



Watford Grammar School for Girls

Behaviour Policy

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Committee Responsible	Curriculum
Updates in red	

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1. Aims and scope

This policy aims to:

- Provide a **consistent approach** to behaviour management
- Outline **how pupils are expected to behave**
- Summarise the **roles and responsibilities** of different people in the school community with regards to behaviour management
- Outline our system of **rewards and sanctions**

This policy applies on school premises and during school hours, on visits and trips, at school events or other occasions related to the school, and on any occasions when students are representing the school or are the responsibility of the staff. It applies when students are off site on study leave or work experience. When students are travelling to and from school they are considered to be representing the school, therefore the school rules still apply. This includes Sixth Form students, who remain subject to school jurisdiction even if off site, for example on lunchtime exeat, or when allowed off site if not being taught or in transit to another institution.

The school reserves the right to investigate and impose sanctions for any misconduct by any student at any time, beyond the bounds of the school day, week, and term, where such misconduct prejudices the good order and welfare of the school and its students, bringing its reputation into disrepute. This includes misuse of social media and poor behaviour, which is witnessed by staff or is reported to school by a member of the public.

This policy applies to students of other educational institutions when they are on site, as well as to Watford Grammar School for Girls students whilst attending other institutions for educational purposes.

2. Legislation, statutory requirements, and links to other policies

This policy is based on advice from the Department for Education (DfE) on:

- Behaviour and discipline in schools (July 2013)
- Searching, screening and confiscation at school (January 2018)
- The Equality Act 2010
- Use of reasonable force in schools (July 2013)
- Supporting pupils with medical conditions at school (September 2014)

Policy regarding exclusion will be based on specific statutory guidance from the DfE: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011

- [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

It is also based on the [special educational needs and disability \(SEND\) code of practice](#).

The policy will also comply with the [Funding Agreement 2010](#), point 30, and [Articles of Association](#)

This behaviour policy is linked to the following policies:

- Exclusions policy
- Safeguarding policy
- Anti-bullying policy
- Policy for the education of looked after and previously looked after children.

3. Ethos

We aim to ensure that everyone

- Is respectful and caring towards others within the school and wider community, has an open, tolerant mind and the ability to make and understand moral judgements.
- Achieves a sense of confidence, resilience and personal responsibility.

The school believes that good discipline is essential for effective learning to take place, and for this reason we maintain high standards of behaviour which are founded on the principle of mutual respect between adults and pupils. The maintenance of respectful personal relationships between individuals of all ages at school is the basis of our high standard of behaviour.

The School Code, which was drawn up after consultation with members of the school community is the basis of the school's Behaviour Policy.

4. Roles and responsibilities

4.1. The governing board

The governing board is responsible for monitoring this behaviour policy's effectiveness and holding the headteacher to account for its implementation.

4.2. The headteacher

The headteacher will ensure that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour, and will monitor how staff implement this policy to ensure rewards and sanctions are applied consistently.

4.3. Staff

Staff are responsible for:

- Implementing the behaviour policy consistently
- Modelling positive behaviour
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Recording behaviour incidents

The senior leadership team will support staff in responding to behaviour incidents.

4.4. Parents

Parents are expected to:

- Support their child in adhering to the pupil code of conduct
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly

5. Expectations of behaviour and the School Code

The school expects a standard of behaviour which is consistently high. It makes clear its expectations in two documents.

The school rules, included as an appendix, provide precise expectations about particular issues.

The School Code, which has been created by students and staff, exists as a guide as to how to be a member of WGGs. It provides guidance about a pupil's own attitudes, decisions and actions. The code is published every year in the girls' homework planners, and displayed throughout the school.

