



# Wigston Academy

## EXCLUSION POLICY

Original Policy Date:

Next Review Date:

Date approved by Local Governing Body: 24.02.16

Signed by Chair of Local Governing Body:

A handwritten signature in black ink, appearing to be 'K. Syed', is written over the signature line.

This policy is written to comply with the regulations, advice and guidance contained in the following documents:

- Education and Inspections Act 2006
- Advice and Guidance DfE
- Wigston Academy Behaviour Policy

### **Introduction**

This policy is underpinned by the commitment of all at Wigston Academy to ensure the safety and well-being of the whole school community and to maintain an appropriate educational environment in which all can learn, aspire and achieve.

From Wigston Academy's Code of Conduct:

*“Within the values and ethos of our community we always value mutual respect and self-discipline. No person is more important than any other.”*

*“Within the Wigston Academy Community there is never any place for abuse of other people or property”.*

We have an overall aim of reducing the need to use exclusion as a sanction. However, exclusion will be used in response to a serious breach, or persistent breaches of our Discipline and Behaviour for Learning Policy. Wigston Academy follows the guidance in the Department for Education's document: 'Exclusion from maintained schools, Academies and pupil referral units in England; a guide for those with legal responsibilities in relation to exclusion.' Only the Headteacher, or Deputy/Assistant Headteacher acting in the absence of the Headteacher, can take the decision to exclude a pupil for a fixed period of time or permanently. The decision will be lawful, reasonable and fair. Such decisions are never taken lightly and are only made following appropriate investigations and consideration of the facts. The sanction of withdrawing a pupil from the school community whilst still accommodating him/her on site will be considered as an alternative to excluding a pupil.

### **Investigations leading to exclusion**

The Academy will make every effort to be fair in making decisions regarding exclusions. The student will have the opportunity to make a full written statement as soon as possible after the incident; members of staff and or other students may also be asked to give their accounts of the incident(s).

The Headteacher will then review the evidence and decide whether an exclusion is necessary and, if so, how long it will be. When there is contradictory or uncertain evidence, the Headteacher must decide 'on the balance of probability' which account of the incident(s) is most likely to be correct.

## **Fixed Term Exclusions**

The Academy will sometimes exclude a student for a fixed number of days (to be determined by the Headteacher on the basis of the seriousness of the incident, the previous behaviour of the student and other relevant circumstances). Most exclusions are of a fixed term nature and are of short duration, usually between 1 and 3 school days. At the end of the exclusion the student will be re-admitted to the Academy following a formal meeting between the student, parents and the Headteacher, Deputy Headteacher or Assistant Headteacher.

The school may exclude a student while an investigation takes place (if the student's presence at the Academy would be detrimental to the investigation or if the incident being investigated is very serious); under these circumstances, the length of the exclusion will not necessarily be known at first. Similarly, if additional information becomes available after the length of the exclusion has been decided, the Headteacher may shorten or extend the exclusion.

The Academy recognises that exclusions of up to five consecutive days and those over five days require different arrangements. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A fixed period exclusion does not have to be for a continuous period.

Where an exclusion is of five or fewer days the Academy will expect parents to assume responsibility for an excluded child during school hours. Where an exclusion is of six or more days the Academy will assume responsibility for ensuring the child receives suitable, full-time education from the sixth day. Arrangements will be made on a case by case basis.

Pupils whose behaviour at lunchtimes is disruptive may be excluded from the premises for the duration of the lunchtime period. A lunchtime exclusion from the premises is recorded as a half day exclusion.

## **Permanent Exclusion**

The Academy will, where appropriate, consider the permanent exclusion of a student.

The decision to exclude a pupil permanently is clearly an extremely serious one and would be a last resort, in response to a most serious breach, or persistent serious breaches, of the Academy's Behaviour Policy; and/or where allowing the pupil to remain at the Academy would seriously harm the education or welfare of the pupils or others in the school. The Academy will consult with the Learning South Leicestershire Behaviour Partnership to consider alternatives before making any decision to permanently exclude.

## **Exclusion Procedures**

The decision to exclude a child is taken by the Headteacher. The Headteacher will wish to listen to the advice of other senior members of staff, the deputy head, and/or Assistant Headteacher responsible for care, support and guidance in particular.

A decision to exclude a student registered in Excel will only be made after consultation with the SENCO.

Parents/carers are contacted as soon as possible once a decision to exclude a pupil has been taken. The exclusion may take immediate effect with either the parent collecting the pupil or the pupil leaving the site with the parent's consent. Or, the exclusion may commence from the following school day.

A letter will be sent by post giving details of the exclusion and the date the exclusion ends.

The letter will include details of the parents' rights including that of making representatives to the governing body. It will also provide the Department for Education's link to statutory guidance on exclusions:

<https://www.gov.uk/government/publications/school-exclusion>

During a fixed term exclusion of up to 5 school days the school will supply the pupil with daily tasks, usually provided by the pupil's subject teachers, to be completed at home. This can be collected at 9.00 am, or another pre-arranged time, by the parent or the pupil in uniform from reception or may be posted home. Work set should be returned completed the following day or handed in at the reintegration meeting.

### **What behaviour leads to exclusion?**

The following are examples of unacceptable conduct for which a fixed term or permanent exclusion might be considered:

- Verbal abuse to staff
- Verbal abuse to another pupil
- Physical abuse to/attack on Staff
- Physical abuse to/attack on another pupil
- Serious actual or threatened violence against another pupil or a member of staff
- Bullying
- Indecent behaviour
- Damage to property
- Bringing cigarettes, alcohol or any illegal drugs or other substances into the Academy or being in possession and/or using these in the Academy or anywhere on site
- Theft
- Sexual abuse or assault
- 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 student's behaviour.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that exclusion is an appropriate sanction. Serious misbehaviour of students both inside and outside school can be considered as grounds for exclusion.

### **How is the length of the exclusion determined?**

The first principle is that the exclusion should be as short as possible given the circumstances. In coming to a decision the school will consider the following:

- How effective is the exclusion likely to be
- How serious was the incident, e.g.
  - Did the student swear **about** the teacher in hearing of the class?
  - Did the student swear **at** the teacher?
  - Was the student's behaviour threatening to the teacher?
  - Were two students having an argument that turned into a fight?
  - Did one student seek out and assault another?
  - The degree of harm that has resulted
  - The degree to which the poor behaviour was pre-meditated
  - Previous incidents involving the student
  - The extent to which the authority of staff has been undermined
  - How public the incident was
- What effect will the exclusion have on the feelings of other people?
- How will the exclusion affect preparation for public examination (students are expected to attend school to sit public examinations if they are held during the course of an exclusion)

### **Why are exclusions sometimes extended**

Sometimes the school will set an initial exclusion period and this may then be extended or converted to a permanent exclusion. This happens because;

- The full events surrounding the situation need further investigation or further information comes to light
- The school is waiting for other agencies (e.g. the police) to make further enquiries
- A multi agency planning meeting needs to be arranged

### **Who else needs to be informed**

In all cases the school will inform the Local Authority and report to the Local Governing Body in line with DfE legislation.

### **Reintegration Interviews**

Students returning from exclusion will have a formal meeting with the Headteacher, Deputy or Assistant Headteacher before they return into the school community. Parents are expected to attend.

### **Behaviour management context**

Following each exclusion the Academy will review its behaviour management of the excluded student. This may result in a Pastoral Support Plan being written or other plans drawn up.