



# HOLYPORT COLLEGE

## BOARDING EXCLUSIONS POLICY

<b>Person responsible for policy formulation, implementation, maintenance and evaluation</b>	Deputy Head Master
<b>Persons consulted</b>	General Welfare Committee Senor Leadership Team
<b>Adopted by Governors on</b>	September 2021
<b>Date of future review</b>	September 2025

## **KEY PRINCIPLES**

- Boarders at Holyport College have the right to live in a happy, harmonious environment. The College acknowledges that the threshold and reasons for an exclusion from boarding may be inherently different from the threshold and reasons for an exclusion from school
- The College does everything within its power to ensure that positive relationships exist between its staff and students however acknowledges that repeated and/or extreme instances of poor behaviour can have a detrimental impact upon these relationships and upon the smooth running of the boarding community which, in turn, has a detrimental impact upon the experiences of all boarders
- The Promoting Positive Behaviour Policy emphasises students' entitlements and responsibilities. The Equality Policy emphasises the College's responsibilities in relation to students with SEND
- If a student is excluded from boarding, this does not necessarily constitute an exclusion from school however an exclusion from school will automatically result in an exclusion from boarding for the same period of time. Likewise, it is possible for a student to be excluded from school (either permanently or for a fixed term) for boarding related offences
- The decision to exclude a student from boarding (for either a fixed term or permanently) will be made in the following circumstances:
  - a) Where the College feels it necessary to safeguard the interests of other residential boarders
  - b) Where the College feels the student is a risk to either themselves or to other residential boarders
  - c) Where the College feels the student is unable to cope with or benefit from residential boarding (or where the student is not attending boarding on a regular basis)
  - d) Where the College believes that an exclusion from boarding is an appropriate sanction or a necessary step in the management of a student's behaviour

## **POLICY DOCUMENT ANNUAL REVIEW**

This Policy document is subject to a periodic review by Holyport College that is formally documented to ensure its continuing suitability, adequacy and effectiveness. Areas subject to review include, but are not limited to, follow-up action from previous reviews, policy conformity, review of complaints, status of corrective and preventive actions, and improvements for the forthcoming year. It takes account of DfE guidance, 'Behaviour and discipline in schools: Advice for headteachers and school staff', January 2016, 'Exclusion from maintained schools, academies and

referral units in England’, September 2017 and ‘Mental health and behaviour in schools’, November 2018. Holyport College reserves the right to amend this Policy by notice following such review in circumstances in which it considers such change to be necessary or appropriate.

## **CONTEXT**

Holyport College aims to provide a boarding environment which is safe and in which students can enjoy and achieve. The College’s Promoting Positive Behaviour policy emphasises positive strategies and the College’s Boarding Handbook emphasises the rules and routines which students should adhere to in order to ensure a positive and happy experience for all boarders. For the most part, the boarding environment is one of cooperation and shared responsibility. However, some incidents of unacceptable behaviour are not satisfactorily resolved through the normal channels and exclusions must be considered as a last resort.

## **TYPES OF EXCLUSION**

There are two types of exclusion from boarding:

- Fixed Period
- Permanent

There is no limit to the number or duration of Fixed Period exclusion from boarding, however where these exceed 45 days in any one year, the College should consider the appropriateness of the individual remaining in boarding.

The decision to exclude a student from boarding will be taken in the following circumstances:

- a) Where the College feels it necessary to safeguard the interests of other residential boarders
- b) Where the College feels the student is a risk to either themselves or to other residential boarders
- c) Where the College feels the student is unable to cope with or benefit from residential boarding (or where the student is not attending boarding on a regular basis)
- d) Where the College believes that an exclusion from boarding is an appropriate sanction or a necessary step in the management of a student’s behaviour

Boarding Exclusions, whether fixed-term or permanent, may be used in response to any of the following, all of which are examples of unacceptable

conduct and breach the Promoting Positive Behaviour Policy and Student Code of Conduct:

- Physical assault against a student or an adult
- Verbal abuse/threatening behaviour against a student or an adult
- Persistent bullying
- Racist abuse
- Sexual misconduct
- Drug and alcohol related incidents
- Damage to property
- Vandalism
- Theft
- Persistent disruptive behaviour
- Weapons-related offences
- Posing a health and safety risk
- Absconding from boarding
- Behaviour which undermines the smooth running of the boarding house or the wellbeing of other boarders

This is not an exhaustive list and there may be other situations where the Head Master judges that exclusion from boarding is an appropriate sanction.

