



# PUPIL EXCLUSION POLICY

SEPTEMBER 2018

*How the school would apply the action of last resort.*

## Introduction and legal basis

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Education Act 2002
- Anti-social Behaviour Act 2003
- Education Act 2005
- Education and Inspections Act 2006
- Education (Pupil Exclusions and Appeals) (Miscellaneous Amendments) (England) Regulations 2006
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- Apprenticeships, Skills, Children and Learning Act 2009
- Education Act 2011
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Prepared with regard to Early Years Foundation Stage Framework
- Regulatory Requirements, Part 3, Paragraph 9 and Exclusion Element of Part 6 (24)(3) of the Education (Independent School Standards) (England) Regulations 2010
- The Education (Independent School Standards) (England) (Amendment) Regulations 2012,

Related Documents:

- Anti-bullying policy
- Safeguarding Children - Child Protection Policies
- Behaviour Management including Discipline and Sanctions Policy

Available from: School Office and website

The following documentation is also related to this policy:

- Special Educational Needs and Disability Code of Practice: 0 to 25 Years. Statutory Guidance for Organisations Who Work With and Support Children and Young People with Special Educational Needs and Disabilities (DfE) and (DoH)

## Exclusions

No one in the senior management of the school can recall a time when it has been necessary to 'expel' a pupil. There have been times when parents have been asked to withdraw their child; but these are due to frustration of the contract between the parents and the school such as non-payment of fees or by mutual agreement about what is best for the child. This does not preclude the possibility that a child might at some time face the possibility of temporary or permanent exclusion.

This school acknowledges that those who are responsible for the government of independent schools need to have in place procedural rules designed to ensure that pupils receive fair treatment in accordance with the principles of natural justice, which are sometimes called fair play in action, if there is any question of their being expelled.

We strongly believe in good discipline as we feel it is essential to ensure that all pupils can benefit from the educational and social opportunities that the school offers. The exclusion of a pupil will only be 'used as a last resort in response to a serious breach or persistent breaches of the school's behaviour policy'.

### **Serious Offences and Exclusions**

Serious offences are those that may have a significant impact on the individual pupil or others in the school. Examples include:

- extreme or persistent bullying, racism or harassment;
- stealing;
- extreme or persistent violence, actual or threatened, against a pupil or member of staff;
- sexual abuse, assault or activity;
- significant vandalism;
- persistent misbehaviour when normal disciplinary measures have failed;

We treat all pupils fairly and all decisions to exclude will be lawful, reasonable and fair. We will not discriminate against pupils on the basis of protected characteristics. All pupils who are vulnerable to exclusion will be treated fairly. Where reasonable adjustments to policies and practices have been made to accommodate a pupil's needs and to avoid the necessity for exclusion as far as possible, exclusion may be justified if there is a material and substantial reason for it. A specific incident affecting order and discipline in the school may be such a reason.

Parents will be made aware of their rights that they can appeal against an exclusion to the Governing Body. An independent review panel will deal with all appeals.

We wish to work closely with the School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

## Aims

- To only use exclusion as a last resort except when an immediate exclusion is appropriate.
- To have in place early intervention systems to deal with bad behaviour.
- To maintain full-time provision for permanently excluded pupils.
- To have in place systems to reinstate excluded pupils as soon as possible.
- To establish good working relations with parents of pupils who have been excluded.
- **To ensure compliance with all relevant legislation connected to this policy.**
- To work with other schools and the local authority to share good practice in order to improve this policy.

### ROLES OF THE PRINCIPAL AND GOVERNING BODY

The Principal and Governing Body has:

- delegated powers and responsibilities to the Head-teacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- make effective use of relevant research and information to improve this policy;
- **the responsibility of** involving the School Council.
- responsibility for the effective implementation, monitoring and evaluation of this policy.

### ROLE OF THE HEADTEACHER AND SENIOR LEADERSHIP TEAM

- When making the decision to exclude a pupil the Headteacher will:
- Undertake a thorough investigation into the alleged incident by looking at all the evidence that is available.
- From the outset keep a written record of all the stages of the investigation plus signed witness statements.
- Listen to the pupil's version of what happened.
- Check whether the alleged incident was provoked by racial or sexual harassment and to take into account any breach of the school's equal opportunities policy.
- If he/she thinks it is necessary, the Head will consult with other relevant people other than those who might be later involved in reviewing this incident.
- Comply with the Equality Act.
- Look at alternatives other than exclusion
- Decide on the length of the exclusion;
- Inform parents immediately.

**THE HEADTEACHER AND THE SENIOR LEADERSHIP TEAM WILL:**

- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality;
- make effective use of relevant research and information to improve this policy;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;
- annually report to the Governing Body on the success and development of this policy.

**ROLE OF SCHOOL PERSONNEL**

School personnel will:

- comply with all aspects of this policy;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- report all incidents of serious violence, assault, sexual abuse, the use of illegal drugs, possession of offensive weapons and bullying;
- attend appropriate training sessions on equality;
- report any concerns they have **on any aspect of the school community**.

**ROLE OF PUPILS**

Pupils will:

- be aware of and comply with this policy;
- support the school Code of Conduct and guidance necessary to ensure the smooth running of the school;
- liaise with the school council;
- take part in questionnaires and surveys.

**ROLE OF PARENTS/CARERS**

Parents/carers will:

- be aware of and comply with this policy;
- be made aware of their rights of appeal against an exclusion;
- be asked to take part periodic surveys conducted by the school;
- support the school Code of Conduct and guidance necessary to ensure smooth running of the school.

## **Woodhill School**

### **FIXED TERM EXCLUSION**

In any one school year the Head is allowed to exclude a pupil for one or more fixed term periods but not exceeding 45 school days.

During this period of exclusion the school will continue to provide education for the pupil and plan for the pupil to be reinstated after the exclusion period has ended.

Once a decision has been made parents will be informed by telephone and then by letter.

### **PERMANENT EXCLUSION**

A pupil may be permanently excluded if:

- All other strategies have failed.
- The offence was a serious one-off offence such as:
  - serious, actual or threatened, violence against a pupil or a member of the school personnel;
  - sexual abuse or assault;
  - supplying an illegal drug;
  - carrying an offensive weapon;
  - or any other serious offence

### **REPORTING**

Annually the Head-teacher will report the following to the Governing Body the:

- number of exclusions
- type of exclusions
- outcome of each exclusion

### **EQUALITY IMPACT ASSESSMENT**

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

### **MONITORING THE IMPLEMENTATION AND EFFECTIVENESS OF THE POLICY**

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

**Implemented September 2018**