



## Abbey Gate College

POLICY: Exclusion	
Scope	Whole College
Responsibility	Head of Pastoral
Review & Update	November 2021
Governor Approval	Andrew Grime

### CONTENT HYPERLINKS

[Policy Statement \(1\)](#)

[Policy Statement \(2\)](#)

[Key Personnel](#)

[Practice \(1\) – Reasons for Exclusion](#)

[Practice \(2\) – Fixed Term Exclusion \(Suspension\)](#)

[Practice \(3\) – Permanent Exclusion](#)

[Practice \(4\) – Behaviour Outside of College](#)

[Practice \(5\) – Drug-Related Exclusions](#)

## Policy Statement (1)

Throughout the whole College we strive to ensure that pupils develop a strong understanding of right and wrong. It is an important part of life that pupils learn that there are consequences and sanctions, for when serious breaches of the College's ethos or rules take place. Time away from school also facilitates personal reflection and learning, as a foundation for a return to school, if applicable, within the College's restorative ethos.

A pupil is liable to exclusion for a serious breach of College discipline, for example a criminal offence or a wilful act calculated to cause serious offence or damage to the College, its community or any of its members. Unacceptable behaviour, which has previously been reported and for which School sanctions and other interventions have not been successful in modifying (this could include illegal actions outside College), could also result in exclusion.

The policy applies to all pupils, regardless of age. It also applies both in and outside College. For example, it will apply to behaviour on the journey to and from College or when taking part in any school organised activity, or whenever a pupil is clearly identifiable as a pupil at the College. Any behaviour by a pupil which could have repercussions for the orderly running of the College or poses a threat to another pupil or member of the public or could adversely affect the reputation of the College is also covered by this policy.

The aims of this policy are:

- 1) To enable the Head to carry out their responsibilities of maintaining order and good discipline in the College.
- 2) To ensure, as far as possible, that every pupil in the College feels safe and is able to benefit from - and make a full contribution to - the life of the College, consistent always with the needs of the school community.
- 3) To authorise the College's ethos and rules and any procedures necessary for implementing them.
- 4) To set out the purpose, process, and arrangements for exclusions.

## Policy Statement (2)

- 1) This policy applies to all members of the Abbey Gate College community, including those in our EYFS setting.
- 2) Abbey Gate College implements this policy through adherence to the procedures set out in the rest of this document.
- 3) This policy is made available to all interested parties on the College website at [www.abbeygatecollege.co.uk](http://www.abbeygatecollege.co.uk). It should be read in conjunction with the College's *Behaviour, Code of Conduct, PSHE, Safeguarding (including Peer on Peer Abuse), and Supervision* policies.
- 4) Abbey Gate College is fully committed to ensuring that the application of this policy is non-discriminatory in line with the UK Equality Act (2010). Further details are available in the College's *Equal Opportunity* policy document.
- 5) This policy is reviewed at least annually, or as events or legislation changes require, by the College Leadership Team and the Governing Body. The deadline for the next review is no later than 12 months after the most recent review date indicated above.
- 6) The most recent updates were made on account of personnel changes.

## Key Personnel

- 1) Craig Jenkinson: Head
- 2) Nerys Moses: Head of Pastoral (Senior School)
- 3) Marie Hickey: Head of Infant & Junior School
- 4) Corinna Travis: Assistant Head of Infant & Junior School (i/c pastoral)

## Practice (1) – Reasons for Exclusion

The decision to exclude a pupil will be justified in the following circumstances:

- 1) In response to a serious breach of the Behaviour Policy, including the Code of Conduct;
- 2) If allowing the pupil to remain in College would seriously harm the education or welfare of the pupil or others therein, especially where this conflicts with the College's Safeguarding Procedures.

Exclusion is a serious sanction and is only administered by the Head (or, in the absence of the Head, the Deputy Head who is acting in that role). The Chair of Governors is informed of any exclusion by the Head (or, in the absence of the Head, the Deputy Head who is acting in that role).