The school code:

- Aim high and set yourself targets and goals.
- Value each other as individuals.
- Treat people with kindness.
- Take responsibility for school property and the possessions of others.
- Have pride in your uniform.
- Find opportunities to be charitable.
- Be the best that you can be.
- Behave as a role model to others- lead by example

6. Rewards and sanctions

6.1. Rewards

The school aims to encourage positive behaviour through a structured system of rewards

6.1.1. **Departmental rewards** – Each Department is encouraged to practise a system of rewards for work, service to the school and exemplary behaviour, for example post cards, letters to parents etc

6.1.2. **Excellents** – can be rewarded by any member of the staff to pupils in all year groups for either work or behaviour. The reward may be written clearly on work or on a separate slip designed for this purpose.

- Excellents will be recorded on SIMS by the awarding member of staff.
- The Excellents are then listed in the final report of the year.

6.1.3. **Diamond Awards** - Diamond Awards can be awarded by a member of staff according to the following criteria:

- For an exceptional piece or work or an academic project that far exceeds the expectations of the teacher, that shows that the pupil has clearly gone far beyond the remit of the task and that displays a true love of learning, research and academic study.
- For a significant contribution to a school project, club, society or other extra-curricular activity. The contribution should far exceed the expectations of the teacher and involves an extraordinary amount of time and effort.

Diamond Awards are awarded on a termly basis. A letter will be sent to the parents of a Diamond award recipient, and she will then receive a certificate and badge in the end of term assembly.

6.1.4. **Prize Giving** : Prizes will be awarded for effort, service and academic excellence at Prize Giving ceremonies during the school year.

6.2. Sanctions

In that event that a pupil's behaviour does not meet the expected standard then sanctions may be necessary.

1. **In the most cases, discipline problems should be addressed, in the first instance, by the teacher directly involved.** The teacher will need to discuss the behaviour with the student, and may ask the student to complete a detention. If the detention is for longer than 15 minutes after school, then parents should be given at least 24 hours notice.
2. **If the pupil's behaviour continues to be unacceptable,** or she does not attend a teacher's detention, the teacher should escalate the issue. It is normal practice for a teacher to escalate the issue to the appropriate Head of Department in the first instance, if the issue arose in a subject lesson. The Head of Department will take appropriate action. This may include issuing a departmental detention, contacting parents, or putting the pupil on departmental report. It may also be appropriate to liaise with the Head of Year if the student is receiving, or requires, more extensive pastoral support.

If the behaviour issue arose in a form period or during PACE, the teacher should escalate the issue to the relevant Head of Year.

3. **In a pupil persists in behaving unacceptably, despite the intervention of the Head of Department or Head of Year,** the issue should be discussed with the appropriate Pastoral Director. At this point, measures which can be used include inviting parents into school to discuss the behaviour, or placing the student on a Pastoral Support Plan.
4. **In the very rare situation of pupil behaviour in a classroom being dangerous or causing significant disruption to others,** the pupil should be removed from the situation. A member of teaching staff may ask for assistance in doing this from the on-call member of SLT, and they may also ask for support from their own Head of Department or a Head of Year, if this member of staff is easily accessible.
5. In some circumstances a pupil's behaviour may require them to be kept separate from their peers and placed in **internal exclusion**. This may be due to an ongoing investigation or persistent disruptive behaviour in a lesson or to as a step before exclusion. In these cases a suitable venue and work will be provided. Pupils may also be placed in internal exclusion for breaks or lunchtimes to prevent incidents of poor behaviour. Parents will be notified of internal exclusion.
6. In the event of very serious breaches in conduct, continued disruptive behaviour or actions that bring the reputation of the school into disrepute the **Headmistress may decide to exclude a pupil**, either for a fixed term or permanently. The school processes for exclusions is set out in an appendix.
7. The school may choose to exercise discretion in how these sanctions are applied, in order to respond to pastoral or safeguarding concerns.

6.3. Off-site behaviour

Sanctions may be applied where a pupil has misbehaved off-site when representing the school, such as on a school trip or on the bus on the way to or from school.

7. Behaviour management

7.1. Classroom management

Teaching and support staff are responsible for setting the tone and context for positive behaviour within the classroom.

