

EMMANUEL COLLEGE

APPENDIX 2: EXCLUSIONS AND DETENTIONS PROCEDURES



Exclusion and Detention Procedures

The College is committed to following the September 2017 statutory guidance from the DfE in regards to exclusions. In particular, the College is mindful of the provisions of the 2010 Equality Act and the SEND code of practice when considering whether it is lawful and just to exclude a student.

Fixed Term Exclusion (FTE)

Once the decision to exclude is taken the parent is to be phoned to secure their permission for the student to return home then and there. A letter is also sent home with the student, explaining the category for the exclusion and the necessity of a parental meeting prior to the re-admittance of a student. The student is to remain at home until a parental meeting has taken place, either with the Principal or a Vice Principal (On occasion, a Vice Principal will request that a Head of School or another senior member of staff host the parental meeting.). These meetings generally happen the next College day or the day afterwards, meaning that a FTE is usually for 24 or 48 hours, depending on the seriousness of the exclusion incident.

Once a parental meeting has taken place the student may be readmitted to College, either immediately following the meeting or at a specified time thereafter.

A meeting with a Vice Principal can conclude with a 'formal warning', indicating the consequences for the student should they be excluded for a similar reason again. In most cases, a formal warning would indicate a referral to the Principal. Heads of School cannot issue formal warnings but can indicate in meetings and letters who the student will be referred to, normally the Vice Principal, if there is a recurrence of the issue.

The Principal only meets with students following a temporary exclusion under the following circumstances:

- An incident that breaches a formal warning by the Vice Principal;
- An incident that breaches a specific final warning or general final warning by the Principal;
- A single incident that is serious enough to warrant consideration of permanent exclusion.

A meeting with the Principal following an exclusion normally results in the following:

- A specific final warning, indicating that if the student in question breaches the *Student Code of Conduct* in a specific way again in the next 12 months, the student would be permanently excluded;
- A general final warning, indicating that any exclusion over the next 12 months would be permanent;
- An indication that any exclusion over the next 12 months would trigger a specific or general final warning.

Every student who is temporarily excluded must also serve a Saturday detention at an agreed on date.

Permanent Exclusion

Should the Principal decide to permanently exclude a student, the following procedure is followed:

- 1.) Prior to the student being asked to leave College, parents are asked to meet with the Principal. The student works in the referral room until this meeting.
- 2.) The Principal informs the parents in that meeting and in writing that the child is permanently excluded with immediate effect and notify the parents of their right of appeal. This correspondence is copied to the Director of Education for the area in which the excluded child lives and the Chairman of the Board of Governors.

- 3.) The College would notify the LA of the exclusion and provide work for the first five days of the exclusion. The LA would provide work from the sixth day.

Should the parents choose to appeal, they must write within 7 days of receipt of the Principal's letter to the Chairman of the Board of Governors, c/o Emmanuel College, with the outline of their case. They will be informed of the hearing process which proceeds as follows:

- 1.) A hearing will be called, normally within 14 days or, should this period coincide with College holidays, as soon as practicable. Should the hearing be timed to occur through the long summer holidays, it will be held before 18th August;
- 2.) The Appeal Committee, comprising two Governors and an independent third party, will hear the case and, once both College and parents have completed their submissions, the Appeal Committee shall make their decision and this decision will be final and binding on all parties;
- 3.) The Director of Education for the area in which the excluded child lives will be informed in writing of the outcome of any appeal.

Students asked to leave College without being excluded

In line with statutory guidance, students can be asked on occasion leave the school site but the absence would not be recorded as exclusions. This would be in the following circumstances:

- Where a student's presence at school poses a serious risk to the health and safety of other pupils or staff for medical reasons, the Principal can send the student home after consultation with the pupil's parents;
- When the school sends a student home briefly to remedy a breach of the College's rules, such as not conforming to the uniform code; this is not an exclusion but rather an authorised absence. Where a student continues to breach the rules in order to avoid school, their absence is counted as unauthorised, but not as an exclusion. Missed time from College may, however, be made up in a detention after school or as a holiday detention;
- When a pupil is accused of a serious criminal offence but the offence took place outside the school's jurisdiction, the Principal may decide that it is in the interests of the student, or of the College community as a whole, for the pupil to be educated off-site for a while. Or there may be insufficient evidence to warrant exclusion because the police may be involved in an incident at school and the Principal is therefore constrained from collecting evidence. In these circumstances, the Principal can still remove the pupil from the school site, but this would not be exclusion.

