

The decision to exclude a pupil should be taken only:

in response to serious breaches of the school's behaviour policy and if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

Whose decision?

Only the head teacher, or in the absence of the head teacher or teacher-in-charge, the most senior teacher who is acting in that role, can exclude a child.

The decision to exclude a child permanently is a serious decision. Usually it is the final step in a process for dealing with disciplinary offences, after wide ranges of strategies have been tried without success. **The last resort.**

There will be **exceptional circumstances** where, in the head teacher's judgement, it is appropriate to permanently exclude a child for a first offence or 'one off' offence, such as:

1. Serious actual or threatened violence against another pupil or a member of staff.
2. Sexual abuse or assault.
3. Supplying an illegal drug.
4. Carrying an offensive weapon.
5. Persistent and defiant misbehaviour including bullying (including racist or homophobic bullying).
6. Repeated possession and/or use of an illegal drug on school premises.

Schools may consider contacting the police or informing other agencies such as the Youth Offending Team or Social Services.

When the decision is made to exclude a child for one or more of the above offences, the Secretary of State would not normally expect the Discipline Committee or an Independent Appeal Panel to reinstate the pupil.

Factors to consider before making a decision to exclude

Exclusion should not be imposed in the heat of the moment – unless there is an immediate threat to the safety of others in the school or the pupil involved.

Schools should:

- Investigate** – find out what happened.
Evidence – collect statements from witnesses and consider all evidence available including that of the pupil. Behavioural and Equal Opportunity polices should also be look at.
Provocation – what happened before the incident, any bullying/racism etc.
Decision – the decision is made on the balance of probabilities, that the pupil **did** what he/she is alleged to have done.