They will:

- Create and maintain a stimulating environment that encourages pupils to be engaged.
- Display the pupil code of conduct and the school expectations poster.
- Develop a positive relationship with pupils, which may include:
 - Greeting pupils in the morning/at the start of lessons
 - Establishing clear routines
 - Communicating expectations of behaviour in ways other than verbally
 - Highlighting and promoting good behaviour
 - Concluding the day positively and starting the next day afresh
 - Having a plan for dealing with low-level disruption
 - Using positive reinforcement

7.2. Physical restraint

Department for Education guidance on physical restraint forbids corporal punishment, but allows all teachers to use reasonable force to:

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so
- Prevent a student behaving in a way that disrupts a school event or a school trip or visit
- Prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
- Prevent a student from attacking a member of staff or another student, or to stop a fight in the playground
- Restrain a student at risk of harming themselves through physical outbursts

It is illegal to use force as a punishment.

The DfE guidance that any member of the teaching staff can use physical contact and reasonable force, when the situation renders it absolutely necessary. All school staff have a duty of care towards students and the use of reasonable force may be, in extreme cases, the only way to keep members of the school community safe:

The following principles apply when physical restraint is used:

- Physical restraint must only be used as a last resort when other strategies have failed. It must serve to de-escalate or prevent a violent or potential violent situation. It must not be used purely to achieve compliance with staff instructions when there is no immediate risk.
- Staff should have good grounds for believing that immediate physical restraint is necessary.
- Where possible, staff should take steps in advance to avoid the need for physical restraint - e.g. through dialogue and diversion - and the student should be warned orally that physical restraint will be used and why it is being used unless she desists.

- Physical restraint must not be used in anger. When it becomes apparent that the student is not responding to verbal instructions and a violent incident is imminent, the member of staff, wherever possible, should call for assistance before engaging in physical restraint.
- When it becomes necessary to restrain a student the member of staff must, if possible, continue to talk to the student in a calm manner, offering choices and time for the student to become calm.
- The age and competence of the student must be taken into account in deciding what degree of intervention is necessary. Reasonable adjustment should be made when dealing with students who are registered disabled or have a Special Educational Need
- Only the minimum force necessary, to prevent physical injury or damage, should be applied. Particular care must be taken to avoid inflicting any unnecessary pain or injury.
- Restraint must not involve deliberately painful or dangerous procedures. It must never interfere with breathing, blood supply or genital areas. It also must never involve holding the head, throat or fingers.
- The hold must be discontinued as soon as the situation is deemed safe. As soon as it is safe, restraint must be gradually relaxed as the student regains self-control.

A student must never be asked to restrain another student.

Parents/carers will be informed when physical restraint has been used and will be given the opportunity to discuss the matter with the school

7.3. Searching

School staff can search a pupil for any item if the pupil agrees. The school is not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out her pockets or ask if the teacher can look in the pupil’s bag or locker and for the pupil to agree.

The Headmistress, and staff authorised by her, have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. Prohibited items are:

- Weapons
- Alcohol
- Smoking equipment, ‘legal highs’, drugs or other illegal substances.
- Fireworks
- Pornographic or other inappropriate images
- Stolen items
- An article which the member of staff reasonably suspects has been, or is likely to be, used to commit an offence
- An article which a member of staff, reasonably suspects, has been used to cause personal injury to, or damage to the property of, any person
- Any other item which the School Rules identify as an item for which a search may be made.

If the Headmistress or a DSP feels that a student may be at a risk of serious harm then a search may be carried out without the presence of another member of staff. However, this should be exceptionally. Normally, the following guidelines should be followed:

- Searches should only be carried out in the presence of at least one member of the SLT.
- There should be at least one member of staff present of the same sex as the student.
- The person conducting the search may not require the pupil to remove any clothing other than outer clothing. ‘Outer clothing’ means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but ‘outer clothing’ includes hats; shoes; boots; gloves and scarves.
- A pupil’s possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff. ‘Possessions’ means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.