### **MONITORING, INTERVENTION AND SUPPORT**

At Holyport College there will be a range of strategies in place to address poor behaviour that may lead to exclusion from boarding. Students will be identified as at risk of exclusion and offered alternative or additional provision to meet their individual needs. These additional measures may include:

- the school engaging with parents
- placement on a boarding report
- detentions or other sanctions
- assigning a boarding mentor
- consideration by the Deputy Head Master, with colleagues, of possible interventions within school
- implementation of a Pastoral Support Programme
- referral to other relevant agencies

## **PERMANENT EXCLUSION FROM BOARDING**

The decision to exclude students permanently from boarding is a serious one. There are three main types of situation in which permanent exclusion from boarding may be considered.

- The first is a final, formal step in an on-going process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. This would include persistent and defiant behaviour such as bullying.
- The second is where students may be excluded for a one-off offence regardless of previous disciplinary history.

These circumstances may include, but are not limited to:

- an assault on another member of the school community
- physical bullying
- sexual assault
- possession of an illegal drug
- possession of an offensive weapon
- behaviour which renders a boarder unsuitable to remain in boarding
- The third is where the continuing presence of an individual in boarding represents an unacceptable level of risk to either themselves or the wider boarding community.

These circumstances may include, but are not limited to:

- Significant risk of suicide or repeated self-harm
- Insomnia or night time behaviour which prevents other students being able to sleep
- Absconding from boarding
- Inability to cope with, or benefit from, the boarding environment

Also in line with the exclusion policy, the College will not tolerate persistent and defiant behaviours over time where sanctions and interventions have failed to bring about positive improvement. In these circumstances, a student's behaviour would be deemed to be seriously harming the education and welfare of the student or others in the boarding environment, thus placing the student at high risk of permanent exclusion.

## **MAKING A DECISION TO EXCLUDE**

Before deciding whether to exclude a student, the school will:

- ensure that an appropriate investigation has been carried out
- consider all the evidence available to support the allegations, taking into account the Promoting Positive Behaviour Policy, Student Code of Conduct, and Equality and SEND Policies, including the Equality Act 2010 and the SEND Code of Practice, January 2015.
- allow the student to give his/her version of events

The Head Master has to be satisfied on the balance of probabilities that the student was responsible for the behaviour in question.

The decision to exclude a student must be lawful, reasonable and fair. Care is taken not to discriminate against students on the basis of protected characteristics, such as disability or race. Particular consideration is given to the fair treatment of students from groups who are vulnerable to exclusion. This includes children:

- who are starting secondary school;
- from minority ethnic backgrounds;
- in care (looked after);
- in receipt of free school meals;
- from the travelling community;
- who are young carers;
- from families under stress;
- who are pregnant schoolgirls and teenage mothers; who are unaccompanied asylum seekers;
- who have SEN or other recognised disabilities.

## **EXERCISE OF DISCRETION**

The Head Master will always look at the particular circumstances of each case. In considering whether permanent exclusion from boarding is the most appropriate sanction, the Head Master will consider:

- The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the school's Boarding Handbook, Promoting Positive Behaviour Policy and Student Code of Conduct.

- the effect that the student remaining in the school would have on the education and welfare of other members of the school community.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' Student Discipline Committee, when it meets to consider the Head Master's decision to exclude. The committee will require the Head Master to explain the reasons for the decision and will look at appropriate evidence such as the student's school record, witness statements and the strategies used by the school to support the student prior to exclusion.

### **INFORMING PARENTS AND CARERS**

The Head Master or Deputy Head Master will let parents and carers know immediately (generally by telephone) about the length of the exclusion and the reason for it. This will be followed up immediately with a letter which includes:

- the reason for the exclusion;
- the length and time of the exclusion and date for return (if fixed-period);
- the expectation that the student continue to attend/not attend school during the day
  - Details of a parent's/carer's right to state their case to the Governors' Discipline Committee (in the case of permanent exclusion from boarding), how the student may be involved in this and whom they should contact;
- their rights under the Equality Act;

