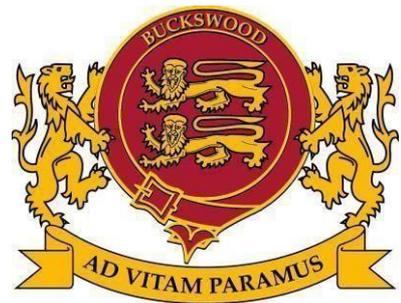


# POLICY STATEMENT



Policy	Exclusion of Pupils Policy
OFSTED Standard No	
School Department	Safeguarding

Date Written	18th May 2018 Revised 1 <sup>st</sup> November 2018
Written by	MS 18.5.18
Approved by	SMT
Date of Approval	18.5.18 and November 2018
Next major review date	November 2019
Location and disseminations	A copy of the policy can be found, in the school admin office and on the school website.
The context of the policy and its relationship to other policies	This policy should be considered in conjunction with other written policies on behaviour, health and safety, medicines, school visits, child protection and safeguarding.

Buckswood has the highest concern for the safety and wellbeing of the whole school community, and we work hard to ensure that our ethos and environment supports student learning and success. Exclusion is a sanction used only as a last resort, and we aim to reduce the

need for the use of it as far as is possible. This policy outlines the school's use of exclusions and is supported by our **school behaviour policy**.

### **1. Power to exclude**

The Senior Management Team will review the matter initially. The Co-principals can exclude a pupil, either permanently or for a fixed-term following this review. In the absence of the Co-principal, the Deputy Principal (Pastoral) can make this decision.

The School Director in consultation with the Advisory Governing Body, will deal with any appeals (see 8. Appeals against exclusion) and they may find the exclusion to be appropriate, or may direct the reinstatement of an excluded pupil, uphold an exclusion after a review, or find that the original decision was disproportionate and a more suitable sanction is required.

### **2. Investigation of events**

Disruptive behaviour or actions that may warrant discipline will always be investigated before the decision to exclude is made, unless there is a threat to the safety of pupils or others at the school.

Before the decision to exclude is made, the Co-Principals will:

- ensure that the school has made a thorough investigation
- consider all the evidence available when looking to support the allegations
- encourage the pupil to give his or her version of events
- take into account the school's behaviour policy and equal opportunities policy, and relevant equalities legislation
- find out whether the behaviour may have been provoked, for example in the case of racial or sexual harassment, or bullying
- consult other people as necessary (but not anyone on the Senior Management Team or management committee who may later have a role in reviewing the decision)
- keep a written record of discussions, interviews and actions, and retain copies of written records made by other members of staff, ensuring that witness statements are dated and signed if possible.

### **3. Reasons for exclusion**

There are two main reasons for exclusion: a serious breach of the school's behaviour policy, or a situation where it is feared that the safety and wellbeing, or education, of other students is at risk.

In line with the school's rules and behaviour policy, the following actions constitute unacceptable behaviour and may result in permanent or fixed-term exclusions:

- physical abuse to/attack on staff
- verbal abuse to staff
- verbal abuse to pupils
- physical abuse to/attack on pupils
- indecent behaviour
- 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.
- Bringing the school's good name into disrepute

#### **4. Types of exclusion**

##### **a. Permanent exclusion (Expulsion)**

A permanent exclusion is an extremely serious sanction, and a step taken by the school only as an absolute last resort. In most cases, permanent exclusion will be used only after various alternative strategies have been tried to improve behaviour but have been unsuccessful. There are, however, some situations in which permanent exclusion on the first offence is the only option. These 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, arson.

It may be necessary for the school to involve the police if the offence warrants it.

## **b. Fixed-term exclusion (Suspension)**

The length of a fixed-term exclusion will be set out by the school at the start of the exclusion period. If a pupil is excluded for more than 45 days in one school year, a permanent exclusion may be considered by the Co-Principals.

A fixed-term exclusion may result from a serious breach of the school's behaviour policy. It may be a first offence or persistent disruptive behaviour that requires a tougher sanction than detention, but does not warrant permanent exclusion.

A fixed-term exclusion can be changed into a permanent exclusion by the Co-Principals if the circumstances warrant it. In this case, parents or carers will be notified in writing with an explanation of why the change has occurred. During fixed-term exclusions and permanent exclusions, supervision of the child is the responsibility of their parent or guardian.

An excluded pupil has no automatic right to take a public examination or National Curriculum tests on the school's premises. The Senior Management Team can decide whether or not to allow the pupil to sit the tests, and this will depend on the seriousness of the reason for exclusion.

## **5. Making the decision to exclude**

Exclusion of any sort, for any period of time, is taken very seriously by the school, and the decision to exclude is not taken lightly. Various alternative strategies to manage behaviour will be tried before exclusion.

In considering whether permanent exclusion is the most appropriate sanction, the school will consider: The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Rules and Regulations on student behaviour; the effect that the student remaining in the School would have on the education and welfare of other students and staff.

If it is decided that any exclusion is necessary, the parents or carers of the pupil will be notified by the Co-Principal, and the circumstances surrounding the exclusion will be formally recorded.

## **6. Recording and notifying parties of the decision to exclude**

All exclusions will be formally recorded and the relevant Co-Principal will contact the parents or carers of the pupil immediately once the decision has been made to exclude, specifying why this action has been taken and the length of time that it will last.

The decision will be confirmed in writing or email. The Co-Principals will notify the School Director and SMT and Chair of the Advisory Governing Body within one day of the decision to exclude being made.