- Any prohibited items found will be marked in an envelope and placed in the school safe. Weapons or knives and extreme or child pornography must be handed over to the police. Whilst there is no legal duty to inform parents of searches, the school will try to notify parents/carers if their child has been subject to a search.

Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.

Consideration of pupils with SEND needs should be made when conducting any search.

Complaints about searching should be dealt with through the normal school complaints procedure.

7.4. Confiscation

If a member of staff seizes a prohibited item from a student, the member of staff must do one of the following:

- Retain the item and hand it in to the Headteacher (such as a mobile phone)
- Dispose of the item (cigarettes, alcohol, chewing gum)
- Deliver the item to a police officer as soon as reasonably practicable [weapons, stolen items, drugs etc.]
- Return the item to its owner or via the parent/guardian (i.e. jewellery, make-up, aerosol spray)

8. Pupil support

The school recognises its legal duty under the Equality Act 2010 to prevent pupils with a protected characteristic from being at a disadvantage. Consequently, our approach to challenging behaviour may be differentiated to cater to the needs of the pupil.

In line with our policy on looked-after and post-looked-after children, the school will seek to avoid using exclusion as a sanction for such children, as it increases the existing risk of them failing to engage with the school community.

The school's special educational needs co-ordinator will evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met. Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs. When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

9. Training

Our staff are provided with training on managing behaviour, including proper use of restraint, as part of their induction process.

Behaviour management will also form part of continuing professional development.

10. Monitoring arrangements

This behaviour policy will be reviewed by the headteacher and governors biennially. At each review, the policy will be approved by the headteacher.

Appendix 1: school rules

The School Rules

(These rules have been created by staff and Governors of the school.)

- Pupils must register at 8:40 a.m and 3.35 p.m. on a Monday, Wednesday and Thursday and 3.05 p.m. Tuesday and Friday.
- If pupils arrive at school after 9.00 a.m they must report to Reception. If pupils arrive during a day of a Main Hall assembly they must sign in at reception.
- Pupils in Year 7-11 must remain on the school site during the school day. If pupils need to leave school at other times, a note from their parents should be sent to their tutor. Pupils must sign out at Reception before they leave and after they return to school.
- Year 12 may leave the school site during lunchtime; they must use the Inventory system to sign out and back in on their return.
- Year 13 may leave the school site during non-lesson times after 12pm, they must use the Inventory system to sign out and back in on their return. They must attend afternoon registration.
- Pupils must wear the correct school uniform in school and when taking part in school activities and school trips, unless otherwise directed. If pupils are temporarily without the correct full school uniform they should bring a note from home explaining the reason to their tutor.
- Pupils must not bring or be in possession of inappropriate items including chewing gum, smoking equipment, alcohol, 'legal highs', drugs or other illegal substances, weapons, aerosols, fireworks, skateboards, scooters, stolen items and articles of a pornographic nature on the school site, or on any school related activity. The school may undertake a search for any of these items.
- Pupils in Year 7 – 11 may bring a mobile phone into school but it must be locked in their locker as soon as they arrive in the school building. Phones may only be removed and used again once they have left the school site.
- Pupils in Year 12 and 13 may use their mobile phones; in lessons, with permission of the teacher, the Tennet Centre, in the library with headphones during lesson time. At all other times they must be kept out of sight.
- Pupils must not take hot food or drink out of the Food Factory or the Tennet Centre. Hot food or drinks may not be eaten in classrooms or in the corridors.
- If pupils have to bring medications to school, they must be left with the Medical Team, not carried around the school. **However, if absent on a school trip epi-pens and inhalers must be taken out to be available to the pupil.**
- Pupils must not act violently or participate in violence of any sort towards other people or property.
- Pupils must not be involved in any form of bullying, verbally or physically, either as perpetrators or bystanders.
- Pupils should not run, block doorways, corridors or behave in any way that is a danger to others, or damage school property.
- Pupils are not permitted to engage in sexual activity during school time, on the school site or when taking part in school activities or trips.
- Pupils must not record or photograph any person without their permission.
- Pupils should observe the one way system on stairs and keep left in corridors where possible.

