

Exclusion of Pupils Policy

This policy has been written for ...	All staff at West Heath School who have contact with students, their parents and carers and for those who sponsor student's places. All staff should have a detailed knowledge of this policy. Whilst students will not be familiar with the details of this policy document they will be made aware of the contents through their day to day interactions with staff.
Copies of this policy may be obtained from ...	<ul style="list-style-type: none"> • The school website http://www.westheathschool.com • It is available as a hard copy on request from the school office
This policy links with the following policies and documents	Positive Handling Equality Policy Health & Safety Promoting Positive Behaviour
Participants and consultees in the formulation of this policy were	The Principal, Senior Leadership Team, Student Services Committee and the Trustees of the School. A representative group of parents were invited to make comments and suggestions.
Edition, Review frequency and dates	<ul style="list-style-type: none"> • This is edition 7 released January 2019 • It is due for review January 2020
Relevant statutory guidance, circulars, legislation & other sources of information are ...	Equality Act 2010
The Lead Member of staff is	Principal
Definitions and key terms used in this policy ...	LA – Local Authority EHCP – Education, Health and Care Plan
The Rationale and Purpose of this policy	To set out clear guidelines relating to exclusion

<p>Introduction</p>	<p>West Heath School has the highest concern for the safety and wellbeing of the whole school community and we work hard to ensure that our ethos and environment supports student learning and success. Exclusion is a sanction used only as a last resort, and we aim to reduce the need for the use of it as far as is possible. This policy outlines the school's use of exclusions and is supported by our Promoting Positive Behaviour policy (available on the school website).</p> <p>It is rare for West Heath School to permanently exclude a student and we work hard to avoid fixed term or exclusion. We appreciate all our students have complex needs and have very often experienced exclusion in other settings.</p>
<p>Power To Exclude</p>	<p>The Principal is the only member of staff within the school who can exclude a pupil, either permanently or for a fixed-term. In the absence of the Principal, the Deputy Principal or Vice Principals can make this decision.</p> <p>The Trustees can review the Principals decision to permanently exclude and consider representations from parents of excluded pupils. They may direct the reinstatement of an excluded pupil, or uphold an exclusion after a review, but they cannot exclude a pupil themselves (see 'reviewing a permanent exclusion').</p>
<p>Grounds For Exclusion</p>	<p>Any exclusion, whether fixed term or permanent, will flow from a breach or breaches of the Behaviour Policy. Fixed-Term Exclusion and Permanent Exclusion may only be imposed in response to a serious breach or persistent breaches of the Behaviour Policy and where allowing the pupil to remain in school would seriously harm the education and/or welfare of the student themselves, other students or members of staff within the school community.</p> <p>In line with the school's Promoting Positive Behaviour Policy, the following actions are examples of unacceptable behaviour which may result in permanent or fixed-term exclusions, however this list however is not exhaustive.</p> <ul style="list-style-type: none"> • verbal abuse to staff and others • verbal abuse to pupils • physical abuse to/attack on staff • physical abuse to/attack on pupils • indecent behaviour • damage to property • misuse of illegal drugs • misuse of other substances • theft • serious actual or threatened violence against another pupil or a member of staff • sexual abuse or assault • supplying an illegal drug • 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 pupil's behaviour

Types Of Exclusion	<p>Permanent Exclusion</p> <p>Fixed-Term Exclusion</p>
Permanent Exclusion	<p>Permanent Exclusion is an extremely serious sanction, and a step taken by the school only as a last resort. In most cases, Permanent Exclusion will be used only after various alternative strategies have been tried to improve behaviour but have been unsuccessful. There are, however, some situations in which Permanent Exclusion on the first offence is the only option. These may include:</p> <ul style="list-style-type: none"> • serious, actual or threatened violence against another pupil or a member of staff • sexual abuse or assault • supplying an illegal drug • carrying an offensive weapon • arson <p>The list is not exhaustive, however provides an indication of the severity of the offence which may lead to an immediate permanent exclusion.</p> <p>It may be necessary for West Heath School to involve the police if the offence warrants it.</p> <p>All permanent exclusions will be reviewed by the Student Services Committee Trustees to ensure that the Principal’s decision was proportionately lawful, reasonable and fair. The Principal can withdraw an exclusion that has not yet been reviewed by the Trustees.</p>
Managed Move	<p>Although it may be necessary to permanently exclude a pupil, the school strongly believe in most cases it in the pupil’s best interests, to end placement without using our power to permanently exclude.</p> <p>We prefer to work in partnership parents and local authorities focussing on moving the pupil on positively to a more appropriate educational setting where the student can progress. It may be the case that more support is needed for the pupil, or that it is in the child’s best interest that their EHCP be changed to name a different provider. In such situations West Heath School works closely with the LA and the child’s parents or carers to ensure the transition is as smooth as possible.</p>
Fixed-Term Exclusion	<p>The length of a Fixed-Term Exclusion will be set out by the school at the start of the exclusion period. Fixed-Term Exclusions will be no more than 5 days for one episode of exclusion. 1-3 days is typical for a Fixed-Term Exclusion.</p> <p>A Fixed-Term Exclusion may result from a serious breach or persistent breaches of the school’s Promoting Positive Behaviour Policy. It may be a first offence or persistent disruptive behaviour that requires a tougher sanction than other sanctions available to the School under the Promoting Positive Behaviour Policy, but does not warrant permanent exclusion.</p>

