

# EMMANUEL COLLEGE

## APPENDIX 2: EXCLUSIONS AND DETENTIONS PROCEDURES



The College is committed to following the September 2017 statutory guidance from the DfE in regard 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)**

The Principal is responsible for taking the decision to exclude a student, in the absence of the Principal the Vice Principal may take this decision. 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 where possible on the same day, 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 (no longer than 5 school days). In most cases if a student has been issued an FTE for the first time the meeting will take place with the Head of Year. However, if a student is temporarily excluded again, they will meet with the Vice Principal. The circumstances regarding further exclusions will be discussed on an individual basis and may result in the meeting being held with the Principal.

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 within the maximum 5-day period.

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 Year 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.
- The student has accrued several fixed term exclusions

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 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.
- However, a meeting with the Principal may result in a permanent exclusion being issued if the incident is serious enough to warrant this consideration.

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

### **Permanent Exclusion**

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

1. 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.

2. 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 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**

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 issuing member of staff. When a student has been placed in the referral room for an extended period they will also be issued. When this is the case, parents are informed by the College by blue slip 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. During a detention the teacher who issued the detention if this has been issued due to disruptive behaviour in the classroom or poor conduct outside of a lesson will spend some time with the

student holding a restorative conversation. 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 period 8, all students who have been issued with a detention will attend their detention room.
- In the room students will be asked to sit in a specific seat. The students will be registered and then expected to complete their tasks in silence.
- Teachers or other members of staff will then discuss with students their poor conduct and hold a restorative conversation.

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 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 their Head of Year/Assistant Head of Year 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:

<b>Exclusion Code</b>	<b>Pupil Exclusion Reason</b>	<b>Includes</b>
<b>OW</b>	<b>Use or threat of use of an offensive weapon or prohibited item</b>	<ul style="list-style-type: none"> <li>• Carrying or bringing onto the school site an offensive weapon / prohibited item such as knives, sharp instruments and BB guns.</li> <li>• Carrying any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property</li> <li>• Use of an offensive weapon</li> </ul>
<b>LG</b>	<b>Abuse against sexual orientation and gender identity</b>	<ul style="list-style-type: none"> <li>• Derogatory statements about sexual orientation (e.g. heterosexual, lesbian, gay, bisexual) and gender identity (e.g. transgender)</li> <li>• Homophobic, biphobic and transphobic bullying</li> <li>• LGBT+ graffiti</li> </ul>

		<ul style="list-style-type: none"> <li>• LGBT+ taunting and harassment</li> <li>• Swearing that can be attributed to LGBT+ characteristics</li> </ul>
<b>DS</b>	<b>Abuse relating to disability</b>	<ul style="list-style-type: none"> <li>• Derogatory statements or swearing about a disability</li> <li>• Bullying related to disability</li> <li>• Disability related graffiti,</li> <li>• Disability related taunting and harassment</li> </ul>
<b>MT</b>	<b>Inappropriate use of social media or online technology</b>	<ul style="list-style-type: none"> <li>• Sharing of inappropriate images (of adult or pupil)</li> <li>• Cyber bullying or threatening behaviour online</li> <li>• Organising or facilitating criminal behaviour using social media</li> </ul>
<b>PH</b>	<b>Wilful and repeated transgression of protective measures in place to protect public health</b>	<ul style="list-style-type: none"> <li>• Deliberate breaching of protective measures such as (but not limited to): non-compliance with social distancing, causing distress such as through purposefully coughing very near to other pupils or adults, or any other deliberate breach of public health protective measures which the school has adopted.</li> </ul>
<b>PP</b>	<b>Physical assault against pupil</b>	<ul style="list-style-type: none"> <li>• Fighting</li> <li>• Violent behaviour</li> <li>• Wounding</li> <li>• Obstruction and jostling</li> </ul>
<b>PA</b>	<b>Physical assault against adult</b>	<ul style="list-style-type: none"> <li>• Violent behaviour</li> <li>• Wounding</li> <li>• Obstruction and jostling</li> </ul>
<b>VP</b>	<b>Verbal abuse / threatening behaviour against pupil</b>	<ul style="list-style-type: none"> <li>• Threatened violence</li> <li>• Aggressive behaviour</li> <li>• Swearing</li> <li>• Verbal intimidation</li> </ul>
<b>VA</b>	<b>Verbal abuse / threatening behaviour against adult</b>	<ul style="list-style-type: none"> <li>• Threatened violence</li> <li>• Aggressive behaviour</li> <li>• Swearing</li> <li>• Verbal intimidation</li> </ul>
<b>BU</b>	<b>Bullying</b>	<ul style="list-style-type: none"> <li>• Verbal, physical, cyber bullying or threatening behaviour online, racist bullying, sexual bullying, homophobic, biphobic and transphobic bullying, bullying related to disability</li> </ul>
<b>RA</b>	<b>Racist abuse</b>	<ul style="list-style-type: none"> <li>• Racist taunting and harassment</li> <li>• Derogatory racist statements</li> <li>• Swearing that can be attributed to racist characteristics</li> <li>• Racist bullying</li> <li>• Racist graffiti</li> </ul>
<b>SM</b>	<b>Sexual misconduct</b>	<ul style="list-style-type: none"> <li>• Sexual abuse</li> <li>• Sexual assault</li> <li>• Sexual harassment</li> <li>• Lewd behaviour</li> <li>• Sexual bullying</li> <li>• Sexual graffiti</li> </ul>
<b>DA</b>	<b>Drug and alcohol related</b>	Possession of illegal drugs

		Inappropriate use of prescribed drugs Drug dealing Smoking Alcohol abuse Substance abuse
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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.