



EXCLUSION POLICY

Guiding Principles

Mutual respect and recognition of the value of each individual are at the core of our education at Elmfield. We aim to create an environment where all pupils can access the rich and varied curriculum we offer. It is central to our philosophy that we work to develop strong relationships with the pupils in our care. Working out of anthroposophy, we approach each child with love and compassion, study them in order to more clearly understand their needs and work curatively to help them become strong, healthy and balanced.

We believe it is appropriate for pupils to test boundaries and it is the responsibility of teachers and parents/carers to set and maintain these boundaries. Our teachers have the right to teach and our pupils have the right to learn.

Behaviour management and discipline strategies need to be both age appropriate and fairly enforced. Each teacher will have his/her individual approach to discipline within a framework which is clear and consistent across the school and which supports our aims of helping the pupils in our care develop into strong, independent and self-aware individuals.

Elmfield School seeks to be inclusive and to work with parents/carers and pupils to resolve difficulties and thus to reduce the need for a subsequent exclusion (see our Behaviour and Discipline Policy). Nonetheless, sometimes pupils will commit serious misdemeanours and exclusion needs to be considered in these cases. The decision to exclude a pupil from school is a very serious one and is not taken lightly.

The decision to exclude a pupil must be lawful, reasonable and fair. 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 adjustments where appropriate.

Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.

All exclusions are documented in our Exclusion File and Log.

Rationale and Grounds for Exclusion

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

1. An act of serious violence towards another person. This includes punching, kicking or other form of physical assault.
2. Threatened serious violence or aggression towards another person.
3. An act of theft from the school or others in the school.
4. Wilful damage to school property or the property of others in the school.

5. Outright refusal to obey the instructions of a member of staff.
6. Insolence or disrespect shown towards a member of staff.
7. Verbal abuse of staff, pupils or others. This includes swearing and the use of racist and homophobic language.
8. An act compromising the safety or well-being of the pupil or others.
9. Indecent behaviour.
10. Sexual abuse or assault.
11. 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).
12. Arson.
13. Leaving the premises without permission.
14. Smoking on the premises.
15. Possession or consumption of alcohol on the premises.
16. Possession of drugs, use of drugs or drug dealing on the premises.
17. Repeated disruption (as outlined in the PSR Procedure section of the Behaviour and Discipline Policy).
18. Repeated bullying which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.
19. Other 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.
20. Failure by the parents/carers to meet the financial requirements of the school.
21. Behaviour of a pupil's parent or guardian which breaches the fundamental trust required to be able to educate their child. Examples may include: repeated vexatious / malicious complaints, clear refusal to carry out actions which would support the child's education or development, bullying of school staff, trustees or volunteers.

Types of Exclusion

There are two types of exclusion: fixed period exclusions and permanent exclusions. There is no easy formula for deciding whether an incident warrants an exclusion, and then in deciding between a fixed period exclusion and a permanent exclusion. However, in order to arrive at a fair and reasonable decision, the school will give consideration to a number of factors, for example:

- Is this the first time the pupil has done something like this?
- Does the pupil have a good track record in other respects?
- Are there mitigating circumstances?
- Was this an accidental or intentional act?

- What is the extent of the actual damage (physical or psychological harm, damage to property)?
- How dangerous was it (what was the potential risk)?
- Was there provocation?
- Was there premeditation?
- Were weapons involved?
- Is the victim from a younger class?

This will help us to see the incident in the context of previous incidents and guide us to a decision which is consistent with previous decisions.

Fixed Period Exclusions

A pupil may be excluded for a fixed length of time. This was formerly referred to as “suspension”. Typically, pupils in Class 6-11 are excluded for two days in the first instance, and pupils below Class 6 for one day, but the length of any exclusion is entirely at the school’s discretion. This must, however, take into account the needs and well-being of any pupil(s) directly affected by the incident. Sometimes it will be necessary to exclude a pupil without the school having been able to decide on the length of the exclusion or the steps needed for the pupil to return to school. If this is the case, parents/carers of all parties involved will be informed as soon as the school has made these decisions.

