

Wootton Academy Trust

Exclusion Policy

- a) This policy applies to Wootton Upper School but not to Kimberley College
- a) This policy was adopted by Wootton Academy Trust in January 2015
- b) This policy was reviewed by Wootton Academy Trust in March 2019, annually thereafter

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Wootton Academy Trust Board

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Associated documentation:

Equal Opportunities

Curriculum Statement

Teaching and Learning Policy

Gifted and Talented Policy

Complaints Procedure

Updated: September 2018

OFSTED evidence for:

Rationale

This policy, an appendix to our Behaviour Policy, informs Wootton Upper School's use of exclusion. It is underpinned by the shared commitment of all employees of the school to achieve two important aims:

1. To ensure the safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed;
2. To achieve the aim of reducing the need to use exclusion as a sanction.

1. Introduction

Exclusion is a very serious sanction and one which is only used when it is not appropriate to use another sanction.

- a) The school's intention is to operate in line with the guidance issued by the Department for Education which is in force at the time of the exclusion. In the event of any conflict between the Exclusion Policy and the DfE guidance, the guidance will take precedence.
- b) Exclusion from the school is an extreme sanction. The Principal is the only person who is authorized to issue fixed term or permanent exclusions.
- c) A decision to exclude a pupil permanently should only be taken:
 - in response to a serious breach or persistent breaches of the school's Behavior Policy; and
 - where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil and others in the school.

2. External Fixed Term Exclusions

These may take place for a period of between 0.5 and 5 days and can be as a result of a serious one-off incident or for an accumulation of incidents.

3. Permanent Exclusion

The decision to exclude a student permanently is a serious one.

A decision to exclude a pupil permanently should only be taken:

- In response to a serious breach or persistent breaches of the school's Behavior Policy; and
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil and others in the school.

Permanent exclusion may be appropriate in the following circumstances

- As a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort.
- Where there is a one-off serious breach of the Behaviour Policy and it is not appropriate to implement other strategies.

Where a student with an Educational Health Care Plan is permanently excluded an Interim Annual Review will be held within two weeks of the Permanent Exclusion.

Exclusion will not be imposed instantly unless there is an immediate threat to the safety or wellbeing of others in the Academy or the student concerned.

Where practical, a student will be given an opportunity to present their case before a decision to exclude permanently is taken.

Exercise of discretion

In reaching a decision, the Principal 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 Principal will consider all the circumstances, including:

- The gravity of the incident, or series of incidents, and whether it constitutes:
 - a) A serious breach of the Trust's Behaviour 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, whether there is an intention to use it or not, it is the Trust's 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 Local Governing Body's Pupil Discipline Committee, when it meets to consider the Principal's decision to exclude. In accordance with the statutory guidance, the Pupil Discipline Committee will consider whether the decision to exclude the pupil was lawful, reasonable and procedurally fair. This Committee will require the Principal 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.

Mitigating Factors

Whilst an exclusion may still be an appropriate sanction, the Principal will take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that the pupil has suffered bereavement, has mental health issues or has been subject to bullying.

4. What constitutes a Serious Incident?

A serious incident may include, but is not limited to, issues such as physical assaults on staff or students, indecent or lewd behaviour, sexual abuse, serious damage to property, bringing illegal substances on to the school site, supplying an illegal drug, possession of an illegal substance, bringing offensive weapons on to the school site, possession of an offensive weapon, extreme cyber-bullying, homophobic, sexist and racist bullying, hate-crime, downloading pornography or extremist material from the internet, serious actual or threatened violence against staff or students, arson, setting a firework off, setting off the fire alarm and any action which brings the school into serious disrepute.

This is not, and cannot be, an exhaustive list and there may be other incidents where the Principal may judge exclusion to be an appropriate sanction.

Offensive weapons are defined in the Prevention of Crime Act 1953 as 'any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him.'

5. Investigating Serious Incidents

Wootton Upper School will investigate all reported incidents of serious poor behaviour in school and whilst travelling to and from school. Staff receive training, support and advice for the conduct of any investigations, including in respect of the recording of evidence and the taking of witness statements. Where it is appropriate to do so, Wootton Upper School will notify the police and other relevant bodies of incidents. Feedback from any investigation undertaken is provided to relevant persons together with

recommendations for action. A copy of the results of all investigations undertaken will be held on record until such time as the student leaves Wootton Upper School. Where an investigation finds that there is no case to be heard, the report will be retained by the Wootton Upper School but will not be kept within the student's file.

Witness statements will be kept on file for all serious incidents. Where it is practical to do so statements will be gathered from all students involved in the incident and any witnesses (staff and/or students). Notes from interviews will supplement statements where appropriate.

All serious incidents must be reported to a Pastoral Leader, Pastoral Support Officer, Year Leader or appropriate member of the Senior Leadership Team so that appropriate investigations can be conducted. The student(s) suspected of the serious incident will be placed in the Student Centre until decisions on sanctions are made.

Once the investigation is completed, a decision will be taken on the appropriate sanction. In the case of exclusion, only the Principal can make the decision.

6. Exclusion procedure – External Fixed Term Exclusions

- Parents/carers will be notified of any decision to issue a Fixed Term Exclusion immediately at the end of the investigation process outlined above.
- Parents will be notified by telephone and in writing and notified that, in line with legislation, their child is not allowed to be present in a public place during school hours without reasonable justification.
- In relation to looked after children, the school will notify foster carers or children's home workers, the local authority that looks after the child and the local authority's virtual school Head.
- Students will take part in a "Return to School" meeting with a senior member of staff e.g. Pastoral Leader, Assistant Principal).
- Students may be required to be on report for a period of not less than two weeks after their return to school in order to allow monitoring by the Assistant Principal (Behaviour) and the Lead Professional (Behaviour).
- A Pastoral Support Plan will be considered for all students who receive a Fixed Term Exclusion and enacted where it is deemed useful.

7. Alternative to Fixed Term Exclusions

Wootton Upper School has invested heavily in supporting students internally within the Student Centre to support students and ensure the impact on learning and progress of poor behaviour is minimised as well as dedicated Pastoral Support Officers to monitor, mentor and meet with students.

Our Student Centre exists to ensure that the education of a student is not affected adversely as a consequence of behaviour that falls below the high standards we expect at Wootton Upper School. In other words, we see our Student Centre as an inclusion centre which we believe is preferable to other alternatives, including on occasion, fixed term exclusion.

Students in the Student Centre, work with the close support of teaching staff and support staff to complete the work they would normally be doing during their timetabled lessons. In addition, the high staff to student ratio affords us the opportunity to discuss issues further, often on a "one to one" basis, so that we can try to prevent future similar occurrences and allow for time to reflect on the incident and the outcomes.

In the case of a student who demonstrates persistent disruptive behaviour, the school will consider the use of a multi-agency assessment.