Exclusion, whether fixed term or permanent, may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the Behaviour Policy:

- Verbal abuse to pupils or any member of the staff
- Physical abuse or assault on another pupil or staff
- Indecent/offensive behaviour
- Bringing, using, or supplying illegal drugs, or substances intended to resemble them, or other prohibited substances (eg. cigarettes, e-cigarettes/vaping equipment)
- Theft
- Sexual abuse or assault
- Bullying
- Misuse of the Internet, including social media, to hurt or intimidate others, or damage the reputation of the College, including inappropriate use of the College name and image
- Possessing, threatening with, or using a prohibited weapon, or an item intended to resemble a weapon
- Any other significant peer on peer abuse, not covered by the above
- Damage to property
- Arson
- Unacceptable behaviour which has previously been reported and for which School sanctions and other interventions have not been successful in modifying (this could include illegal actions outside College)
- Attendance in school in an unfit state due to substance abuse
- Dangerous behaviour on or around the campus

This is not an exhaustive list and there may be other situations where the Head, in conjunction with the Chair of Governors as applicable, makes the judgment that exclusion is an appropriate sanction.

Where there is a situation of immediate threat to the safety of a pupil or a member of staff, any action taken will be to preserve the safety of all concerned. Senior School investigations to gather evidence and statements from all involved in a situation will be co-ordinated by a Head of Year in consultation with the Head of Pastoral. At the Infant and Junior School, the class teacher will gather evidence and statements in consultation with and with support from the Assistant Head. This process will be focussed on obtaining as much evidence-based information as possible. Once information has been collated, the decision relating to appropriate sanction will be determined by the Head.

### **Practice (2) – Fixed Term Exclusion (Suspension)**

Most exclusions (suspension) are of a fixed term nature and are of short duration. The DfE regulations allow the Head to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

The following procedures are followed in all cases, unless specific circumstances require a different approach, at the Head's reasonable discretion:

- 1) All incidents are investigated informally, to ascertain whether there is sufficient reason to progress to a formal stage.
- 2) Informal investigation is usually carried out by appropriate staff, as directed by the Head of Pastoral or Assistant Head of the Infant & Junior School.
- 3) Informal investigation is likely to include, but is not limited to:
  - Interview(s) – 2 staff are recommended, and initial notes may be taken
  - Written statement(s) – pupils may be kept separated, in order to maintain the integrity of individual versions
  - CCTV footage review – this can only be done in the physical presence of the Head of Pastoral or the Assistant Head of the Infant & Junior School (ref. *Data Protection policy*)
- 4) If the evidence is inconclusive and, on the balance of reasonable probabilities and professional judgement, an outcome is unclear, the incident is recorded and managed in accordance with the College's *Behaviour* policy.
- 5) If the evidence is believed to be sufficient to warrant a formal and serious sanction, the Head is informed in full, and decides on the intended outcome. The Head's authorisation is required for any exclusion across the whole College.
- 6) For an exclusion to take place, parents/carers/guardians are contacted as soon as possible and asked to attend a meeting at the earliest opportunity, with their child, with the Head; during which they will be advised of the situation, the outcome of the investigation and informed of the sanction. At the Infant and Junior School the meeting is with the Head and Assistant Head of the Infant and Junior School.
- 7) This meeting does provide opportunity for all parties to listen and speak; however, the Head's decision at the end of the meeting with regard to a fixed-term exclusion is final, and there is no process of appeal. It is naturally hoped that parents will support the College and trust the College's processes and intentions throughout. If the outcome is not supported, parents are directed to the College's *Complaints* policy.
- 8) A formal letter is handed to parents, or sent through the post, giving details of the exclusion and the date the exclusion ends.

- 9) A fixed term exclusion will usually take the form of a suspension and results in the pupil being required to remain at home, under parental supervision. Most fixed term exclusions are a 1-day or 2-day suspension.
- 10) Following the completion of a fixed term exclusion, on the morning of the day that the pupil returns to College, the pupil should meet with a designated member of the College Leadership Team.
- 11) During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the premises, may not represent the College in any way.
- 12) Excluded pupils are issued with/able to access work to be completed during the exclusion period.
- 13) In the case of a pupil being excluded for over 15 days in a school term or missing a public examination, the Head will explain the reasons for the decision to the Chair of Governors who will consider appropriate evidence, such as the pupil's record, witness statements and the strategies used by the College to support the pupil prior to exclusion.