	<p>A permanent exclusion may follow on from a fixed term exclusion by the Principal if the circumstances warrant it. This will generally be in cases where further evidence comes to light during the School's investigation. In this case, parents or carers will be notified in writing of the decision to permanently exclude the pupil, together with the reasons for doing so. During Fixed-Term Exclusions and Permanent Exclusions, daytime supervision of the child is the responsibility of their parent or guardian.</p> <p>An excluded pupil has no automatic right to take public examinations or National Curriculum tests on West Heath premises. The Principal can decide whether or not to allow the pupil to sit these tests, and this will depend on the seriousness of the reason for exclusion and risks associated with the student attending the school for tests or examinations.</p>
Making The Decision To Exclude	<p>Exclusion of any sort, for any period of time, is taken very seriously by West Heath School, and the decision to exclude is not taken lightly. Various alternative strategies to manage behaviour will usually be tried before exclusion, as this sanction is only used as a last resort unless the behaviour exhibited equates to a serious breach of the Behaviour Policy. If it is decided that exclusion is necessary, the parents or carers of the pupil will be notified, and the circumstances surrounding the exclusion will be formally recorded.</p>
Alternative Behaviour Management Strategies	<p>A full description of our approach to support our students with their behaviour can be found in the Promoting Positive Behaviour policy.</p>
Ethnicity & Disability	<p>West Heath School does not discriminate against any person and the School's ethos is one of inclusion, equality, and diversity. The school is committed to supporting our students to progress and will make reasonable adjustments to support our students to ensure they have a successful placement and make progress. If any person feels that they have been discriminated against due to their ethnicity or disability they may make a formal complaint to the school following the process outlined in the Complaints Policy. Where the issue arises in relation to an exclusion, the school will deal with any concerns raised by the parents/carers through the consideration of parental representations within the exclusion framework.</p>
Investigating The Circumstance	<p>Disruptive behaviour or actions that may warrant discipline will always be investigated before the decision to exclude is made.</p> <p>Before the decision to exclude is made, the Principal ensure the school has:</p> <ul style="list-style-type: none"> • undertaken a thorough investigation • considered all the evidence available • encouraged the student to give his or her version of events if possible • taken into account West Heath School's Promoting Positive Behaviour Policy • investigated whether the behaviour may have been provoked, for example in the case of racial or sexual harassment, or bullying • consulted other people as necessary (but not Trustee members who may later have a role in reviewing the decision) • made records of discussions, interviews and actions, and retain copies of written records made by other members of staff on Behaviour Watch.

<p>Confidentiality</p>	<p>The school will deal with all cases of exclusion and the surrounding circumstances confidentially. Information will be shared only with those who need to know it, and a breach of this may result in disciplinary action.</p>
<p>Recording And Notifying The Decision To Exclude</p>	<p>All exclusions will be formally recorded and the Principal will write to the parents or carers of the pupil, once the decision has been made to exclude, specifying why this action has been taken and the length of time that it will last. Other senior staff, typically senior members of staff, will contact parents on the day the decision was made to exclude.</p> <p>The decision to inform the pupil directly of the exclusion will be individually considered in the context of the incident leading to exclusion, the pupils needs, the pupils history and risk to others.</p>
<p>Reviewing A Permanent Exclusion</p>	<p>Trustees will review a permanent exclusion on request by parents who feel that the sanction is unjustified. A meeting will not always be required. Trustees will look at the evidence and the records leading up to the exclusion and decide whether, in light of the evidence and his/her legal duties, the Principal has made a lawful, reasonable and fair decision.</p> <p>The review hearing will be minuted by the Clerk to Trustees.</p> <p>Parents who want a review of the permanent exclusion can contact the Chair of Trustees via the school reception (see website for contact details or call 01732 460553). Parents will be asked to provide the nominated Trustees with any written statements or evidence that they might have relating to the permanent exclusion prior to the review meeting to enable this information to be circulated. There will be an opportunity during the meeting for parents to ask questions of the other parties.</p> <p>The student concerned is encouraged to attend if they are able to fully understand the proceedings. West Heath School believes that students should be encouraged to take part in the review process and feel that they are listened to. This will hopefully increase the chance of a positive behaviour pattern emerging in the future.</p>
<p>Notification Of The Trustee's Decision</p>	<p>Parents will be notified of the outcome of the Trustees decision in writing.</p> <ul style="list-style-type: none"> • Upholding the exclusion If nominated that the Trustees find the exclusion decision was lawful, reasonable and fair, they will uphold the School's decision to permanently exclude. In this case, a letter will be sent to the parent or carer of the child. • Reinstating the student If nominated that the Trustees decide the decision to permanently exclude was not lawful, reasonable or fair in light of the evidence and the duties of the Principal, the Trustees must and will reinstate the student immediately or by a given date. If the latter option is chosen support will be given to ensure that the student is easily reintegrated into the school. • A copy of the letter detailing the outcome will be put in the student's academic records along with any relevant papers. <p>The Trustee's decision to either uphold or reinstate the student is final.</p>