Detentions

Covid-19 update: Please note that due to the ongoing Covid-19 Pandemic detentions are not being issued to students afterschool or on a Saturday. In line with our risk assessment this will ensure that the 'contacts' between students are not increased as a result of a detention in College or by way of travel home at a time that is different to their normal departure time. This will be reviewed regularly and current practice in terms of sanctions is outlined in the *Behaviour and Discipline Policy 2020-21. Below is the procedure for detentions prior to the Covid-19 pandemic.*

When students are issued with a detention, parents are normally given at least 24 hours' notice by way of a blue detention slip, signed by the subject teacher. In some circumstances (for example if the student regularly fails to attend detentions), agreed by a senior member of staff and parents in advance, students will remain in school routinely until 5pm, until such time that detentions are no longer necessary.

Students are given a same-day detention if they have been placed in the referral room. When this is the case, parents are informed by the College by letter prior to the detention taking place.

In all cases, students on detention are fully supervised throughout, and it is expected that they spend this time completing written punishment tasks. This might include copying relevant pages from the Study File or writing an essay explaining why their actions were inappropriate.

Students on detention would *not* normally complete homework or other academic tasks or be taught by a teacher, since a detention should be a sanction, not an opportunity to catch up on work or receive a personal support session. However, on rare occasions, especially if a student is nearing important exams or is very behind in homework or academic tasks, completing academic work during a detention might be appropriate. This is at the teacher's discretion and would normally apply only to KS4 and 5.

Procedures for students who deliberately miss a detention are laid out below.

Saturday detentions, overseen by senior College staff, begin at 9am and usually end by 12pm.

Detention Procedure

The expectation is that every child at Emmanuel will attend detentions on the scheduled date. It is not for a student to seek to negotiate the detention date, but consideration might be given to a written request to change a detention date on occasion, if one is provided from a parent or guardian, or any other exceptional circumstance.

Detention procedure is as follows:

- At the end of the College day, all students who have been issued with a detention will remain in their tutor room until 4pm which point they will be dismissed and asked to attend the Lecture Theatre by using the second floor corridor. The tutor will check the detention register daily and remind students of detentions set.
- In the Lecture Theatre, students will be asked to sit in a designated year group. The students will be registered and then expected to complete their task in silence.

It is the student's responsibility to organise their own administration and remember when they have a detention. If a teacher does not remind the student of their detention it remains the student's responsibility to go there themselves, be registered and work silently.

If a student deliberately absconds from a detention or refuses to go to a detention or to be registered in the Lecture Theatre, they are placed in the referral room for the next College day and receive a further detention the next evening as a sanction.

Informing parents of detentions

Students are required to keep parents informed of their attendance at detentions, by taking their detention slip home. Parents are also informed, prior to a detention, by the detention being recorded on a student's SchoolBase day-book, which parents can access.

If students forget to inform a parent about a detention, they can report to a pastoral lead on the day of the detention (before the end of period 5) and ask for a phone call to be made home.

The College is not legally obliged to get parental consent for a detention to take place. However, the College always endeavors to work closely with parents and ensure that consent is given. If a parent feels strongly that a detention has been issued wrongly, they should contact a pastoral lead or relevant Head of Department or the teacher who issued the detention *prior to the detention date* to discuss the issue.

Reasons for an exclusion

The reasons for a temporary exclusion are detailed below, in line DfE Statutory Guidance:

Exclusion reason	Description
Persistent disruptive behaviour	Challenging behaviour Disobedience Persistent violation of school rules
Physical assault against adult	Obstruction and jostling Violent behaviour Wounding
Physical assault against student	Fighting Obstruction and jostling Violent behaviour Wounding
Racist abuse	Derogatory racist statements Racist bullying Racist graffiti Racist taunting and harassment Swearing that can be attributed to racist characteristics
Sexual misconduct	Lewd behaviour Sexual abuse Sexual assault Sexual bullying Sexual graffiti Sexual harassment
Theft	Selling and dealing in stolen property Stealing from local shops on a school outing Stealing personal property (adult or student) Stealing school property
Verbal abuse/threatening behaviour against adult	Aggressive behaviour Carrying an offensive weapon Homophobic abuse and harassment Swearing Threatened violence Verbal intimidation
Verbal abuse/threatening behaviour against student	Aggressive behaviour Carrying an offensive weapon Homophobic abuse and harassment Swearing Threatened violence Verbal intimidation
Other	This is a category reserved for serious breaches of the <i>Student Code of Conduct</i> , which the Principal deems necessary to temporarily exclude, but which are not in the categories above. The disciplinary action taken in regards to students who are found to have made malicious accusations against College staff is likely to be an exclusion.

In line with DfE guidance, a decision to permanently exclude would be taken by the Principal only:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.