

## EXCLUSION POLICY

### **Related Documents:**

This policy is part of a group of policies with the **Inclusion Policy** and the **Admissions Policy and Procedure**. Other policies related include:

- Anti Bullying Policy
- Discipline and Behaviour Policy
- Drugs Policy
- Home School Agreement
- School Rules (to be re-written)
- Equal Opportunities Policy
- Fees Policy
- Complaints Procedure

### Introduction

Elmfield School seeks, wherever possible, to be inclusive and to work with parents and pupils to resolve difficulties. The decision to exclude a pupil from school is a very serious one and will not be taken lightly. This policy takes account of our *Equal Opportunity* policy and, in particular, pre-supposes that any decision to use sanctions would be informed by the requirements of the Equality Act 2010 and the duty to make reasonable adjustment where appropriate. The operation of this sanctions policy will be reviewed periodically to ensure its operation does not inadvertently discriminate negatively against those groups.

### Rationale and Grounds for Exclusion

The following are examples of reasons for exclusion, but this list is not exhaustive.

1. An act of serious violence or threatened violence
2. An act of theft or damage to people or property
3. Outright refusal to obey the instructions of a teacher
4. Verbal abuse of staff or pupils or others
5. An act compromising the safety or well-being of the pupil or others
6. Indecent behaviour
7. Sexual abuse or assault – surely this could result in permanent exclusion?
8. Carrying an offensive weapon
9. Arson
10. Leaving the premises without permission.
11. Drug abuse or alcohol abuse.
12. Repeated misdemeanours as outlined in Discipline Policy, Drugs Policy, and other policies above
13. 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.

14. Failure by the parents to meet the financial requirements.

### **Pupils below Class 6**

In Lower School time out may be more appropriate: this can be sanctioned by the class teacher in consultation with one member of the Suspension Mandate Group.

Examples of such behaviour:

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The Class Teacher and member of the Suspension Mandate Group may ask for a child to have 'time out' from School for a fixed period in the best interests of the pupil / class.

Before re-entering a meeting between the class teacher and parents must take place. The pupil must show a wish to be a member of a given class and positive attitude to being in school.

Progress monitoring may be agreed before the child's return.

### **Types of Exclusion**

There are two types of exclusion:

#### **1. Fixed period exclusions**

A pupil may be excluded for a fixed length of time, or until there is an agreement between all parties for a way forward. This was formerly referred to as 'suspension'.

A pupil cannot be excluded for a period totalling more than 15 days in one term.

Fixed term exclusions are normally used when other strategies and sanctions have not been effective over time or when there has been a single clear and serious breach of discipline. A period spent out of school is designed to give the excluded pupil time to reflect away from the school environment, and it also enables the remaining pupil to learn free from unsettling behaviour.

### **Procedure**

1. At least two members (one in exceptional circumstances) of the Suspension Mandate group meet with the teacher(s) involved with the incident to collect all the facts and make a decision.
2. While this takes place the pupil may be excluded from lessons. The pupil will be sent to a designated place to await collection.
3. If the decision is to exclude, the School will require the parents or a person designated by them to collect the child as soon as possible.
4. One member of this group must inform the parents immediately and explain:
  - Why the school has decided to exclude the pupil
  - The steps needed for the pupil to return to schoolThis must be followed by a letter with a copy to the office and to the Co-ordination Group / Education Co-ordinator.
5. Office to be informed immediately and Education Co-ordinator to be kept informed.
6. Report to be made to next Co-ordination Group meeting.

6. Return to school will be subject to a meeting between pupil, teachers and parents and to a decision on how to move forward. Where it is deemed necessary, a pastoral support plan or probationary agreement will be drawn up. Conditions may be demanded of the pupil before re-entry into the School is allowed.
7. The exclusion lasts until a return date is agreed by the Suspension Mandate Group.
8. During the course of a fixed-term exclusion where the student is to be at home, parents are advised that the student is not allowed on the School premises, and that daytime supervision is their responsibility, as parents / guardians.

## **2. Permanent Exclusions**

The School will seek all reasonable means to resolve any issue before recourse to permanent exclusions, however, sometimes permanent exclusion may be the only viable strategy. In considering such an option, the Co-ordination Group will consider both the gravity of the incident / incidents and whether it constitutes a serious breach of the School's behaviour Policy and the effect that the pupil's remaining in School would have on the education and welfare of other pupils and staff.

The School may consider permanent exclusion as a final, formal step in a concerted process for dealing with disciplinary offences, following wide use of a range of other strategies, when available strategies have been exhausted. This is used as a last resort. Examples include:

1. Persistent or defiant misbehaviour including bullying, including racist or homophobic bullying
2. Breaking the terms of a probationary agreement following a return to school after a fixed-term exclusion. Where the School's anti-bullying procedures do not eliminate the unacceptable behaviour
3. Where the School's drugs procedures do not eliminate the unacceptable behaviour
4. Where the School's discipline procedures do not lead to an improvement in the problem and / or indicate a deep-seated problem which the School cannot resolve
5. Where behavioural or learning difficulties have not responded sufficiently to the School's efforts, pastoral or learning support, and the pupil is unable to learn effectively, or disrupts or undermines the learning of others, or the behaviour is such that it is deemed to undermine severely or be an unacceptable risk to the well-being of pupils or staff or the fabric of the School.
6. Where parents are unable or unwilling to meet their financial commitments to the School, the Finance Committee may, after consultation with the relevant department and the Co-ordination Group, require parents to withdraw their child / children from the School.
7. Where parents are unable or unwilling to work with the teachers and staff to support their child's education.

The School may also consider permanent exclusion in exceptional circumstances where it is not appropriate to implement other strategies and where it could be appropriate to exclude a pupil following a first or one-off offence.

Examples might include:

1. Serious or actual or threatened violence against another pupil or member of staff
2. Sexual abuse or assault
3. Supplying an illegal drug
4. Carrying an offensive weapon (as defined by the Prevention of Crime Act 1953: any article made or adapted for causing injury to the person, or intended by the person having it with him for such use by him)

### **Procedure**

Permanent exclusion is decided by the College of Teachers with the exception of 6) above, where the decision is made by the Finance Committee who will consult with the Co-ordination Group beforehand.

In most cases when a pupil is excluded there will have been earlier discussions and correspondence between parents and the School about the pupil / situation.

When a pupil is excluded, the Suspension Mandate Group must inform the parents/guardians and the Council of Management of the exclusion and the reasons as above. The School will inform the local authority Education Welfare Officer of a permanent exclusion.

### **Behaviour Outside School**

| The School's Behaviour and Discipline Policy applies on School trips.

### **Appeals against Permanent Exclusions**

You have the right to appeal against the permanent exclusion of your child. If you wish to appeal, you must write within 15 days of receiving notice of the permanent exclusion to:

The Chair of the Council of Management  
c/o The School Office  
Elmfield School,  
Love Lane,  
Stourbridge  
West Midlands  
DY8 2EA

Please mark your envelope 'APPEAL'. Your letter should include the reasons why the decision to permanently exclude your child should be overturned.

The Council of Management Appeal Group must meet within 15 school days of the letter to decide whether to uphold the decision. You are strongly advised to attend this meeting. You can ask a friend or legal representative to speak on your behalf.