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## EXCLUSIONS POLICY

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<b>Author:</b>	DGU
<b>Committee:</b>	Standards & Curriculum

### **RATIONALE**

At KNGS we provide aspirational opportunities for every one of our students to achieve the highest possible academic standards and to develop the life skills and confidence to succeed as young women in the modern world. We take care to ensure that students play a part as citizens within the school and their local community. We provide a caring, relaxed yet purposeful environment in which students can thrive.

We strive at all times to achieve a highly positive learning environment which enables all of our students to thrive, and in order to ensure this, it is at times necessary to impose sanctions. Sanctions range from verbal reprimand to exclusion in extreme cases where behaviour breaks down.

There are 3 levels of exclusion:-

1. **Internal exclusion** where students are removed from class usually for 5 school periods for any one incident. In this instance students work in the booths in the student support area.
2. **External fixed term exclusion** for more serious breaches of discipline. Such exclusions are usually imposed for between 1 and 5 days depending on the seriousness of the breach. In rare instances this may be for a more extended period. Duration of exclusions: The headteacher may exclude a student for one or more fixed periods not exceeding a total of 45 days in any one school year. If a student is excluded for lunchtimes only, each lunchtime counts as a half day. After 5 days, the school find alternative provision for a student on a fixed term exclusion. The headteacher may exclude a student permanently if he/she judges that the circumstances warrant it.

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3. **Permanent exclusion** which is a last resort sanction where all attempts to support the student to improve behaviour have failed. We will do everything possible to avoid the need for permanent exclusion by:-
- Carrying out early intervention strategies, especially in the case of a student with SEND to ascertain that the student is receiving appropriate provision and support.
  - We will consider the use of multi-agency assessment of students who demonstrate persistent disruptive behaviour.
  - We will check whether there are mental health or family problems.
  - We may request an early review of a student's SEN statement or Education, Health and Care (EHC) plan – or we may ask for an interim/emergency review.
- If nevertheless it becomes necessary to permanently exclude a student, the current DFE statutory guidelines and regulations will be stringently followed.

## **PRINCIPLES**

### **Exclusion will be used in the following cases:-**

- For a major first offence, such as serious actual or threatened violence, sexual abuse or assault, supplying banned substances or carrying an offensive weapon. We need not postpone taking a decision on exclusion solely because a police investigation is underway. Our decision will be taken on the evidence available to the school at the time. The headteacher will give particular consideration to the fairness of exclusion if he/she is aware that some evidence is being withheld by the police.
- Where allowing a student to remain in school would be seriously detrimental to the education of other students, to the welfare of other students, staff or of the student him/herself.
- More usually it follows a series of breaches of the school's disciplinary code and after an exhaustive range of strategies to resolve the student's disciplinary problems have been tried and have failed.
- When the behaviour of students outside school is such that it can be considered as grounds for exclusion.

### **The principles of our exclusion policy:**

- Only the headteacher or acting headteacher can permanently exclude a student, and this will only ever be on disciplinary grounds.
- This power may not be delegated to anyone else.
- The headteacher may withdraw an exclusion that has not been reviewed by the governing body.
- The headteacher decision must be:
  - Lawful
  - Rational
  - Reasonable
  - Fair
  - Proportionate
- When establishing the facts in relation to a possible permanent exclusion, the headteacher will always apply the civil standard of proof, that is, on the balance of probabilities.
- We will take care to ensure that a decision to exclude does not involve any kind of discrimination as defined by the Equality Act 2010.

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- The school will always have due regard to its public sector equality duty.
- The school will be mindful of the prevent duty
- We will not exclude any student for non-disciplinary reasons.
- Exclusion will never be used informally or unofficially. This is against the law.
- The headteacher does, however, have the right to direct a student for education off-site to improve behaviour, or to arrange a 'managed move' for the same reason. This will only be considered when there has been full consultation and agreement with parent/carers and the receiving institution. The threat of exclusion will never be used to influence parent/carers to remove their child from the school.
- Where practical, the headteacher will give the student an opportunity to present his/her case before taking the decision to permanently exclude.
- When considering permanent exclusion, the headteacher will take into account:
  - Possible short term mitigating circumstances, such as bereavement, mental health issues etc.
  - Where it comes to light that the student has been subject to bullying.
  - Whether the student comes into a category that is known to be a particularly vulnerable group (for example, students with SEND, FSM students; looked-after children; certain groups or a group with disproportionately high levels of exclusion; traveller children) and whether all preventative strategies have been fully used.
  - Whether a student has already had a number of fixed-term exclusions which appear to have been ineffective.