### **WHAT CAN PARENTS/CARERS DO IF THEY DISAGREE WITH THE DECISION TO EXCLUDE FROM BOARDING?**

- Speak to the Head Master about the decision, outlining their concerns
- Ask the governors to review the decision - a letter must be sent to the Clerk of the Discipline Committee (addressed to the school) as soon as possible after receiving the letter about the exclusion. Governors must meet to review certain exclusions and must consider any representations about an exclusion made by parents/carers. For fixed-period exclusions of 1-5 days in a term, the governors must consider representations but do not have to meet. For exclusions of 1-5 days governors are unable to shorten the exclusion, but can place a note of their findings on the student's file. For exclusions of 6-15 days governors must hold a meeting if requested. For fixed-period exclusions of more than 15 days and permanent exclusions, governors must hold a meeting to review the exclusion whether requested to do

so or not. Parents/carers and the student will be invited to attend this meeting.

- There are no rights of appeal for fixed-period exclusions. However, if parents/carers consider that their child has a disability and they feel that he/she has been discriminated against in this exclusion, 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. Web site address: <http://www.justice.gov.uk/tribunals/send>. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place, i.e. the day on which the student was excluded.

## **THE GOVERNORS' REVIEW COMMITTEE MEETING**

The governors committee which meets to review exclusions is known as the Governors' Review Committee and consists of at least three governors.

If the exclusion is between six and fifteen days in a term, and the parents request a meeting, then the Governors' Review Committee must meet within 50 school days.

The Governors' Review Committee must always meet to consider exclusions greater than fifteen school days in a term, and all permanent exclusions. The meeting must take place between the sixth and the fifteenth school day after the governing body has been notified of the exclusion.

The role of the Governors' Review Committee is to act as another 'set of eyes' to review the Head Master's decision to exclude. Exclusions are very serious and the governors will review whether the exclusion has been carried out correctly and takes account of the needs of the child. They are not a rubberstamping body.

The Clerk to the Committee will write to parents/carers confirming the date and time of the meeting and send the paperwork which will be considered at the meeting. The paperwork will include written representation if submitted. Other paperwork that may be available is:

- witness statements and the student's version of events, if appropriate;
- a behaviour diary;
- information on the student's special educational needs;
- if there is an individual education plan, this will include details of the student's difficulties, the school's strategies, support and reviews, and information on other services involved;



- attendance records
- any other relevant documentation.

The following people will attend the meeting:

- the governors, one of whom will act as Chair of the Committee. The committee must be quorate (i.e. there must be a minimum of 3 governors);
- a Clerk to take notes and advise on procedure;
- the Head Master and/or a senior member of staff;
- the parents or carers and a representative;
- the student - unless there are strong reasons against his/her attending, it is important that the student is given every opportunity to have his/her say;
- witnesses may be called to give evidence but do not normally remain for the full meeting.

The meeting will follow a clear agenda which gives everyone an opportunity to have their say. The agenda for the meeting will be as follows:-

- Head Master's or nominated representative's presentation;
- questions by the parents and governors;
- parents'/carers' representation (a friend or representative and the student may also attend and speak);
- questions by the Head Master and governors;
- Local Authority's statement (for permanent exclusions);
- summing up by the school;
- summing up by the parents;
- all parties will leave and the governors will discuss the information and make a decision. Parents/carers will be notified of the governors' decision within one school day.

The Governors' Review Committee must consider, on a balance of probability:

- whether the student did what he/she is alleged to have done and what behaviour policies were not followed;
- whether the correct procedures were used;

- the seriousness of the incident, and the appropriateness of the length of the sanction;
- the likelihood of the incident being repeated if the student were allowed to return;
- the fairness of the exclusion in relation to any other students involved in the same incident;
- any relevant previous misbehaviour;
- the support provided by the school and for how long it was provided;
- any special educational needs and disabilities the student may have;
- any mitigating circumstances (e.g. being bullied).

The Discipline Committee's decision will be to:

- **Uphold the exclusion** if it agrees with the Head Master's decision;  
or
- **Reinstate the student i.e.** allow the student to return to boarding immediately or on an agreed date.

## **ROLE AND RESPONSIBILITIES**

The Deputy Head Master is responsible for monitoring the implementation of the policy, including recording and analysing the profile of excluded students. The Head Master is responsible for ensuring the fair and consistent implementation of the policy and for all decisions on whether or not to exclude a student from boarding. The Governing Body is responsible for deciding whether or not to confirm the Head Master's decision to exclude a student from boarding.