

Aberdare Community School Ysgol Gymunedol Aberdâr



Exclusion Policy

Date Adopted	18 th May 2022
Signature of Headteacher	<i>Carol Morgan</i>
Signature of Chair of Governors	<i>J. R. Radford</i>
Date to be reviewed	May 2023

ABERDARE COMMUNITY SCHOOL POLICY AND PROCEDURES FOR EXCLUSION

General

The Governors of Aberdare Community School consider that the use of the Head Teacher's power to exclude from school can be essential for the purposes of establishing and maintaining good order and discipline. They believe that its use should be reasonable and proportionate. Within these limits they support the Head Teacher in using her discretion in the exercise of these powers.

Purpose

This policy and procedure document is intended to give a clear indication to staff, parents and learners/students the kinds of circumstances within which the Head Teacher will use her powers to exclude and the procedures that will be followed in exercising them. Governors will rely on this in reviewing the actions of the Head Teacher in excluding learners.

POLICY

The Head teacher will have due regard to the guidance on Exclusion from Schools and Learner Referral Units Circular No: 255/2019.

Only the head teacher can exclude a learner. If they are absent from school, then the most senior teacher may exercise the power of exclusion, though they should make clear that they are acting in the head's absence.

A decision to exclude a learner should be taken only:

- in response to serious breaches of the school's behaviour policy;
and
- if allowing the learner to remain in school would seriously harm the education or welfare of the learner or others in the school.

A decision to exclude a child permanently is a serious one. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies, which have been tried without success. It is an acknowledgement by Aberdare Community School that it has exhausted all available strategies for dealing with the child and will normally be used as a last resort.

There will, however be exceptional circumstances where, in the head teacher's judgement, it is appropriate to exclude permanently a child for a first or one-off offence. These might include:

- serious actual or threatened violence against another learner or a member of staff
- sexual abuse or assault
- supplying an illegal drug
- use or threatened use of an offensive weapon.

The school, if appropriate, will inform the police if they believe such a criminal offence has taken place.

There may be cases where this approach is appropriate for learners excluded for a fixed-period. The school will also consider whether or not to inform other agencies, e.g. Youth Offending Services, social workers, etc.

In making a decision on whether or not to exclude the head teacher will have regard to all the relevant school's policies.

Behaviour Outside School

Learners' behaviour outside school on school business, e.g. on school trips, away school sports fixtures or work experience placements is subject to the school's behaviour policy. Bad behaviour in these circumstances should be dealt with as if it had taken place in school.

PROCESS

Exclusion will not be imposed in the heat of the moment, unless there is an immediate threat to the safety of others in the school or the learner concerned. Before deciding whether to exclude a learner, either permanently or for a fixed-period, the head teacher will:

- ensure that an appropriate investigation has been carried out
- consider all the evidence available to support the allegations, taking account of the school's behaviour for learning and equal opportunities policies, the Equality act (2010) and the best interest of the child, in line with the United Nations Convention on the Rights of the Child.
- allow the learner to give his or her version of events
- check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment
- if necessary consult others, but not anyone who may later have a role in reviewing the head teacher's decision, for example a member of the Discipline Committee.
- If satisfied that, on the balance of probabilities, i.e. it is more likely than not that the learner did what he or she is alleged to have done, the head teacher may exclude the learner.

Informing

Head teacher will carefully follow the procedures set out in law and statutory guidance, which are designed to ensure fairness and openness in the handing of exclusions.

- the 'relevant person' will be notified immediately, ideally by telephone or other reasonable method, followed up by a letter within one school day.

The Letters of notification of exclusion will state:

- for a fixed-period exclusion - the precise period of the exclusion
- for a permanent exclusion - the fact that it is a permanent exclusion
- the reasons for the exclusion
- the parent and learner's right to make representations about the exclusion to the Discipline Committee
- the person whom the parent and/or learner should contact if they wish to make such representations
- the parent's/carer's right to see and have a copy of the learner's educational record upon written request to the school as outlined in regulation 5 of the Education (Learner Information) (Wales) Regulations 2004.
- in the case of a fixed-period exclusion, the date and time when the learner should return to school (in the case of a lunchtime exclusion, the number of lunchtimes for which the learner is being excluded, and if applicable the arrangements for the child to receive free school meals)
- if the exclusion is permanent, the date it takes effect and any relevant previous history
- the arrangements made for enabling the learner to continue his or her education,

including the setting and marking of work.

- It is the parent's responsibility to ensure that work sent home is completed and returned to school
- the name and telephone number of an officer of the LEA who can provide advice

Members of staff who teach excluded learners/ will provide work for these learners to do at home and make it available as instructed by the Progress Leader responsible for those learners.

Governors Discipline Committee

- The Discipline Committee will be convened in accordance with current regulations by the Clerk to Governors;
- It will be clerked and advised by the Clerk to Governors or a person with experience in clerking such meetings;
- The Clerk will ensure that all members of the Committee are reminded of the legal framework for their hearing;
- The conduct of the meeting will be in the hands of the Chair of the Committee, in accordance with the rule of natural justice and having regard to any guidance issued; and
- The decision will be taken by the Governors meeting alone with their Clerk after all parties have had the opportunity to state their case and respond to the point put by other parties.

Reintegration

A reintegration meeting with parents and/or learner after a fixed-period exclusion will be arranged along with a review of the education of the learner with all interested parties as soon as is reasonably possible. This could include the review of any Pastoral Support Plan (PSP) already in place or the introduction of a PSP if one did not already exist. A fixed-period exclusion will not be extended in order to hold such a meeting if the parents and/or learner does not attend.