## **PRACTICE**

### **Action following any exclusion:-**

#### **➤ Informing parent/carers**

Following any exclusion of whatever type or duration, the school will:

- Inform parent/carers of the period and nature of the exclusion.
- Give the reasons for the exclusion.
- Advise parent/carers about rights of representation about the exclusion to the governing body and how these representations may be made.
- Take account of his/her legal duty of care when sending a student home following exclusion. 'Holding' arrangements until the student can be collected may be necessary.
- We will inform parent/carers what arrangements we have made to provide education for the student during the first five days of the exclusion. Work will be provided that is accessible and achievable by students outside of school.
- Make arrangements to provide suitable full time education from the sixth day onwards for students who have been given a fixed period exclusion lasting longer than five days. Once alternative provision has been arranged from the sixth day of the exclusion, the school will inform the parent/carers without delay of the start date, times and venue of the provision. This will be done no later than 48 hours before the alternative provision is to start. It is then the responsibility of the parent/carers to make sure the student attends the alternative provision.
- If the excluded student is in year 11 or 13 and has completed all public examinations, no alternative educational provision after six days is necessary.

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This information will be put in writing and will be sent either by email, by text, by delivering a letter directly to the parent/carers, leaving it at their last known address or by posting it to this address. The information can also legally be sent home with the excluded student, but in this case we will always send a duplicate copy by a reliable alternative method. The information provided to parent/carers will be clear and free of unnecessary jargon. Consideration will be given to translating the letter if the parent/carer's first language is not English.

The school will explain to parent/carers in writing that they have the right of appeal to the governing body concerning:

- Fixed term exclusions of more than five school days in a term or if any exclusion will mean that the student misses a public examination or national curriculum test.
- Permanent exclusions.

If the governors agree with the exclusion then parent/carers can then appeal to the Education Secretary.

Parent/carers may make a claim to a court or tribunal if they believe the student has been discriminated against. The Equality Advisory Service will supply help and advice.

Where the excluded student is of compulsory school age, the school will also notify parent/carers without delay and by the end of the afternoon session that for the first five days of an exclusion they are legally required to ensure that their child is not in a public place during school hours without reasonable justification and that they may be given a fixed penalty notice if they fail to do so.

Parent/carers will be informed where fixed term exclusion has been extended or converted to a permanent exclusion. In such cases, the headteacher will write again to the parent/carers explaining the reasons for the change and providing any additional information required.

### **Informing other bodies**

For any exclusion of more than five days, be it in a single block of days, an accumulation of short exclusions of more than five days in any one term, or a permanent exclusion, the headteacher will also:

- Notify the local authority (LA) giving the details of the exclusion and reasons for it.
- Notify the governing body giving the same details.
- For a permanent exclusion, if the student lives outside the LA in which the school is located, the headteacher must also inform the 'home authority' of the exclusion without delay.
- If any exclusion of even one day would cause a student to miss a public examination or national curriculum test, the headteacher will inform the LA and the governing body.

The headteacher will provide a report each meeting of the curriculum and standards committee of the governing body on all exclusions, covering:

- The number and type of exclusions.
- The reasons, gender, ethnicity and age of students and whether they were already on individual education programmes or pastoral support programmes.
- Repeated exclusions and the school's response to them.
- Truancy, punctuality and attendance figures.
- Follow-up action, including what has subsequently happened to permanently excluded students.

In addition, within 14 days of a request, the school must report to the Education Secretary information about any exclusion within the last 12 months.

### **OTHER RELEVANT POLICIES**

This policy should be read in conjunction with the procedures adopted by the governing body for the management of student exclusion. It should also be read in conjunction with the following policies:

- Teaching and learning
- SEND
- Equal opportunities
- Health and safety
- Behaviour
- Child protection and safeguarding
- Sex and relationships education
- Admissions