Appendix 2 : Exclusions Process

The Department for Education has published detailed guidance on exclusion from school, and WGS will follow this on all occasions when a student is excluded from school. This appendix offers a brief summary of practice.

The decision to exclude a pupil will be made by the Headteacher, **or acting Headteacher**, based on the outcome of an investigation that will involve :

- Taking written statements from those directly involved and witnesses.
- Interviewing those directly involved with another adult present.
- Interviewing where necessary any witnesses in the presence of another adult.
- Reviewing pupil files, previous exclusions during the same academic year will be taken into consideration.

Exclusions may be fixed-term or permanent. **The decision to exclude will taken only:**

- **In response to serious or persistent breaches of the school's behaviour policy, and**
- **If allowing the pupil to remain in school would seriously harm the education or welfare of others**

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the headteacher will:

- **Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked**
- **Allow the pupil to give their version of events**
- **Consider if the pupil has special educational needs (SEN)**

The length of a fixed term exclusion will guided by:

- **The impact of the behaviour i.e. if violence resulted in injury**
- **If it is a repeated offence**

For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

i) School process for imposing a fixed term exclusion

Fixed term exclusions will vary in length depending on the seriousness of the students action. If the period of exclusions is six days or longer, the school will organise alternative provision for the education of the student.

The normal progression of exclusions is as follows:

1. One day - letter of exclusion to parent giving details of reasons and requesting an interview with parents/guardians before the student is re-admitted to school.
2. Three days - letter of exclusion to parent giving details of reasons and requesting an interview before the student is re-admitted. Student is put on daily report, the duration of which is at the discretion of the Headteacher.
3. Five days - letter of exclusion to parent giving details of reasons requesting an interview before the student is admitted. Student is put on a contract and monitored using the daily report system

While excluded, the pupil will be set appropriate work. It is expected that parents will supervise the pupil during their period of exclusion.

For exclusions of five or fewer days, there will be a re-integration meeting with the Headteacher, or in her absence a delegated member of the Senior Leadership Team, to discuss the incident/behaviour pattern before the student returns to the school. At this meeting the student attends in school uniform with a parent/carer to hear the reasons

for the exclusion in detail. The arrangement for re-integration and further monitoring and support for the student are also discussed. This meeting is held in addition to the pre-exclusion meeting.

ii) The role of the governors with regard to fixed term exclusions

Without delay, the Headmistress will inform the governors of any fixed term exclusion which

- will result in the pupil being excluded for a total of more than five school days (or more than ten lunchtimes) in a term; or
- will result in the pupil missing a public examination or national curriculum test.

The governors have a duty to consider representations from parents or carers about an exclusion. The requirements vary depending on several factors, and these are summarised in a flow chart, drawn from DfE guidance, in appendix three.

iii) Permanent Exclusion

The decision to exclude a student permanently is a serious one and is usually the final step in a process of dealing with disciplinary incidents after a range of other strategies have been tried without success. The permanent exclusion is therefore an acknowledgement by the school that all available strategies have been exhausted. There will however be exceptional circumstances where in the Headteacher's judgement, it is appropriate to exclude a student for a one off or first offence.

