

# Exclusion Policy



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## **Exclusion**

The decision to exclude a student will only be taken as a last resort in the following circumstances and both elements to be satisfied for permanent exclusion only:

- In response to a serious breach, or persistent breaches, of the School's Behaviour and Expectations Policy.
- If allowing the student to remain in School would seriously harm the education or welfare of the student or others in the School.

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Head, the Assistant 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 School's Behaviour and Expectations Policy;

- Verbal abuse to Staff and others
- Verbal abuse to students
- Physical abuse to/attack on Staff
- Physical abuse to/attack on students
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Theft
- Serious actual or threatened violence against another student or a member of staff.
- Sexual abuse or assault.
- Supplying an illegal drug.
- Carrying an offensive weapon.
- Arson.
- Unacceptable behaviour which has previously been reported and for which School sanctions and other interventions have not been successful in modifying the student's behaviour.

This is not an exhaustive list and there may be other situations where the head teacher makes the judgement that exclusion is an appropriate sanction. Each case will be considered individually and on its merits.

### **Exclusion procedure**

- Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).
- The DfE regulations allow the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year in line with statutory timescales.
- The Governors have established arrangements to review promptly all permanent exclusions from the School and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term in line with statutory timescales.
- The Governors have established arrangements to review fixed term exclusions which would lead to a student being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.
- Following exclusion parents are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body and the LA as directed in the letter.
- During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on the School premises, and that daytime supervision is their responsibility, as parents/guardians for the first 5 days of the exclusion.
- The School will be responsible for providing supervised provision, in an educational establishment, for any fixed term exclusion of 6 days or more. This supervision is to be decided by the Headteacher.
- The School will provide work for the student to complete at home for the first 5 days of the exclusion.

A return to School meeting will be held following the expiry of the fixed term exclusion and this will involve; the head, a member of the Senior Management Team and other staff where appropriate.

- It is School practice to place the student on report to the phase coordinator usually for one week to monitor behaviour and work. If the fixed term exclusion is greater than five days or an accumulation of exclusions exceed five days, a Pastoral Support Plan will be drawn up. This needs to be agreed with the School, student and parents and will be reviewed with all parties present every 2/3/4 weeks.

### **Permanent Exclusion**

The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort.

2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a student for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another student or a member of staff.
- Sexual abuse or assault.
- Supplying an illegal drug.
- Carrying an offensive weapon\*
- Arson

The School will consider police involvement for any of the above offences.

\* Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him." *LA's Exclusion Protocol weapon related incidents (APPENDIX 1 and 2) to be followed.*

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well being of the School.

### **General factors the School considers before making a decision to exclude**

• Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the School or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period the Head will:

- Ensure a full investigation has been carried out.
- Consider all the evidence in relation to the allegations taking into account the Behaviour and Expectations Policy and the Inclusion policy.
- Allow the student to give her/his version of events.
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

If the Head is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion is likely to be the outcome.

### **Exercise of discretion**

In reaching a decision, the Head will always look at each case on its own merits. In considering whether permanent exclusion is the most appropriate sanction, the Head will consider a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour and Expectations and b) the effect that the student remaining in the School would have on the education and welfare of other students and staff. Nonetheless, in the case of a student found in possession of an offensive weapon, whether there is an intention to use it or not, it is the School's usual policy in this particularly serious matter to issue a permanent exclusion.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' Committee, when it meets to consider the Headteacher's decision to exclude. This Committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the student's School record, witness statements and the strategies used by the School to support the student prior to exclusion. *Appendix 3- ANNEX A- A summary of the governing body's duties to review the head teacher's exclusion decision- attached for information.*

**Lunch Time Exclusion** Students whose behaviour at lunchtime is disruptive may be excluded from the School premises for the duration of the lunchtime period. This will be treated as fixed term exclusion and parents will have the same right to gain information and to appeal.

**Behaviour Outside School** Students' behaviour outside school, on school trips and journeys and away school sports fixtures, is subject to the Schools Behaviour and Expectations Policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in School. If students' behaviour in the immediate vicinity of the School or on a journey to and from school is poor and meets the School criteria for exclusion then the Head may decide to exclude.

## **Exclusion protocol: weapon related incidents**

### **Risk Assessment and Weapon Handling**

1. Every incident involving a weapon should be reported to the school's **Safer Schools Police Officer** and to **Children's Social Care**. The weapon should be retrieved and handled in line with police advice. Where there is an immediate risk to the school community, the school should call 999.
2. Head teachers should ensure that the parent/carer of a child involved in any incident involving possession, threat or use of a weapon is informed at the earliest opportunity. As part of the head teacher's investigation, the child should be given the opportunity to give their version of events.
3. Children's Social Care will carry out a **family assessment** and **risk assessment**, including assessing risks for siblings, and confirm with the head teacher the outcome of these assessments.
4. The Safer Schools Officer should **check with central police records** for any known history and caution the young person as necessary. This information should be passed back to the school's head teacher.