### **Practice (3) – Permanent Exclusion**

The decision to exclude a pupil permanently is an extremely serious one at Abbey Gate College. There are two main types of situation, for which permanent exclusion may be considered.

The first is a final, formal step in a concerted process for dealing with disciplinary offences, following the use of other strategies, which have been unsuccessful in encouraging a student to align their behaviour and/or attitude sufficiently and sustainably with the College's ethos and Code of Conduct. This would include persistent and defiant misbehaviour, bullying, or a combination and accumulation of various unacceptable behaviours, which have a detrimental impact on an individual and/or the College community.

The second applies to circumstances of such seriousness, where it is not appropriate to implement other strategies and/or where it is appropriate to permanently exclude a pupil for a first or 'one off' offence. The nature, the impact, and the degree of severity of the incident would all be contributory factors for consideration, in determining the final outcome. The Head will also consider police involvement should any of the above offences occur.

Permanent exclusion will not be imposed instantly, unless there is an immediate threat to the safety of others in the College or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Head will:

- 1) Ensure appropriate investigations have been carried out, in line with informal and formal procedures, as above and as reasonably applicable.
- 2) Consider all the evidence available to support the allegations.
- 3) Consider the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Behaviour Policy.
- 4) Allow the pupil to give both a verbal and statemented account.
- 5) Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment, or whether there are other mitigating factors of influential significance.
- 6) Consider the effect that the pupil remaining in College would have on the education and welfare of other pupils and staff.

If the Head is satisfied that, on the reasonable balance of probabilities, the pupil did what they are alleged to have done, exclusion may be the outcome.

Nonetheless, in the case of a pupil found in possession of an offensive weapon or illegal substances, whether there is an intention to use it or not, it is the College's usual practice in this particularly serious matter to issue a permanent exclusion. This applies equally in an instance of significantly serious abuse and/or inflicting notable harm – physical or emotional – towards a peer or a member of staff, including online behaviours.

In line with their statutory duty, these same tests of appropriateness will form the basis of the deliberations of the Chair of Governors when considering the Head's decision to exclude. The Head will explain the reasons for the decision and the Chair of Governors will have regard to appropriate evidence for the specific incident, the pupil's record, witness statements, and the strategies used by the College to support the pupil prior to exclusion, if applicable.

For a permanent exclusion to take place, parents are contacted in accordance with similar, as appropriate and applicable, procedures to a fixed-term exclusion.

Should a decision be made to permanently exclude a pupil, parents will be advised that they have the right to appeal the decision and that this must be within 5 school working days of the decision (a working day is defined as a day during term time when the school is in session). During this period and during the Review Process the pupil will remain excluded.

In the instance of an appeal against the decision to exclude permanently, a panel of 3 Governors (one of whom shall be independent of the management and running of the College) appointed by the Chair of Governors will, as soon as practical, review the circumstances in consultation with the Head and consider the appropriateness of the actions taken. Parents have a right to be accompanied to the meeting to make representations to the Head and the panel appointed by the Chair of Governors. Legal representation will not normally be appropriate. The decision of the panel of Governors is final and the Complaints Policy cannot be applied.

#### **Practice (4) – Behaviour Outside of College**

The College expects pupils to adhere to the standards of behaviour as outlined in our *Behaviour Policy*, both in College and when away from site: e.g. outside College on school "business" such as school trips and journeys, school sports fixtures or on a work experience placement and/or when they are recognisably connected to the College. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in College. If pupils' behaviour in the immediate vicinity of College or on a journey to and from, is poor and meets the College criteria for exclusion then the Head may decide to exclude.

Any behaviour by a pupil which could have repercussions for the orderly running of the College or poses a threat to another pupil or member of the public or could adversely affect the reputation of the College is also covered by this policy.

#### **Practice (5) – Drug-Related Exclusions**

In making a decision on whether or not to exclude for a drug-related offence, the Head will have regard to the *Drugs Policy* and will consult with the Chair of Governors. The decision will depend on the precise

circumstances of the case and the evidence available. The Head will make a judgment set against the criteria in the *Drugs Policy*, which is zero tolerance.

The impact or possibility of bringing the College name into disrepute is also considered in all cases.