



**Westfield**  
School



# **( 16) Exclusions Policy**

CSM Governors

This policy has been produced in conjunction with the latest guidance

**D HAGUE**

**September 2016**

**Review September 2017**

# Exclusions Guidance

It should be read in conjunction with DfE guidance (10/99) and subsequent amendments which replace Chapter 6 and Annex D.

Exclusions should only be given for serious breaches of the School Behaviour Policy, and / or where if the student were to remain in School it would seriously harm the education and / or welfare of other students, or staff.

## 1. The decision to exclude should NOT be made in the heat of the moment

In order to ensure that this is achieved, **ONLY** the Headteacher may authorise an exclusion, following recommendation from the investigating Pastoral Manager and/or Senior Leadership Team member

If the Headteacher is themselves involved in the incident then they **MUST** consult with the most senior member of staff available (that is another member of the Senior Leadership Team) before authorising an exclusion.

In the absence of the Headteacher the most Senior member of the Senior Leadership Team will authorise an exclusion.

## 2. When considering whether to exclude a student the following MUST be undertaken:

- ❑ An appropriate investigation MUST have been carried out.
- ❑ The student(s) involved have given an opportunity to give their version of events.  
*In some circumstances this may not be possible, but should be attempted as a matter of course, including sending a statement from home.*
- ❑ Statements have been taken from ALL those involved, including any staff present?  
*An email/verbal report from the member of staff would suffice in the first instance, however this must be substantiated in a formal report.*
- ❑ Alternatives to exclusion have been considered?  
*such as:*
  - ❑ *Restorative justice*
  - ❑ *Detention*
  - ❑ *Internal exclusion*
  - ❑ *Lunchtime exclusion*
  - ❑ *Seclusion with Form Tutor*
  - ❑ *Seclusion in the Student Services Base*
  - ❑ *Seclusion at the off-site provision*

### 3. Length of Fixed Term Exclusion

The period of an exclusion SHOULD always be for the shortest period necessary.

For exclusions:

- that are permanent;
- total more than fifteen (15) days in any term;
- total more than ten lunchtimes in any term;
- where the exclusion would result in the student missing a public examination:

The Headteacher **is required** to convene a Governors Disciplinary Committee Meeting within fifteen school days.

Parents and carers may request a Governors Disciplinary Committee Meeting for any fixed term exclusion totalling more than 5, but no more than 15 school days, in any one term.

A student CANNOT be excluded for one or more fixed periods exceeding 45 days in any one academic year, High Court proceedings could be issued in such circumstances.

It is therefore appropriate to consider the length of the exclusion in terms of the consequences, and in particular the total number of days a student has received in any one academic year should be checked with the Headteacher's PA.

It is also significant that the student is checked against the:

- Child at Risk ( to include sexual exploitation);
- Child protection; and
- Learning Support

registers, which must then be considered before the decision to exclude is taken.

*Child Protection – SIMS.net (Steve Adams or Di Hague)*

*Child at Risk – Steve Adams or Pastoral Managers*

*Learning support [K,M, I, EHCP/ Statement] – SIMS.net; (Julie Swift )*

In simple terms, fixed term exclusions should not normally exceed five days, though there are some circumstances where a longer period is justified, particularly when a permanent exclusion is being considered.

### 4. While a tariff for length of exclusion is inappropriate the following may provide an opportunity for some consistency:

**PERMANENT EXCLUSION SHOULD ONLY BE CONSIDERED RESULTING FROM –**

- Unprovoked physical assault on a member of staff.

- Unprovoked physical assault on another student.
- Physical assault on another student, or member of staff, where there was some provocation but the violence of the response was excessively inappropriate.
- Supplying drugs or the intent to supply drugs.
- Serious incidents involving offensive weapons.
- Serious breach of Health & Safety, placing themselves and others in danger
- Actions of an illegal nature

*For ALL the above the member of staff leading the investigation MUST as a matter of course make serious considerations regarding reporting the incident to the Police. The member of staff must consult with the Headteacher (or in the absence of the Headteacher the most senior member of the Senior Leadership Team) before any calls to the Police are made.*

*DFE Guidance provides for such a sanction to be imposed when the incident occurs off site, particularly during School hours.*

*In other circumstances staff should consider whether the nature of the incident would seriously harm the education and / or welfare of other students, or staff, if the student involved was to continue to attend the school.*

- Persistent disruptive behaviour over a sustained period, where support strategies, which must include a Pastoral Support Plan, are clearly evidenced and available.

*In these cases it is essential that the member of staff leading the investigation should initially recommend a fixed term exclusion pending permanent (which is good practice in all circumstances where a permanent exclusion is considered to ensure that appropriate investigation is possible).*

*The case for permanent exclusion should then be established in conjunction with the Headteacher (or in the absence of the Headteacher the most senior member of the Senior Leadership Team) and the appropriate pastoral staff.*

#### **FIXED TERM EXCLUSIONS SHOULD BE CONSIDERED RESULTING FROM –**

##### **Five or more days pending:**

- Using drugs or other substances.
- Possession of illegal drugs.

