



RANGE HIGH SCHOOL

Challenge • Support • Flourish

Stapleton Road Formby Liverpool L37 2YN Tel: [DPA]

Email: admin@range.sefton.sch.uk Web: www.range.sefton.sch.uk Twitter: @RangeHighSch

Head Teacher: Mr M. McGarry MA, PGCE, NPQH

MM/JSc

Mr Rudakubana and Ms Muzayire
10 Old School Close
Banks
Southport
PR9 8SB

9th October 2019

Dear Mr Rudakubana and Ms Muzayire

Axel Rudakubana 9NM – Range High School **Permanent Exclusion**

I regret to inform you of my decision to permanently exclude Axel with effect from 9th October 2019. This means that Axel will not be allowed in this school unless he is reinstated by the governing board. I realise that this exclusion may well be upsetting for Axel, you and your family, but the decision to permanently exclude Axel has not been taken lightly. Axel has been excluded due to the fact that he admitted to being in possession of a knife over a prolonged period whilst in school. He also claimed that he was quite willing to use it if he thought it necessary. I deem this as completely unacceptable when considering the safety of Axel and all other members of the school community.

Since your child is of compulsory school age you have a duty to ensure that your child is not present in a public place during school hours for the duration of the first 5 school days of this exclusion, i.e. on Wednesday 9th October 2019 until Tuesday 15th October 2019 unless there is reasonable justification for this. I must inform you that you could receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show that there is reasonable justification.

Alternative arrangements for Axel's education to continue will be made. For the first five school days of the exclusion we will set work for Axel and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards — i.e. from Wednesday 16th October 2019 the local authority Lancashire, will provide suitable full-time education.

I have also today informed Nicola Watkinson at Lancashire County Council of your child's exclusion and they will be in touch with you about arrangements for his education from the sixth school day of exclusion. You can contact them at T: [DPA]

As this is a permanent exclusion the governing board must meet to consider it. At the meeting you may make representations to the governing board if you wish and ask them to reinstate your child in school. The governing board has the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may have the decision reviewed by an Independent Review Panel. The latest date by which the governing board must meet is 5th November 2019. If you wish to make representations to the governing board and wish to be accompanied by a friend or representative, at your own expense, please contact the clerk to the governors as soon as possible.

Mrs Pauline Neilson
c/o Range High School
Stapleton Road
Formby

Tel.

Email: governors@range.sefton.sch.uk

Your child may also be involved in this meeting to speak on his own behalf if it is appropriate, taking into account his age and level of understanding. You will, whether you choose to make representations or not, be notified by the clerk to the governing board of the time, date and location of the meeting. Please let us know if you have a disability or special needs so that suitable arrangements may be made for you to attend the meeting at school. Also, please inform Mrs Neilson if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion occurred as a result of discrimination, you can 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. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place.

Information on disability discrimination and other forms of discrimination claims are available on the HM Courts and Tribunal Service website at:

<http://www.justice.gov.uk/tribunals/send>

Making a claim would not affect your right to make representations to the governing board.

You have the right to see a copy of Axel's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of Axel's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact for advice and information, Ms Nicola Watkinson at Lancashire County Council Telephone No: email: PupilAccess.SouthExclusions@lancashire.gov.uk

The Department for Education (DfE) have developed exclusion guidance for parents which can be accessed via the following web links:

<http://www.gov.uk/school-discipline-exclusions/exclusions>

<http://www.gov.uk/government/publications/school-exclusion>

You may also find it useful to contact the Inclusion Team. They can be contacted at inclusion.south@lancashire.gov.uk or [DPA], Alternatively, other useful contacts that provide impartial advice and information to parents on education matters include:

- The Coram Children's Legal Centre – <https://childlawadvice.org.uk/clar/contact-child-law-advice/> And the telephone number there is [DPA]
- ACE Education) <http://www.ace-ed.org.uk> or [DPA] and their advice line service on on Monday to Wednesday from 10 am to 1 pm during term time);
- Independent Parental Special Education Advice – <http://www.ipsea.org.uk/>
- The National Autistic Society (NAS) School Exclusion Service (England) – schoolexclusions@nas.org.uk or [DPA]

Yours sincerely

SIGNATURE

Mr M McGarry
Headteacher

JG

14 October 2019

Mr A Rudakubana and Ms L Muzayire
10 Old School Close
Banks
Southport
PR9 8SB

Dear Mr Rudakubana and Ms Muzayire

Axel Rudakubana– Range High School - Permanent Exclusion

I am writing to inform you that following Cameron's permanent exclusion, the Governors Discipline Committee will meet to consider this decision at the Range High School on Tuesday 5 November 2019 at 9.30 a.m.

You are invited to this meeting in order to:

- Appeal against the permanent exclusion.

