



Permanent Exclusions policy

SMT owner	Head
Reviewed by SMT	January 2024
Effective from	February 2024
Next review	2027
Governor approval (Y/N)? Approved by Board of Governors (if Y)	Y March 2024

References

The Human Rights Act 1998
The Equality Act 2010.
The Education (Student Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003.
The Education (Student Exclusions and Appeals) (Wales) (Miscellaneous Amendments) Regulations 2004.
The Education (Reintegration Interview) (Wales) Regulations 2010.
'Excluding Pupils - A Practical Guide for Independent Schools' by Farrer & Co (an ISBA briefing document), May 2013
The Independent Schools Standards (Wales) Regulations 2024

Relationship to other policies

This policy should be read in conjunction with the following policies:

- Pa001 Peer on Peer abuse
- Pa002 Behaviour Management
- Ad003 Complaints. This policy is available on the School's website and also on request from the School office.
- Pa004 Drugs, Alcohol and Smoking
- Pa009 Safeguarding
- The Parent contract

At Christ College Brecon (CCB) we encourage the establishment of good teacher/pupil relationships and support for the School's values through a system of rewards and sanctions which are designed to promote a calm, disciplined learning environment. All this is covered in our Behaviour Management policy (ref Pa002). The Exclusion policy deals only with permanent exclusion from school.

When does this policy apply?

The policy applies to all school activities when the pupil is registered as attending school. In addition, it applies to pupils in the circumstances outlined below:

- taking part in any school-organised or school-related activity;
- travelling to or from school;
- wearing the school uniform;
- in some other way identifiable as a member of the school;

Teachers have a statutory power to discipline pupils for misbehaving outside of the school grounds. Section 89(5) of the Education and Inspections Act 2006 gives the Head a specific statutory power to regulate pupils' behaviour in these circumstances "to such extent as is reasonable."

The school cannot be responsible for children's behaviour during the holidays when under the care of their parents/guardians/carers. Issues that transcend term-time and holidays may need to be dealt with by the school on the pupils' return to school.

Conduct by pupils which may result in permanent exclusion:

A non-exhaustive list of the sorts of behaviour that could result in permanent exclusion includes the following:

- physical assault against pupils or adults;
- behaviour which puts the safety of the pupil, or any other person, in jeopardy;
- verbal abuse/threatening behaviour against pupils or adults;
- bullying, including cyber-bullying in accordance with Pa001 - Peer on peer abuse policy;
- committing a criminal offence;
- abuse on the grounds of race, religion/belief, disability, additional learning needs (ALN) or any form of unlawful discrimination;
- sexual harassment or misconduct;
- drug and alcohol misuse;
- damage to property;
- computer hacking;
- theft or unauthorised possession of any property belonging to the School, another pupil, or a member of staff;

- bringing or fashioning illegal, inappropriate or dangerous items into School, such as drugs, weapons, firearms;
- misconduct which adversely affects or is likely to adversely affect the welfare of a member or members of the School community;
- misconduct which brings or is likely to bring the School into disrepute; and persistent disruptive behaviour or breaches of Pa002 - Behaviour management policy.

As set out in the School's Terms and Conditions (Parent Contract), the School may require the removal of a pupil in circumstances where the Head considers in his/her discretion that the pupil's attendance or progress at the School is unsatisfactory and, in the reasonable opinion of the Head, the removal of the pupil is in the School's best interests and/or those of the pupil or other children.

Investigation Procedure

The Head will ensure that any investigation that takes place will be conducted fairly and in accordance with this policy.

Parents will be informed as soon as reasonably practicable if an allegation under investigation is of a nature that could result in the pupil being permanently excluded.

The School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure. Alternatively, the pupil may be placed under a segregated regime on School premises.

The investigation will be carried out as follows by the Head or a nominated deputy.

- a) They will be interviewed by a deputy head with another member of staff and parents present and notes taken to establish basic facts. The parents will be forewarned that permanent exclusion is a possible outcome. They will be given a copy of this policy. The school will continue to liaise with the School's Community Police Officer where necessary.
- b) The investigation will include:
 - i. Taking statements from the individual pupil, staff involved and from witnesses.
 - ii. If appropriate, searching the pupil and his/her belongings/locker (adhering to all relevant protocols).
 - iii. If appropriate, drug testing at the Welfare Centre subject to receiving consent from parents or pupil if over 18.
- c) The investigation detail will then be shared by the Deputy Head with the Head. The pupil and his parents will also be given the opportunity to give evidence or give any information in mitigation.

- d) The Head will make the final decision either summarily or, if required, more time can be taken to consider all the evidence.
- e) The Head will either permanently exclude, give an alternative punishment or decide that there is no case to answer.
- f) If the pupil has a disability or an additional learning need then this will be taken in to account before any decision is taken. Where appropriate, external agencies or specialists may be consulted.

Following the conclusion of the investigation the Head will reach his/her decision based on the evidence. The Head will communicate his/her decision in writing to the parents as soon as practicable.

Unreasonable Behaviour by Parents

As set out in the School's Terms and Conditions (Parent Contract), the School may require the removal of a pupil in circumstances where the Head considers, in his/her discretion, that the behaviour or conduct of a parent is unreasonable. A non-exhaustive list of the sorts of behaviour that could merit removal of a pupil on the grounds of unreasonable parental behaviour includes the following:

- abusive or threatening treatment of a member of staff;
- making a malicious allegation about a member of staff or the School;
- repeated communication with the School in person or in writing (directly or indirectly), in a manner which is deemed voluminous, and/or relentless, and/or confrontational, and/or unreasonable, and/or overly aggressive;
- behaving in a manner which adversely affects (or in a manner which is likely to adversely affect) the welfare of a member or members of the School community;
- breaching the School's Terms and Conditions (Parent Contract).

The School reserves the right to impose sanctions for parental behaviour falling short of required removal, including, but not limited to, placing restrictions on a parent's access to School / School events, communications with the School and/or the imposition of a warning (up to and including a final written warning).

Appeals against pupil exclusion/required removal

The School will always offer the right of appeal to any pupil excluded or required to be removed from the School. Any appeal against exclusion will be dealt with under Stage 3 of the School's Complaints Policy (Ad003), and should be made in writing to the Chair of Governors, via the Bursar, who acts in his capacity as the Clerk to the Governors within five working days of the pupil's exclusion/required removal. The appeal process is covered under the School's Complaints Policy which is available on the School's website and Parent Portal. The outcome of the appeal process is final and there is no further right to appeal.

If a decision is taken by the parents to withdraw the pupil, the parents waive any right to an appeal.

For the purposes of this policy, “working days” refers to weekdays (Monday to Friday) during term time, excluding bank holidays.

Recording and monitoring

Where the sanction imposed is permanent exclusion, the written report on the investigation will be placed on file.

Informing the Governors

The Head will inform the Chair of Governors (or in his/her absence the Education Committee) within three school days of:

- permanent exclusions;
- exclusions totaling more than 5 school days per term;
- The Head or Deputy Head Pastoral will report to the Education & Community Committee of the Governors each term on exclusions