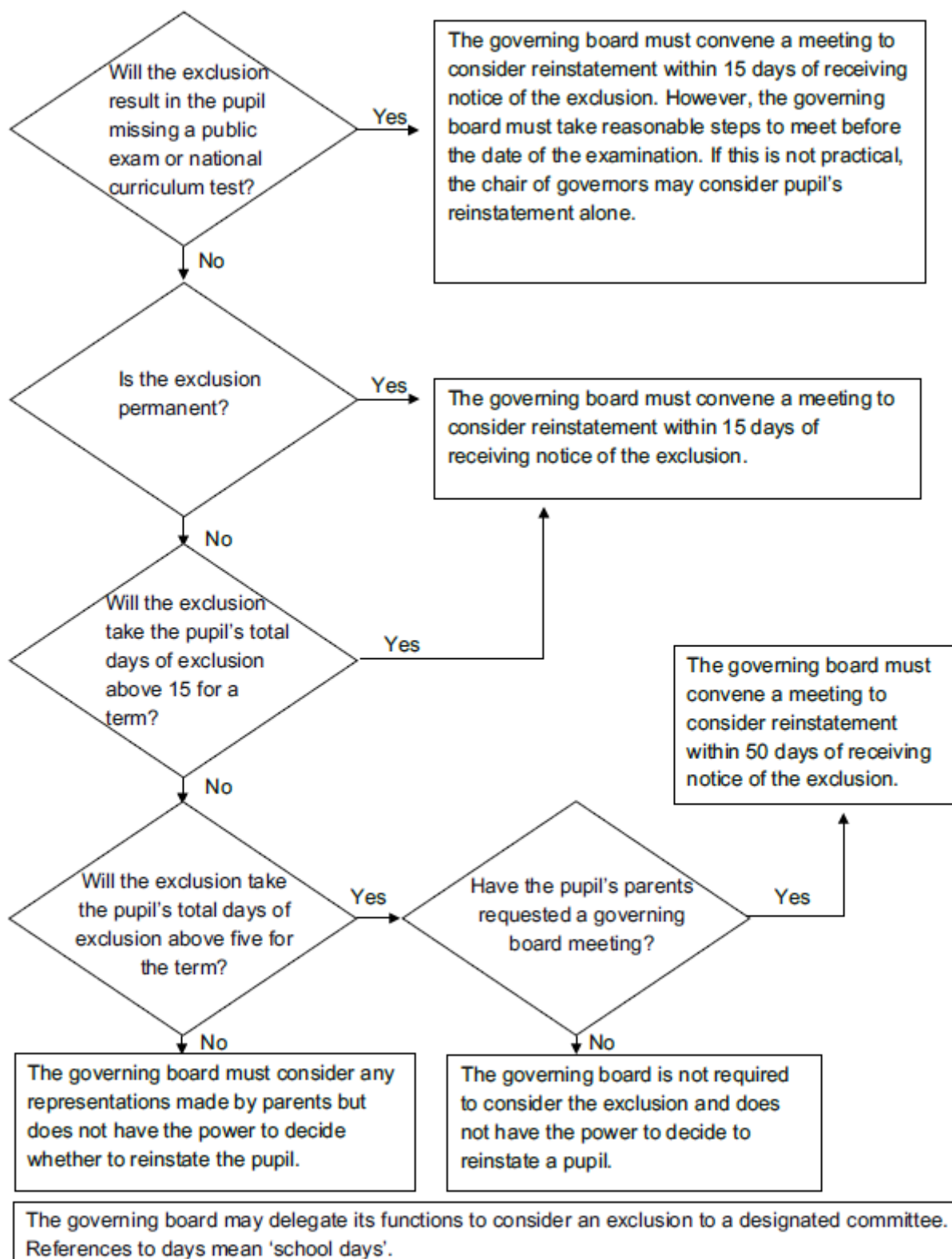
These might include:

- serious actual or threatened violence towards another student or member of staff
- supplying an illegal substance
- carrying an offensive weapon

These instances are not exhaustive but indicative of the severity of the incident and the impact on the well-being and order of the school community.

In cases where the Headteacher has permanently excluded a student a Governors appeal committee will hear representations from the parents/carers of the excluded child as well as hearing the reason for the Headteacher reaching the decision to permanently exclude. After listening to the representatives from both sides they will then consider the case and decide whether to uphold the Headteacher's decision or reinstate the student.