Axel is encouraged to attend if he wishes.

You may, if you wish, be accompanied by a friend or representative to this meeting. Should you wish any written representations to be considered these should be forwarded to me as soon as possible so that they can be circulated to all parties prior to the meeting. Please advise us of any adjustments that can reasonably be made to support your attendance at the meeting (for example if you suffer from a disability in relation to mobility or communication that would make it difficult for you to attend).

A decision will then be taken will then be taken either to reinstate Axel to the school or confirm the exclusion. The Discipline Committee/management committee may decide to amend Axel's record in light of any representations you may make.

Please would you let me know as soon as possible whether or not you will be able to attend.

Yours sincerely

Mrs J Gordon
Clerk to the Governors Discipline Committee

RANGE HIGH SCHOOL

PUPIL DISCIPLINE COMMITTEE – TUESDAY 5 NOVEMBER 2019 – 9.30 a.m.

COVER SHEET

Pupil – Permanent Exclusion

Axel Rudakubana

Dob: 07/08/06 (Year 9)

Contents

1. Exclusion letter sent on 9 October 2019
2. Letter to parents sent on 14 October 2019

No submissions were received from parents

In addition to the above documents I have enclosed a copy of the current Pupil Behaviour & Discipline Policy

AGENDA – Axel Rudakubana

1. Introductions - Chair
2. Meeting process – Chair
3. Representations – Headteacher
4. Questions – parents and panel
5. Representations – Parents
6. Questions – Headteacher and panel
7. Parents & Headteacher leave the meeting
8. Panel discussion and decision

RANGE HIGH SCHOOL**Meeting of the Pupil Discipline Committee****Tuesday 5 November 2019**

The purpose of this meeting was to review the Headteacher's decision, made on 9 October 2019, to permanently exclude the following pupil:

Axel Rudakubana (dob 07/08/06)
 10 Old School Close
 Banks
 Southport
 PR9 8SB

Present: Mr Jim Rimmer – Governor – Chair of meeting
 Mr Ian Burton – Governor
 Dr Mervyn Thomas – Governor
 Mr Mike McGarry (MM) – Headteacher
 Ms Victoria Ashworth (VJA) – Associate Leader – Behaviour
 Mr Alphonse Rudakubana – Father
 Ms Laetitia Muzayire – Mother
 Mrs Judith Gordon – Acting as Clerk to the Governor

The following documents were sent to parents; Headteacher and each member of the panel:

- Website enquiry message from PC 4658 Alex McNamee – dated 07/10/19
- Handwritten account by another pupil of a previous incident involving Axel
- Handwritten notes by VJA (signed by VJA and Mr Cregeen (DC) following an interview with Axel – dated 08/10/19
- MASH referral form from Mr Cregeen – 08/10/19
- Range High School Safeguarding Reporting Form – dated 08/10/19
- Copy of the initial permanent exclusion letter from the Headteacher dated 09/10/19
- Copy of a letter from the Single Point of Access Duty Team & Consultant Psychiatrist, Alder Hey Hospital dated 12/10/19
- Lancashire County Council Pupil Exclusion Notification form
- Letter to parents informing them of the meeting taking place on 5 November 2019 – dated 14/10/19

The Chair made introductions and informed those present of the purpose of the meeting – to review the decision of the Headteacher to exclude Axel permanently and the structure of the meeting.

Mr McGarry was asked to explain the background to the exclusion (Ms Ashworth as Behaviour Lead in the school and the person who dealt with the situation initially also contributed):

- School received an email dated 7 October 2019 – timed at 22.13 hours (therefore received in school on Tuesday 8 October 2019) from an officer from Lancashire Police stating that ChildLine had got in touch with them following a message received from Axel about bullying and that he was taking a knife into school to protect himself
- Axel was spoken to on 8 October by VJA and David Cregeen (DC) – Associate Leader – Personal Development
- Axel admitted to VJA and DC that he had brought the knife into school for a period of 10 days prior to Friday 4 October as he was fed up being pushed around by some pupils
- Axel also told VJA and DC that he would have used the knife to stab someone if he had to
- When asked if he understood the seriousness of that action, if it had been carried out, he replied 'yes'

- Axel appeared to show no remorse, regret or emotion – as if this was a normal, proportionate reaction
- Axel was asked why he did not talk to anyone at school about the situation and he replied that he did not trust anyone
- In another unrelated incident, after being given a detention for hitting another pupil, Axel was overheard saying ‘that’s why teachers get murdered’
- Following an incident earlier in the term, which was physical, Axel refused support and did not want to discuss the matter any further

Additional actions taken:

- A Multi Agency Safeguarding Hub (MASH) referral was made to Sefton because of Axel’s lack of empathy and how matter of fact he viewed his actions, but as Axel lives in Lancashire, the referral had to be made to them
- DC was informed by Lancashire that, as the police had also made a referral, there was no need for a further referral from the school; he was informed that the matter had been stepped down to Early Support (an Early Help worker had not been identified at this stage)
- DC was told that the comments regarding the teacher concern would have to be passed onto the police
- DC spoke to the police officer who had initially emailed the school who told him that he had reported the incident as ‘High Risk’ and that it remained at that level.

