



**LEE Hurst Swan**  
**PUPIL EXCLUSION POLICY**  
Last reviewed in February 2018 by the Headmaster  
Applies to the whole school including EYFS

**THIS POLICY IS PUBLISHED ON THE SCHOOL WEBSITE FOR PARENTS.**

### **General**

The Governors of Lee Hurst Swan School have stated that they consider that the use of the Headmaster's power to exclude pupils 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. Lee Hurst Swan has a Pupil Behaviour and Discipline policy. In this policy the governors have determined that pupil exclusion, in appropriate circumstances, is a sanction that can be used in the school by the Headmaster. This policy is intended to give a clear indication to staff, parents and pupils the kinds of circumstances within which the Headmaster will use his powers to exclude pupils and the procedures that will be followed in exercising them. Governors will rely on this in reviewing the actions of the Headmaster in excluding pupils. Parents will be kept informed at all stages.

### **Aims**

The governing body aims:

- to give appropriate support to the Headmaster in exclusion issues;
- to ensure that exclusion is used appropriately within the framework of the school's behaviour policy; and
- to discharge appropriately its duties concerning the consideration of re-instatement of excluded pupils.

### **Procedures**

**These procedures have regard to [Exclusion from maintained schools, academies and pupil referral units in England](#) published by the DFE 2012.**

### **The Decision to Exclude**

1. Pupils should only be excluded in cases of a serious breach of the school's behaviour/discipline policy and if the continued presence of the excludee in the school would seriously damage the education or the welfare of other pupils or staff.
2. Only the Headmaster can exclude, or the Deputy Head, if the Headmaster is absent from school.

Before deciding to exclude a pupil the Headmaster will:

- ensure that an appropriate investigation has been conducted;
- ensure that the relevant evidence has been considered;
- where possible, give the pupil an opportunity to be heard and explain their side of the case; and
- consult other relevant people if necessary.

Having considered these matters the Headmaster will make a decision based normally on the balance of probability, and the advice of other involved members of staff (eg form teachers and Pastoral Co-ordinators).

### **Factors to be Considered before an exclusion**

1. an appropriate investigation has been conducted;
2. all the relevant evidence has been considered;
3. the pupil's version has been heard; and if appropriate, other people have been consulted

If the balance of probabilities has been established, the pupil may be excluded.

### **Fixed Term Exclusions**

While always having regard to the circumstances of a particular case the Headmaster will be likely to use fixed term exclusions (commonly called "Suspension from School") in the following kinds of cases. This list does not list every offence for which fixed term exclusion 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, race, ethnicity, religion or sexual orientation);
- Persistent defiance of a school rule;
- Acts of vandalism or minor physical violence;
- Using drugs or alcohol on the school site; and
- Conduct likely to bring the school into disrepute.

The length of the exclusion will be proportionate to the gravity of the offence. First offences will be treated more leniently than any repeated offence.

### **Long Fixed Term Exclusions**

Long fixed term exclusions (over 15 days) will generally be used to enable support to be obtained in assessing, moving on, or reintegrating a pupil with severe problems where the alternative would be permanent exclusion.

### **Permanent Exclusion**

Permanent Exclusion will be reserved for offences that will have a seriously damaging effect on the life of the school, 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;
- Dealing in drugs on the school site;
- Persistent defiance of school authority or disruption of teaching and learning; and
- Persistent bullying, harassment or abuse (as above)
- Repeat of offences which have merited previous fixed term exclusion.

### **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. Note: It is essential that if new evidence has come to light the excluded pupil is given the opportunity to respond to it, before the exclusion is extended or made permanent; and
- The pupil has also been reported to the police and the result of that investigation provides additional evidence to the school.

### **Informing**

The following will be told without delay by pupil post, and/or letter and telephone message as appropriate:

- The persons having parental responsibility for the pupil/student;
- The Headmaster will inform the Chair of Governors (or in his absence the Deputy Chair of Governors) by phone, followed by full details in writing.
- N.B. If an exclusion will prevent a pupil from taking a public examination then the Chair of

Governors will be informed immediately so that he can review the decision or convene a meeting of the Steering Committee before the examination takes place.

### **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 Key Stage Co-ordinator responsible for those pupils.

### **Reintegration**

- Pupils returning to school after exclusion should be subject to a reintegration procedure organised by the Headmaster. This will normally involve the parents and the Key Stage Co-ordinator.
- The pupil is expected to show contrition and may be asked to sign a statement of behavioural standards before being readmitted.
- The offence will be regarded as spent once the pupil is readmitted and no further punishments are to be applied.

### **Appeals**

Parents or guardians of a pupil who are unhappy with the decision to exclude are entitled to complain to the Governors, through the School Complaints policy. They have the right to overturn the decision of the Headmaster, through the Governors Complaints procedure and an Appeals Panel as directed by the Personnel Committee, should the Governors agree that a pupil has been unjustly excluded.

This policy is subject to annual review according to a timetabled programme.