Appendix 3 – responsibilities of the Governing Body with regard to exclusions



1. Representations to the Governors

Governors have a duty to consider parents' representations about exclusion. The requirements on a governing body to consider exclusion depend upon a number of factors (See Above). As an Academy the Governing body may delegate responsibility to a subcommittee of up to 3 people.

The Governing Body must ensure that all panel members and clerk have received training with the two years prior to the date of the review.

a. Exclusions totalling up to 5 school days in a term:

For a fixed term exclusion which does not bring the pupil's total number of days of exclusion to more than five in a term, the governing body must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents. There is no set time for a response.

If parents make a request then

1. The Clerk, on behalf of the Governors, will write to the parents who have made the request to invite them to provide written representation. The letter must give clear grounds for their request for the Governors to review the decision to exclude and/or mitigating circumstances that they parents may wish to be taken into consideration. See Appendix 2.
2. Upon receipt of the written representation the Governors may delegate responsibility to review the representation to between one to three Governors.
3. The Governors will write the Head teacher to clarify any points made in the written representation.
4. The Governors will reply to the parents with the outcome of their review within 50 days of the receipt of the written representation.

The governing board must consider the reinstatement of an excluded pupil within 15 school days¹⁹ of receiving notice of the exclusion if:

- the exclusion is permanent;
- it is a fixed-period exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or
- it would result in a pupil missing a public examination or national curriculum test.

b. Exclusions totalling between 5 ½ and 15 school days in a term:

For a fixed term exclusion of 5 ½ -15 days in a term the parent/carer may request a meeting the Governors. The meeting must take place within 50 school days. The governors can reinstate a pupil either immediately or on specified date/

If the parents make a request then:

1. The Clerk will arrange a meeting, a convenient time/date, within the specified period with the following:
 - a. Parents, who may be accompanied by friend or representative
 - b. Pupil, in full school uniform.
 - c. Headteacher
 - d. If parents request a representative of the local authority can be invited to observe.
2. In preparation of the meeting the governing body should:
 - a. Ensure exclusion is not discussed with any party outside of the meeting
 - b. Ask for written information and evidence in advance of the meeting
 - c. Where possible, circulate any written information and list of attendees to all parties, at least

- 5 days before the meeting
 - d. Identify steps they will take to enable the excluded pupil to attend and speak on their own behalf
3. At the meeting
- a. The Clerk should take minutes. These should be made available to all parties on request.
 - b. The Governors should be in the room
 - c. The Head teacher, pupils, parents and invited representatives must enter together.
 - d. Any witnesses must only be invited to enter at the specific time they are needed and should withdraw after they have spoken.
 - e. The Head teacher, pupil, parents and invited representatives must leave together.
 - f. A suggested agenda of the meeting is:
 - The school's case is put to a panel of Governors. Invited witnesses may attend at this point.
 - The pupil is asked to express their views
 - Parent/carer have the opportunity to express their views.
 - Governors may ask any party questions to help them to make a decision.
4. Following the meeting Governors can either:
- Uphold the exclusion or
 - Direct reinstatement

When deliberating the Governors must consider the interests and circumstances of the excluded pupil, have regard to the interests of other pupils and people working at the school and consider representations made by all parties. When establishing the facts in relation to exclusion the Governors must apply the civil standard of proof; i.e. 'on the balance of probabilities'. They must also decide if the decision was lawful, reasonable and procedurally fair.

5. Governors should notify the parents, pupils and Headteacher in writing of their decision without delay. The letter should contain sufficient detail to enable all parties to understand why the decision was made. Copies of decision should be placed on the pupils' record along with copies of the relevant papers. If the Governors uphold the exclusion then they must draw the parents' attention to sources of free and impartial information.

The school should retain records and evidence relating to exclusion for at least 6 months.

c. Permanent Exclusion, Exclusions totalling more than 15 days in a term or where a pupil will miss a public exam?