## **7. During an exclusion**

Although the school has made the decision to exclude a pupil, we maintain responsibility for the education of that child and will do everything that we can to minimise the disruption to their education.

The school will set and mark work that the child should complete at home under parental supervision.

If the child has a statement of special educational needs, the alternative provision will meet those needs.

## **8. Appeals against Exclusion**

If parents wish to appeal the decision to exclude, this should be done within 15 school days and directed, in writing, to the School Director, c/o the Exclusions Clerk who will acknowledge the complaint and will respond as soon as practicable and normally within five days. Please note that appeals may only be made against permanent exclusions or fixed-term exclusions of more than 5 days or if the exclusion means your child will miss a public exam or national curriculum test. If the exclusion is for 5 days or fewer, you can ask the School Director to hear your views, but he cannot overturn the decision.

The School Director in consultation with the Advisory Governing Body will review promptly all permanent exclusions from the School and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term or missing a public examination. The School Director will review fixed term exclusions which would lead to a student being excluded for over five days but not over 15 days in a school term only where a parent has expressed a wish to make an appeal/representations.

Records relating to the decision to exclude and the parents' appeal will be copied to all parties. In no circumstances however will the school or its staff be required to divulge to parents, or others, any confidential information on the identities of pupils, or others, who have given information which has led to the exclusion or which the school has acquired during an investigation.

Parents will be asked to provide the school with any written statements or evidence that they might have relating to the exclusion so that these can be given to the School Director and Chair of the Advisory Governing Body. There will be an opportunity for parents to ask questions of the other parties involved should they so wish

and this should be made clear during the written appeal; the School Director will ensure these are answered in his findings.

The pupil concerned is encouraged to contribute, in writing, if they are able to fully understand the proceedings. Buckswood believes that pupils should be encouraged to take part in the review process and feel that they are listened to. This will hopefully increase the chance of a positive behaviour pattern emerging in the future.

A hearing in person with the School Director and member of the Advisory Governing Body can be requested, but this may not always be possible in the scheduled timeframe due to his wider school commitments. In this instance, a written appeal will be conducted as above.

Notes will be taken of any review proceedings.

## **9. Notification of the review decision**

The School Director will write to the parents informing them of the decision and the reasons for it. The decision of the School Director will be final. The School Director's findings and any recommendations will be sent in writing to the parents and the Co-Principals.

The outcome will be one of the following:

### **a. Unlawful exclusion**

If the School Director has found that the exclusion has been made unlawfully, it will not stand. The Senior Management Team will not investigate further. Parents who have a complaint about an unlawful exclusion should follow the procedures set out in the **school's complaints policy** to report it.

### **b. Upholding the exclusion**

If the School Director in consultation with the Advisory Governing Body, finds that the exclusion is fair and just, they will uphold the decision to exclude. In this case, a letter will be sent to the parent or carer of the child outlining:

-the decision

-the reason for the decision

### **c. Reinstating the pupil**

If the School Director in consultation with the Advisory Governing Body, decides that it is appropriate to reinstate the pupil immediately or by a given date, support will be given to ensure that the pupil is easily reintegrated into the school.

This will include a reintegration interview with a member of the SMT and parent or carer on school grounds if available, during which a Welfare Plan will be discussed and put in place as soon as possible after the meeting.

### **d. Amending the decision if the appeal to the School Director results in his believing the sanction put in place was disproportionate**

A copy of the letter detailing the outcome will be put in the student's electronic academic records along with any relevant papers. The Senior Management Team may also decide to arrange for an educational provision offsite to improve the child's behaviour, such as an anger management course.

## **10. Looked-after children and young people**

Buckswood understands that looked-after children and young people may be more susceptible to having behavioural problems due to additional problems they may face at home. We work in conjunction with all relevant childcare authorities to support looked-after children and try every possible means of keeping them in school. Before any decision to exclude is made, the school will:

- consult the Local Authority about alternative options to support a looked-after pupil
- consult the Local Authority about what alternative provision will be available if the pupil  is excluded
- involve the child's social worker as early as possible to help the school avoid exclusion
- work with the foster carer to improve the pupil's behaviour.

## **11. Pupils with special educational needs or a disability (SEND)**

Our school's full SEN provision is outlined in our **special educational needs policy**. We work hard to accommodate students who have behavioural difficulties or difficulties with elements of social interaction as part of their SEN. The school will try every practical alternative to exclusion, but there may be some cases where it cannot be avoided.

It may be in the child's best interest that rather than being excluded they move to a different school, in which case the school will work with the Local Authority and the child's parents or carers to make the transition as smooth as possible.

## **12. Confidentiality**

The school will deal with all cases of exclusion and the surrounding circumstances confidentially. Information will be shared only with those who need to know it, and a breach of this may result in disciplinary action.

## **13. Alternative behaviour management strategies**

### **a. Internal exclusion**

If a pupil needs to be removed from a lesson that is in progress, or a social situation, for disruptive behaviour or to calm down, it may be necessary to place that pupil elsewhere in the school for a period of time. This may occur over break times and will be used in circumstances where it is not necessary to remove the pupil from the school site, but separation is needed. They will be placed in the Wellbeing Hub or somewhere where appropriate support and supervision can be provided.

### **b. Mediation**

If there is a conflict between two or more pupils, a member of staff will sit down with those involved and attempt to mediate the situation through discussion. This strategy may also be used if there is a conflict between a teacher and a pupil.