- Theft.
- Racist abuse.
- Incidents involving offensive weapons.
- Violent assault on another student or staff member
- Sexual misconduct

**Up to five days:**

- Bullying.
- Damage to property.
- Dangerous behaviour.
- Persistent disruptive behaviour.
- Threatening a student.
- Threatening an adult.
- Assault on another student or member of staff

**Up to three days**

- Verbal abuse to a student.
- Verbal abuse to an adult.
- Swearing at a member of staff.
- Refusal to follow the instructions of a member of staff.
- Truancy when there is disruption to teaching and learning resulting from the truancy.

The period of an exclusion SHOULD always be for the shortest period necessary.

IT IS **NOT** APPROPRIATE TO EXCLUDE A STUDENT FOR (EXCLUSIVELY):

- Truancy.
- Attendance issues.

- Punctuality issues.

*There may however be situations where such issues are elements of a more comprehensive situation.*

## 5. Procedures and responsibilities for undertaking an exclusion:

Staff who may consider whether an exclusion is appropriate include:

- Headteacher
- Pastoral Team
- Deputy Headteachers
- Senior Leadership Team

### WHEN CONSIDERING AN EXCLUSION SUCH MEMBERS OF STAFF SHOULD:

- ❑ Undertake an appropriate and detailed investigation.
- ❑ Give the student involved an opportunity to give their version of events, where possible (recorded either as a statement or dictated).
- ❑ Take statements completed **separately** from ALL those involved, including any staff present. It is not appropriate to complete group statements
- ❑ Consider alternatives to exclusion such as:
  - ❑ Restorative justice
  - ❑ Detention
  - ❑ Internal exclusion
  - ❑ Lunchtime exclusion
- ❑ Check against the:
  - Child at Risk;
  - Child Protection; and
  - Learning Support

registers to ensure that you have taken these into account.

- Where possible discuss the issue with pastoral staff who may be more knowledgeable about the student and family circumstances.
- Complete the Exclusions Checklist and Exclusion Information boxes on the School proforma.
- Discuss the issue with the Headteacher (with all the appropriate checks made) who will decide whether the exclusion is an appropriate response and whether the length of exclusion being recommended is suitable.

*If the member of staff leading the investigation is involved in the incident then they must consult with the Headteacher or most senior member of staff available (that is another member of the Senior Leadership Team).*

#### **THE PASTORAL MANAGER IS THEN RESPONSIBLE FOR:**

- Instigating, through the Headteacher's PA, the exclusion letter, entry to the exclusion data base, form informing the LA of the exclusion.
- Ensuring that the letter and LA form are signed by the Headteacher, or a Deputy Headteacher if the Headteacher is not available.

*Only the Headteacher and Deputy Headteachers are authorised to sign the exclusion letters and form to LA.*

- Ensuring that **an** individual (which could be themselves) is given a clear responsibility to contact the parents the same day to explain the issue and the school response.
- Make appropriate arrangements for the student to either be sent home, or if appropriate, to be supervised until the end of the day.
- Ensure that the student is provided a copy of the exclusion letter.
- Provide the documentation associated with the exclusion so that whoever conducts the reintegration meeting is informed for the 'returners' interview.
- Ensure relevant members of staff are informed of an exclusion. (The Headteacher's PA will circulate copies of the exclusion letter to Head of Hall; Attendance Officer; Pastoral staff; SENCO and Student Service Base as appropriate.)
- Ensure that the member of staff concerned with the incident (when appropriate) has been informed, by direct communication.
- Ensure that when the exclusion is longer than ONE day work is sent by the Pastoral Manager; and when greater than five days the Pastoral Manager obtains work from teachers.
- If exclusion exceeds 5 days appropriate provision will be provided from day 6.

## **6, Parent Representation on Exclusions**

Parents have the right to make representations to the Governing Body over fixed-term exclusions.

For exclusions of five days or under, please make your representations to the Chair of Governors c/o Westfield School. These are best done in writing in the first instance but a Governor may invite you to discuss your representation. The Governing Body has no power to direct re-instatement but will consider your representation and place a copy of their findings in the student's file.

For exclusions of more than 5 days and up to 15 days parents have the right to request a meeting with the Governor Disciplinary Committee. The Headteachers decision to exclude can be reviewed by this committee. If requested the meeting must occur with 5 days of the committee receiving notification. To request, this parents must contact the Chair of Governors c/o Westfield School.

For exclusions of more than 15 days in a school term the Governor Disciplinary Committee must meet to consider the exclusion. Parents are able to make representation to the committee at this meeting and will always be informed of the date and time of the meeting.

When making representation to the Governor Disciplinary Committee a parent is able to be supported by a friend or associate for support. Also any disability, special need or translation support will be provided if requested in advance.