Governors must meet to consider these exclusions. The meeting must be held within 15 days of receiving notice of the exclusion. Governors can reinstate a pupil either immediately or on a specified date. Governors have the discretion to allow an excluded pupil on to the school site for the sole purpose of taking an exam or test.

The decision to exclude a student permanently is a serious one and is usually the final step in a process of dealing with disciplinary incidents after a range of other strategies have been tried without success. The permanent exclusion is therefore an acknowledgement by the school that all available strategies have been exhausted. There will however be exceptional circumstances where in the Headteachers judgement, it is appropriate to exclude a student for a one off or first offence.

These might include:

- serious actual or threatened violence towards another student or member of staff
- supplying an illegal substance
- carrying an offensive weapon

These instances are not exhaustive but indicative of the severity of the incident and the impact on the

well-being and order of the school community.

In cases where the Headteacher has permanently excluded a student a Governors appeal committee same process as for the exclusion for between 5 ½ to 15 days will take place, except this must take place within 15 school days.

In cases where a Headteacher has permanently excluded a student for:

- a) one of the above offences; or
- b) persistent breaches of the Behaviour Policy including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of any substance believed/thought to be an illegal drug on the school premises;

The Secretary of State would not normally expect the Governing body or an Independent Review Panel to reinstate the student. Exclusions, whether fixed term or permanent, are only used in line with DCSF circular 6/94 and any DCSF advice or guidance provided thereafter. All are referred to the Governing Body.

In the case of a permanent exclusion the written notification must include:

- The fact that it is permanent.
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel and the following information:
 - a) the date by which an application for a review must be made (i.e. 15 school days from the date on which notice in writing of the governing board's decision is given to parents – see paragraph 78);
 - b) where and to whom an application for a review (and any written evidence) should be submitted;
 - c) that any application should set out the grounds on which it is being made and that, where appropriate, this should include a reference to how the pupil's SEN are considered to be relevant to the exclusion;
 - d) that, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the local authority/academy trust to appoint an SEN expert to advise the review panel;
 - e) details of the role of the SEN expert; and
 - f) that parents may, at their own expense, appoint someone to make written and/or oral representations to the panel.

That, in addition to the right to apply for an independent review panel, if parents believe that there has been unlawful discrimination in relation to the exclusion then they may make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination.

2. Removing the Permanently Excluded Pupil from the school register

The governing board must ensure that the Head teacher has removed a pupil's name is from the school admissions register if:

- 15 school days have passed since the parents were notified of the governing board's decision to not reinstate the pupil and no application has been made for an independent review panel; or
- the parents have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review panel has been made within 15 school days, the school must wait until the review has been determined, or abandoned, and until the governing board has completed any reconsideration that the panel has recommended or directed it to carry out, before removing a pupil's name from the register.

Where a pupil's name is to be deleted from the school admissions register because of a permanent exclusion the school must make a return to the local authority. The return must include all the particulars which were entered in the admission register, the address of any parent with whom the pupil normally resides and the grounds upon which their name is to be deleted from the admissions register (i.e. permanent exclusion). This return must be made as soon as the grounds for deletion is met and no later than the deletion of the pupil's name.

Where a pupil's name is removed from the school register and a discrimination claim is subsequently made, the First-tier Tribunal (Special Educational Needs and Disability) or County Court has the power to direct that the pupil should be reinstated.

3. An Independent Review Panel (IRP)

The parents may request a IRP following notice to permanently exclude a pupil. The academy trust must, at their own expense, arrange for an IRP hearing to review the decision of a governing board not to reinstate a permanently excluded pupil. The legal time frame for an application is:

- within 15 school days of notice being given to the parents by the governing board of its decision not to reinstate a permanently excluded pupil (in accordance with the requirements summarised in paragraph 75); or
- where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion.

See pages 27 – 45 of Statutory Guidance for more details.