Governors asked if VJA was aware of any incidents of bullying involving Axel, there were two incidents:

1. Referred to above when Axel was given a detention for hitting another pupil, following words between him and other pupils in an English lesson
2. Boys calling him names

As far as VJA was aware, nothing was ongoing.

The Chair invited Axel’s parents to speak:

- Became aware of the number of detentions Axel had been receiving through Class Charts and had exchanged a number of emails with teachers
- Felt that Axel was more visible to teachers when he talked in class as he is an ethnic minority pupil and asked that teachers be more lenient towards him
- After-school detentions caused a problem due to living quite a distance from school; Axel’s elder brother uses a wheelchair and [redacted] DPA [redacted] is also a pupil at Range High
- Axel came to Range High because his brother was already here. All of his primary school friends went to the local school and he found it difficult to make new friends here
- When he was in Y8, one boy became more verbally abusive to Axel and it became physical. Axel was scared – he doesn’t like playing rough
- He can hold his own verbally and was not afraid of the boy when he was on his own but when he was with his friends he was afraid. Axel’s friends are quite small and he did not think that they would help him
- Axel took the threats this boy made seriously
- I told him to speak to Mr Cregeen but he refused and asked me to speak to him
- Each day he said that he was having things said to him and he took that threat very seriously
- It could have been happening for a long time but it was only when the school started using Class Charts that I could see that he was getting lots of detentions
- I asked Mrs Alexander (Associate SENCO) for Axel to be assessed for ADHD – he scored above the threshold on some of the tests but below on fidgeting
- Went to the GP – who said that Axel was below the threshold for ADHD and suggested parenting classes
- He has seen a counsellor who thinks he has an Autism Spectrum Disorder (ASD)
- Mrs Alexander suggested that Axel be assessed for ASD – this has not yet taken place

- Three or four days before Axel called Childline , on the advice from the counsellor, I wrote to Mr Cregeen to ask him to speak to the other pupil
- Mr Cregeen forwarded to the email to the other boys tutor for further investigation – I'm not sure if anything happened
- With regard to the incident when Axel said ' that was why teacher's get murdered' – he was talking with other pupils about teachers being stabbed and when he was given a detention for talking, that's when he said what he said
- I know Axel and he would not have used the knife but he felt unsafe. He just said that on impulse.
- Axel thought that Childline would not share the information he gave them and that they would help him and not tell the school
- I told him that if had spoken to me I would have spoken to the Headteacher
- Where he is now – he does not fit in

The Chair thanked Mr Rudakubana and Ms Muzayire for coming to the meeting and informed them that governors would have a discussion and come to a decision regarding the permanent exclusion and that the two options open to the panel are:

1. To decline to reinstate Axel: or
2. To direct reinstatement of Axel immediately or on a particular date

Parent will be informed of the decision, by letter, as soon as possible.

The Parents, Headteacher and Ms Ashworth left the meeting.

- Bringing a knife into school for 10 days, along with Axel's admission that he would have used it to stab someone is of great concern
- His lack of empathy was worrying
- He admitted that he understood the seriousness of the situation
- The safety of other pupils and all of the school community was compromised by him bringing a knife into school
- The risk assessment for all pupils in the school is the primary consideration

The panel concluded that the decision to exclude Axel was lawful, reasonable and procedurally fair, taking into account the Headteacher's legal duties and the evidence that was presented to the panel.

The governors upheld the Headteacher's decision to permanently exclude Axel. A letter will be sent to Mr Rudakubana and Ms Muzayire informing of the panel's decision.

Signed: _____

Date: _____

Mr J Rimmer – Chair of Pupil Discipline panel



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Stapleton Road Formby Liverpool L37 2YN Tel: [DPA]

Email: admin@range.sefton.sch.uk Web: www.range.sefton.sch.uk Twitter: @RangeHighSch

Head Teacher: Mr M. McGarry MA, PGCE, NPQH

JG

6 November 2019

Mr A Rudakubana and Ms L Muzayire
10 Old School Close
Banks
Southport
PR9 8SB

Dear Mr Rudakubana and Ms Muzayire

Axel Rudakubana– Range High School - Permanent Exclusion

The meeting of the governing board at Range High School on Tuesday 5 November 2019 considered the decision by Mr M McGarry, Headteacher, to permanently exclude your son Axel. The governing board, after carefully considering both the oral and written representations made by you and the Headteacher, and all the available evidence, has decided to uphold Axel's permanent exclusion.

