask for this decision to be reviewed by an independent review panel, even if they did not attend the exclusion meeting or make any representations.

The role of the independent review panel is to review the Governing Body's decision. It does not have the power to reinstate a permanently excluded pupil.

The panel can:

- Uphold the decision
- Recommend that the Governing Body reconsider their decision
- Quash the decision and direct the Governing Body to consider the exclusion again

Whether or not the school recognises that an excluded pupil has Special Educational Needs, parents have the right to request the presence of a SEN expert. Their role is to provide impartial advice as to how SEN could be relevant to the exclusion. Where the SEN expert is present, the panel must seek, and take into account, their evidence.

The Local Authority/Academy Trust must constitute the panel with 3 or 5 members representing:

- A lay member to chair the panel who has not worked in a school in a paid capacity apart from any experience as a governor or volunteer

- School governors who have served for at least 12 consecutive months during the last 5 years though have not been a teacher or Headteacher during this time
- Headteachers or people who have been a Headteacher within the past 5 years

### **Appeals Against Permanent Exclusion**

Panel members and clerks must have undertaken appropriate training within 2 years of the review.

The panel members must NOT:

- Be members of the Governing Body or Academy Trust of the excluding school
- Headteacher or former Headteacher (within the past 5 years) of the excluding school
- An employee of the excluding school
- Have connections with the exclusion which might influence their impartiality
- Have not had the required training within the past 2 years

Where a panel directs a Governing Body to quash the decision and reconsider the exclusion it can order a readjustment of the school's budget of £4000 if the Governing Body does not reinstate the pupil within 10 days.

This does not apply if the panel has only directed the Governing Body to reconsider their decision.

### **Reconsidering an exclusion following a review**

The Governing Body must reconvene within 10 days. If they do not offer to reinstate the pupil within 10 days an adjustment of £4000 may be made to the school's budget. An Academy would be required to make an equivalent payment to the Local Authority.

In the case of a recommended or directed reconsideration the Governing Body must inform parents, the Headteacher and the Local Authority of their reconsidered their decision without delay.

## Appendix F

### St Katherine's School Behaviour Contract

**Name:**

**Tutor group:**

**Date:**

**Parent/Carer details:**

Following a number of unpleasant interactions and incidents over a prolonged period of time involving XXXXXXXXXXXXXXXX the following contract is agreed.

#### Student agreement and commitment:

1. I will not be unkind, intimidating or threatening to other students at St Katherine's School directly, indirectly, through a third party or via social media. This includes when on St Katherine's School site or off site in the community.
2. I will not provoke or instigate any form of physical aggression against another student at St Katherine's School.
3. I will pass any concerns I have onto my Head of House, Student Support Office or xxxxxxxx immediately.
4. I will not discuss any aspects of previous incidents with other students or peers outside of school.
5. I will not use social media to harass, alarm or distress any person.
6. I will listen and respond to any support or advice offered to help me by the school and other agencies or organisations.
7. I will respect the social space of xxxxxxxxxxxxxx and avoid contact at social times i.e. before school, break time, lunch time, after school.

Any breach of this contract will result in a higher level school sanction such as referral to the Ready To Learn room or external exclusion.

#### Parent/Carer agreement and commitment:

1. I will do all you can to support my child to abide by the above agreed requirements.
2. I agree to listen to and consider what support may be on offer to parents/carers and/or the young person, from St Katherine's School or other agencies/organisations.

#### DECLARATION

I confirm that I understand the meaning of this contract.

Pupil name: \_\_\_\_\_ Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Carer: \_\_\_\_\_ Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Head of House: \_\_\_\_\_ Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Senior Leadership: \_\_\_\_\_ Signed: \_\_\_\_\_ Date: \_\_\_\_\_