

**REVIEWED:**  
SEPTEMBER 2022

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## **EXCLUSIONS POLICY**

# **DUIHS**

## Introduction

At Darul Uloom good discipline is an essential part of a pupil's life in the school. This guarantees that all pupils can benefit from the opportunities provided by our education.

To maintain discipline at Darul Uloom, the school follows the behaviour policy with coherent forms of sanctions to deal with behavioural failings. By parameters outlined in this policy, we provide an all exhausted opportunities to our pupils to rectify their behaviour. Exclusion will only be used as a last resort 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.

When a decision to exclude a pupil is made, DUJHS will ensure the decision is lawful, reasonable and fair. Exclusion will be made purely on the basis of irredeemable action and all measures are in place to avoid any form of discrimination on all accounts with the Equality Act 2010 in full respect and application. We will also consider the fair treatment of pupils from groups who are vulnerable to exclusion.

A pupil can be excluded for the following reasons:

- A serious breach, or persistent breaches, of the school's behaviour policy
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school
- Pupils whose behaviour at lunchtime/break time/prayer time is very disruptive
- The behaviour of pupils outside school can be considered as grounds for exclusion
- Any student who is deemed a consistent disruption to his class and peers may be excluded
- Regularly missing school or classes/lessons
- Possession of drugs
- Possession of weapons
- Verbal abuse to staff and others
- Verbal abuse to pupils
- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Theft
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction.

## Exclusion procedure

### Internal exclusions

The headteacher may take the decision to internally exclude a pupil if (a) being in the school would not harm the rights of others, (b) the investigation into the matter concerned is concluded and resolved, (c) if the action for exclusion is of a less-than-severe nature e.g. concerns of immaturity

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rather than more severe concerns such as bullying, (d) if parents and headteacher agree that an out-of-school exclusion would be inconducive to both learning and redemption.

### Short Term exclusions

Short-term exclusions will usually be between one and three days depending on the severity of the action that ensued the decision. The DfE regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

1. Following exclusion parents are contacted immediately where possible. A letter will be sent to parents with details of the exclusion.
2. Parents have a right to make representations to the Trustee in charge of the school.
3. A return to school meeting will be held following the conclusion of the exclusion and the process will involve the Trustee of the school, Headteacher and other staff where appropriate.
4. The excluded pupil will return to school following the meeting with set conditions that will, in most cases, include a behaviour management report; *green* or *red* depending on the severity and/or nature of the exclusion
5. During the course of a fixed term exclusion, where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility as parents/guardians.
6. Records relating to exclusions will be stored confidentially.

### Permanent Exclusion

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which will have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a final resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.
2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence.

These might include:

- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act
- Arson

When an exclusion of a pupil is made we will:

- Notify the local authority
- Without delay, notify parents of the exclusion and the reasons for it in writing
- Inform the parents' of their rights to make representations about the exclusion to the Headteacher and that parents have a right to attend a meeting

The Headteacher of the school will remove a pupil's name from the school admissions register if:

- 10 school days have passed since the parents were notified
- The decision to uphold a permanent exclusion has been made

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- No application has been made for an independent review panel

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well-being of the School.

General factors the School considers before making a Decision to Exclude Before deciding whether to exclude a student either permanently or for a fixed period the Headmaster (or his Deputy) will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations and take into account other relevant school policies
- Allow the student to give her/his version of events
- Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment If the Headmaster (or his Deputy) is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion is likely to be the outcome.

Exercise of Discretion In reaching a decision, the Headmaster (or his Deputy) will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Headmaster will consider:

- a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Student Behaviour Management Policy and
- b) the effect that the student remaining in the School would have on the education and welfare of other students and staff Nonetheless, in the case of a student found in possession of an offensive weapon or illegal substances, whether there is an intention to use it or not, it is the School's usual policy in this particularly serious matter to issue a permanent exclusion.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Appeals Panel when considering the Headmaster's decision to exclude

### **Behaviour Outside School**

A students' behaviour outside School on school "business" for example travelling to and from school, school trips and journeys, sports fixtures or a work experience placement is subject to the School's Behaviour Management and Exclusions Policy.

Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in School. If students' behaviour in the vicinity or School community, or on a journey to and from school is below expectation and meets the School criteria for exclusion then the Headmaster (or his Deputy) may decide to exclude.

Drug Related Exclusions In making a decision on whether or not to exclude for a drug-related offence the Headmaster (or his Deputy) will have regard to the School's stance on drugs as communicated to all students and parents. The decision will depend on the circumstances of the incident and the information available. The Headmaster (or his Deputy) will make a judgment set against the School's stance on Drugs which is zero tolerance.

Appeals If parents wish to appeal the decision to exclude the matter will be referred to the Trustee in charge. The Appeals Panel will normally consist of three persons. However, providing there is an agreement from the Parent(s)/Guardian who is/are making the appeal, an Appeals Panel may be

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convened and constitute less than three persons. This would need to be confirmed in writing to the Trustee.

Appeal Panel hearings would normally be convened within 15 school/working days from the date of the exclusion.

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