The reasons for the governing board's decision are as follows:

The panel was particularly mindful of the over-riding duty to keep safe all members of the school community. Clearly, a situation in which a pupil brings a knife into school and states that he is prepared to use it, compromises his safety and that of the rest of the school community.

You have the right to have the decision of the governing board reviewed by an independent review panel. You must set out the reasons for wanting the review in your application and include any written evidence you wish to submit. If appropriate, you may also include reference to any special educational needs that your child has that is relevant to this exclusion.

If you would like to request a review, please notify Ian Barton, Clerk to the Review Panel on [DPA]. You must set out the reasons for requesting a review in writing and send this notice of appeal to Ian Barton, Sefton Council, Ground Floor, Trinity Wing, Town Hall, Trinity Road, Bootle, L20 7AE, by no later than Tuesday 26 November 2019. If you have not requested a review by Tuesday 26 November 2019, you will lose your right to a review.

The request for review must also be received by Mrs Judith Gordon, Range High School, Stapleton Road, Formby, L37 2YN, Tel: [DPA] Email: jg@range.sefton.sch.uk, no later than Tuesday 26 November 2019. If you have not lodged an application by Tuesday 26

November 2019, you will lose your right to have the decision to exclude your child reviewed by an independent review panel. Please advise if you have a disability or special needs so that suitable arrangements may be made for you to attend the review hearing. Also, please inform Mrs Judith Gordon if it would be helpful for you to have an interpreter present at the review hearing. You can have someone to make written and/or oral representations to the Independent Review Panel on your behalf and at your own expense. You may also wish to bring a friend with you to the review hearing.

Irrespective of whether the school regards your child as having special educational needs, you are entitled to have a Special Educational Needs (SEN) expert at the review hearing. The role of the SEN expert is to provide impartial specialist advice to the panel on how special educational needs might be relevant to the exclusion, but does not include making an assessment of your child's special educational needs. The SEN expert's advice will focus on whether the school's policies which relate to SEN, or the application of these policies in relation to this case, were lawful, reasonable and procedurally fair. If you wish to have a SEN expert at the review hearing, please clearly indicate this on your application and be aware that the cost of appointment of the SEN expert will be met by the Academy Trust.

Your review hearing will be heard by an independent review panel. A three-member panel will comprise:- one serving, or recently retired (within the last five years), head teacher; one serving, or recently serving, experienced governor/ management committee member; and one lay member who will be the Chair.

The review panel will rehear all the facts of the case — if you have fresh evidence to present to the panel you may do so. The panel must meet no later than the 15th school day after the date on which your application for a review is lodged. In exceptional circumstances panels may adjourn the review hearing until a later date.

In reviewing the governing board's decision to exclude, the panel can make one of three decisions:

- i. they may uphold your child's exclusion;
- ii. they may recommend that the governing board reconsiders their decision; or
- iii. quash the decision and direct that the governing board considers the exclusion again.

In addition to your right to apply for an independent review hearing, if you believe that the exclusion occurred as a result of discrimination, you can 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. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place.

Information on disability discrimination and other forms of discrimination claims are available on the HM Courts and Tribunal Service website at:

<http://www.justice.gov.uk/tribunals/send>

The Department for Education (DfE) has developed exclusion guidance for parents that can be accessed via the following web links:

<http://www.gov.uk/school-discipline-exclusions/exclusions>

<http://www.gov.uk/government/publications/school-exclusion>

You may also find it useful to contact Sefton Information, Advice and Support Service for SEND. They can be contacted at seftonsendiass@sefton.gov.uk or [DPA]. Alternatively, other useful contacts that provide impartial advice and information to parents on education matters include:

- The Coram Children's Legal Centre – <https://childlawadvice.org.uk/clas/contact-child-law-advice/> And the telephone number there is [DPA]
- ACE Education) <http://www.ace-ed.org.uk> or [DPA] and their advice line service on Monday to Wednesday from 10 am to 1 pm during term time);
- Independent Parental Special Education Advice – <http://www.ipsea.org.uk/>
- [The National Autistic Society \(NAS\) School Exclusion Service \(England\) – schoolexclusions@nas.org.uk](http://www.nas.org.uk/school-exclusion-service) or [DPA]

The arrangements currently being made for Axel's education will continue.

Yours sincerely

SIGNATURE

Mr J Rimmer

Chair of Pupil Discipline Panel

Cc Mr I Barton – Clerk to Review Panel – Sefton LA
Ms N Watkinson – Lancashire County Council
Mr M McGarry – Headteacher – Range High School