

# OLDHAM HULME GRAMMAR SCHOOL

## EXCLUSION POLICY

*This policy is applicable from EYFS through to Year 13*

### Principles

This policy and procedure document is intended to give a clear indication to staff, parents and pupils of the kind of circumstances within which the Principal, Deputy Principals, Assistant Principal (Pastoral), Head of Sixth Form and Heads of Juniors and Nursery & Infants will use their powers to exclude and the procedures that will be followed in exercising them. Governors will rely on this in reviewing the actions of the Principal, Deputy Principals, Assistant Principal (Pastoral), Head of Juniors and Nursery & Infants in excluding pupils. In deciding on exclusions the school recognises its moral responsibility to its pupils, both those who are victims and perpetrators, as well as the wider school community.

**NB** The Principal alone has the authority to *permanently exclude* a pupil.

### Fixed Term Exclusions

While always having regard to the circumstances of a particular case the Principal, Deputy Principal, Assistant Principal (Pastoral), Head of Sixth Form, Heads of Juniors / Head of Nursery & Infants will be likely to use fixed term exclusions in the following kinds of cases. This list does not list every offence for which fixed term exclusions may be used but gives an indication of the kinds of case where it will be used:

- sustained challenge to the authority of a member of staff
- bullying, harassment or abuse (including on the grounds of gender, gender identity, race, ethnicity, religion or sexual orientation);
- persistent defiance of school authority or disruption of teaching and learning;
- acts of vandalism or minor physical violence;
- using alcohol on the school sites;
- persistent or serious flouting of the school's procedures during the COVID 19 pandemic;
- conduct likely to bring the school's reputation into disrepute.

The length of the exclusion will be proportionate to the gravity of the offence and will usually last between 1 – 5 days. In exceptional circumstances it may be appropriate for a pupil to serve a fixed term exclusion of more than 5 days. In such circumstances the Principal is likely to seek outside professional advice.

### Permanent Exclusion

Permanent exclusion will be reserved for offences that will have a seriously damaging effect on the life of the schools, the well-being of other pupils or of staff or seriously and persistently interfere with teaching and learning in the school. This can include but is not limited by:

- serious violence which creates fear and anxiety among staff or pupils;
- possession of an offensive weapon on the school site;
- possession, using or dealing in illegal drugs on the school site;
- persistent defiance of school authority or disruption of teaching and learning;
- persistent bullying, harassment or abuse (as above);
- theft;
- conduct likely to bring the school's reputation into disrepute.

### Modifying an exclusion

An exclusion may be extended or made permanent where:

- it was necessary to exclude the pupil in order to complete the investigation freely;
- the pupil has also been reported to the police and the result of that investigation provides additional evidence to the schools.

**NB** It is essential that if new evidence comes to light the excluded pupil/student is given the opportunity to respond to it before the exclusion is extended or made permanent.

### The investigation

- the investigation will not be undertaken by the person who will decide on exclusion unless circumstances dictate this;

- witness statements will be recorded, signed and dated;
- anonymity will not be promised unless this is the only way to obtain a statement. The statement will be signed and dated in the normal way but the name will be withheld;
- the person accused of any offence will be given the opportunity to give his/her own side of the story and respond to statements made by others. It is not necessary that there is a face-to-face confrontation.

**NB** It is important that all parties recognise that less reliance can be placed on anonymous statements.

### **Decision**

- The decision to exclude will only be taken by the Principal, Deputy Principal, Assistant Principal (Pastoral), Head of Sixth Form, Heads of Juniors / Nursery & Infants the power to exclude will not be delegated;
- The decision will be taken on all the evidence available at the time; and the decision will be taken on the balance of probability. Where the offence alleged is a criminal act the standard of proof will be that it is *distinctly more probable than not* that the pupil committed it;
- When applying exclusions the the relevant staff will take due regard of special circumstances regarding pupils with SEND needs;
- In cases involving acts of violence the following factors will be taken into consideration by the Principal and relevant members of SLT or SSMT. As regards aggravating factors: the extent or severity of any injuries sustained. In terms of mitigating factors: the level of intent, premeditation or lack of, a pupil's previous behaviour record, provocation and contrition.

### **Informing**

Parents or guardians will be informed of the decision at the exclusion meeting; it will be confirmed in writing within 48 hours.

### **Work for excluded pupils**

Members of staff who teach excluded pupils will provide work for these pupils to do at home and make it available as instructed by the Deputy Principal, Assistant Principal (Pastoral), Head of Sixth Form, Head of Juniors / Head of Nursery and Infants. During the COVID 19 pandemic pupils who are excluded temporarily will be permitted to access their lessons through google suite.

### **Reintegration**

Pupils returning to school after a fixed term exclusion will attend a reintegration meeting organised by the Deputy Principal, Assistant Principal (Pastoral) Head of Juniors or Head of Nursery & Infants.

### **Appeals**

- If parents/guardians wish to appeal a decision that has been made to permanently exclude, the Principal should invite them to write to the Chair of Governors via the Clerk to the Governors within ten working days with full details of the grounds for the appeal. Parents / guardians are not able to appeal against a fixed term exclusion.
- Whilst an appeal against permanent exclusion is pending, members of staff who teach excluded pupils will provide work for them to do at home and make it available as instructed by the Deputy Principal, Assistant Principal (Pastoral), Head of Juniors or Head of Nursery and infants responsible for those pupils.
- The Chair of Governors will refer the matter to an Appeals Committee comprising two Governors, one of whom may be the Chair, and an independent person, who have no prior knowledge of the details of the case, or connection with any of the parties concerned. It will be the responsibility of the Chair of the Appeals Committee to ensure that the Clerk to the Governors communicates the result of the appeal in writing to the parents/guardians, the Principal and the Chair of Governors.
- The hearing by the Appeals Committee will take place as soon as is practicable, which will normally be within 15 working days of receipt of the appeal.

### **Provision of information regarding exclusions**

For certain excluded pupils, information which will be supplied on request to prescribed bodies or persons is:

- the exclusion start date;
- the type of exclusion;
- the reason for the exclusion; and
- the number of sessions to which the exclusion applies.

Information regarding exclusions is held securely in the Principal's office.

**Exclusions policy reviewed: November 2022**

**Next Review Due: November 2023**