



Whinless Down Academy Trust

Policy for the Exclusion of Pupils

Spring 2022

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Introduction

The ethos and policies of Whinless Down Academy Trust (WDAT) aim to ensure that all children develop good emotional, social and behavioural skills which will equip them to succeed, both in school and within the wider community. The Behaviour Policy outlines the school's behaviour expectations, how we maintain discipline, promote and reward good behaviour and the support and sanctions which are put in place should behaviour prove unacceptable.

However, in rare cases it may be necessary to exclude a pupil. This will only happen in accordance with DfE guidance (Exclusion from maintained schools, academies and pupil referral units. DfE 2012). Kent Exclusion Guidance (April 2017) will also be consulted.

Informal or unofficial exclusions, such as sending a pupil home to 'cool off', are unlawful and will not be used by the school.

Policies to be considered in relation to this policy:

Behaviour Policy
Anti-Bullying Policy
Safeguarding Policy
Child in Care Policy
SEND policy

1. Exclusion

Exclusion is an extreme sanction and only the Executive Head Teacher can exclude a pupil. If the Executive Head Teacher is absent the decision can be taken by the Head Teacher after all attempts, to contact the Executive Head Teacher, have been exhausted.

Exclusion will only take place:

- In response to a serious breach of the school's behaviour policy.
- Where allowing the child to remain in school would seriously harm the education and welfare of the pupil or others in the school.

A decision to exclude will not be taken in the heat of the moment, unless there is an immediate threat to the safety of others.

The Executive Head Teacher will:

- Ensure a thorough investigation has been carried out
- Consider all the evidence available to support the allegation, taking into account school policies
- Be satisfied on the balance of probabilities (ie more probable than not) that the pupil did what they are alleged to have done.
- Allow the pupil to give their version of events
- Check whether the incident may have been provoked
- Consider whether the sanction is appropriate in itself and in the light of the treatment of others involved in the incident
- Consult others (being careful not to involve anyone who may be involved in a statutory review ie governors)
- Keep written records of actions taken and statements made
- Be satisfied the decision to exclude was lawful, reasonable and procedurally fair, taking into account legal duties
- No alternative can be found

The local authority will be informed of all decisions to exclude, via Digital Front Door on KELSI.

1.1 Permanent Exclusion

Permanent exclusions are only carried out if every effort to assist the pupil over a significant period has proved unsuccessful and a range of other strategies have been tried and failed.

In the most extreme of situations, it is possible that a “one off” action could be of such severity that it would be inappropriate for the pupil to continue to attend a school within the Trust.

These might include:

- Serious actual or threatened violence against another pupil or member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon

The school will consider whether or not to inform the police where a criminal offence has taken place; and also whether to inform other agencies (e.g. Social Services).

1.2 Fixed-term exclusion

It is the policy of the Trust to use fixed term exclusions rarely and usually only after other less severe sanctions have proved unsuccessful or where behaviour presents a serious health and safety risk and/or the learning of others is impacted.

If a pupil’s behaviour or conduct indicates that there is danger of exclusion, parents will be informed and strategies put in place to support the pupil, in accordance with other school policies (e.g. Behaviour, SEN). The school will also signpost families to external support and encourage the uptake of Early Help.

Should the Executive Head Teacher decide fixed term exclusion is required, exclusion will always be for the shortest time necessary; normally between 0.5 – 5 days.

In exceptional cases, usually where further evidence comes to light, fixed-term exclusion may be extended, or converted to a permanent exclusion. A second letter will be sent to parents explaining the reasons for the change.

1.3 Lunchtime exclusions

Where pupils’ behaviour is disruptive at lunchtimes they may be excluded from the premises for the duration of the lunch period for a fixed period of time. The school will ensure parent/carer is available to collect and supervise the child and that a packed lunch is offered if there is entitlement to free school meals.

2. Notification to Parents

The school will ensure that parents are fully informed about the decision to exclude, in the first instance by telephone followed by a letter. Letters are issued to ensure parents understand their duty to ensure the pupil is not present in a public place during school hours and the arrangements for education whilst excluded. For the first five days of any exclusion, pupils will be given work to provide for their education whilst they are excluded. Should the exclusion exceed five days, the school will arrange suitable alternative full-time education.

3. Reintegration meeting

Following a period of fixed-term exclusion a reintegration meeting will always take place to support the pupil’s return to school, discuss the reasons for the exclusion and agree ways forward. The pupil will normally attend all or part of this meeting.

4. Governor Review Meeting

Where the Executive Head Teacher has decided to exclude a child permanently, or for a long fixed-term the Local Governing Body is responsible for reviewing the decision made and hearing any representations made by the parents of the excluded pupil. Governors review meetings will take place in accordance with local authority guidance.

5. Independent Review Panel

If the parents of a permanently excluded pupil wish to challenge the decision of the Governors/Trustees they may request an independent hearing. Independent Review Panel procedures will take place in accordance with local authority guidance.

6. Pupils in Care

The very special circumstances of pupils in care often make them more vulnerable to exclusions and the sense of rejection which can be felt as a consequence of exclusion. The school will seek advice from VSK and other professionals to endeavour to prevent exclusion.

The school has to take account of a wide variety of factors for all pupils and does not therefore rule out ever implementing the exclusion policy with regard to pupils in care, but particular efforts are made to avoid this option for these pupils.

7. Disabled Pupils

It is our duty not to discriminate against disabled pupils by excluding them from school because of their disability. It is unlawful to exclude a pupil for a reason related to their disability without justification. Where a disabled pupil is a risk of exclusion the Executive Head Teacher will consider any possible connection between the behaviour resulting in possible exclusion and the child's disability. Exclusion will only take place where there is material and substantial reasons to justify exclusion, and all reasonable steps have been taken to avoid it.

Review - This policy will be reviewed in Spring 2025 or when statutory guidance changes.