### **Deciding on the Sanction**

5. Head teachers can issue a fixed period exclusion in the first instance to allow time for the investigation to take place (e.g. collation of witness statements, CCTV evidence, feedback from Children's Social Care and the Police). The exclusion letter should indicate that the exclusion may be converted to a permanent exclusion.
6. Following a thorough investigation, the head teacher will then make a decision on permanent exclusion. (Please note that conversions to permanent exclusion must be done *prior* to the expiry of the fixed period exclusion). It is expected that for the most part, weapon-related offences will result in a permanent exclusion.

However, it is important that the individual circumstances of each case are considered to ensure the head teacher's discretion is not fettered through the application of a blanket policy.

7. Where a permanent exclusion is issued, the school must ensure that Children's Social Care family assessment and risk assessment, and police information, are passed to the Exclusions Officer, along with the completed Pupil Summary, school risk assessment and incident report.

8. Governors will consider the head teacher's decision to permanently exclude the pupil, and the family will be invited to make representations at the exclusion hearing. The home local authority will be responsible for providing education provision from Day 6. Islington residents will be educated at New River College in the first instance.

### **Recording the exclusion**

9. Exclusions should be recorded on SIMS using the code '**Other**'.

### **Checklist**

1. Has the weapon been secured in line with police advice?
2. Has the child's parent/s been informed?
3. Has the pupil been given the opportunity to give their account of events?
4. Has the incident been reported to your Safer Schools Police Officer?
5. Has a referral been made to Children's Social Care?
6. Has a response been received from Children's Social Care?
7. Has a response been received from the Safer Schools Police Officer?
8. Has a decision been made to permanently exclude the pupil?
9. If yes, has the letter, incident report, risk assessment and pupil summary been sent to the Exclusions Officer on Day 1 of the permanent exclusion?

### **Key contacts:**

#### **Education**

Gabriella Di-Sciullo  
LA Exclusions Officer  
T. 020 7527 5779  
E. [Gabriella.di-sciullo@islington.gov.uk](mailto:Gabriella.di-sciullo@islington.gov.uk)  
222 Upper St, Islington N1 1XR

#### **Police**

Marcel Baker (PS 56NI)  
Police Sergeant, Youth Engagement Coordinator  
T: 07900 748929  
E: [Marcel.Baker@met.police.uk](mailto:Marcel.Baker@met.police.uk)  
Islington Police Station, Tolpuddle Street, Islington N1 0YY

#### **Children's Social Care**

Children's Services Contact Team  
T. 020 7527 7400  
E. [CSCreferrals@islington.gov.uk](mailto:CSCreferrals@islington.gov.uk)

## APPENDIX 2



**METROPOLITAN  
POLICE**

**TOTAL POLICING**

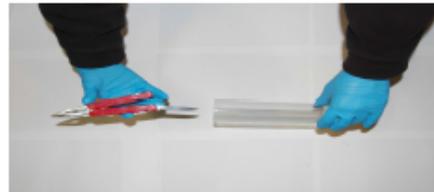
### Weapons/Knife Packaging

*“Physical evidence can not be intimidated. It does not forget. It sits there and waits to be detected, preserved, evaluated and explained”*

*Herbert Leon Macdonell - Forensic Scientist*

If you are handed a knife or a weapon, it is very important that this is handled in the correct manner so that any forensic evidence can be preserved and also to prevent cross-contamination. **Forensic evidence may not be visible to the naked eye and could be minute amounts of DNA, sweat, saliva, blood etc.**

1. Wear appropriate gloves and a face mask if available. Obtain the correct size evidence tube which is available within the school. The tube should be of a size that when both parts are screwed together, the item sits firmly but comfortably inside. Avoid unnecessary touching or talking over the item as this can cause cross contamination.
2. Hold the item at both ends using minimal contact and put the item inside the tube and screw together. The tube should be tight enough to prevent the item moving inside. Avoid touching any the blade or obvious areas that may have been used in criminal offences.
3. Put the tube in the appropriate size evidence bag and seal using the stickers on the bag.
4. Contact your local schools officer for collection. If they are not available, call 101 for local police officers to collect. A statement maybe required from you in some cases for continuity reasons. This will be arranged by the officer in charge.



You are not expected to package the items perfectly as this requires training and experience. However, even a small amount of preserving forensics could be vital to a criminal investigation.

## APPENDIX 3

### Annex A – A summary of the governing body’s duties to review the head teacher’s exclusion decision