Under DfE regulations, a pupil cannot be excluded for a period totalling more than 45 days in one year, and at Elmfield we will not exclude a pupil for more than 15 days in any 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. Fixed term exclusion (internal and external) is one of the sanctions used in our PSR Procedure (see the Behaviour and Discipline Policy). 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 pupils to learn free from unsettling behaviour.

The school will take reasonable steps to set and mark work for pupils during the first five school days of an exclusion. Alternative provision must be arranged from the sixth day.

Procedure

The Education Manager is informed that an incident of the type listed above has taken place. An incident report is completed.

She will collect statements from the key people (pupils and staff members) involved in the incident, or who witnessed or were on duty at the time of the incident.

The Education Manager will select at least two other members of staff, including where possible the pupil’s class teacher or class guardian. This group will act as a temporary Exclusion Mandate Group, and will meet as soon as possible on the day of the incident to review the incident report and written statements, consider all the factors above and make a decision. While this takes place the pupil will usually be excluded from lessons. The pupil will be sent to the Pupil Support Room with some work or a book to read and given the “Thinking about my behaviour...” form to fill in.

If the decision is to exclude the pupil, the school will require the parents / carers or a person designated by them to collect the child as soon as possible. Either the Education Manager or another member of the group must inform the parents/carers immediately and explain:

- Why the school has decided to exclude the pupil.
- The steps needed for the pupil to return to school.
- The agreed period of exclusion.
- That the student is not allowed on the school premises and that daytime supervision is their responsibility.

This must be followed by a letter with a copy going to the exclusion file, along with the statements and the notes of the above meeting.

The Office staff are to be informed immediately.

Either the Education Manager or another member of the group must also inform the parents/carers of any child directly affected by the incident (e.g. on the receiving end of verbal abuse or physical assault) and explain:

- What happened.
- That the school has decided to exclude the pupil.
- The steps needed for the pupil to return to school.
- The agreed period of exclusion.

The Education Manager must report on the exclusion at the next Co-ordination Group meeting.

The pupil's re-admission to school will be subject to a meeting between pupil, teachers and parents/carers and to a decision on how to move forward. Where it is deemed necessary, an Individual Support Plan (ISP) or probationary agreement will be drawn up. Conditions may be demanded of the pupil and their parents/carers before re-entry into the school is allowed. A strategy must be agreed for reintegrating the pupil and for managing their future behaviour, and this must include consideration of the needs and well-being of any pupil(s) directly affected by the incident.

Suitable arrangements are made for sending work home for the pupil to do during the period of exclusion, and for the work to be marked.

Permanent Exclusions

The school will seek all reasonable means to resolve any issue before recourse to permanent exclusions. However, permanent exclusion may be the only viable strategy in some cases. 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 available strategies, including fixed period exclusions. Permanent exclusion should only be used as a last resort, in response to a serious breach, or persistent breaches, of the school's Behaviour and Discipline Policy, and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. In most cases, therefore, there will have been earlier discussions and correspondence between parents/carers and the school about the pupil and his/her behaviour.

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 period exclusion.

3. Where the school's anti-bullying procedures do not eliminate the unacceptable behaviour.
4. Where the school's drugs procedures do not eliminate the unacceptable behaviour.
5. 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.
6. 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. This could, for example, be the final step in our PSR procedure (see the Behaviour and Discipline Policy).
7. Where a pupil's 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.
8. Where parents/carers are unable or unwilling to meet their financial commitments to the school. This would be deemed a "required withdrawal" of their child/children from the school.
9. Where parents/carers are unable or unwilling to work with the teachers and staff to support their child's education. Again, this would be deemed a "required withdrawal" of their child/children from the school. Examples may include: repeated vexatious / malicious complaints, clear refusal to carry out actions which would support the child's education or development, clear bullying of school staff, trustees or volunteers.

However, 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. This would be the case, for example, if a pupil seriously assaulted another pupil or a teacher in an unprovoked attack which resulted in hospitalisation.

Please note that we reserve the right to search pupils or their possessions without consent where we have reasonable grounds for suspecting that the pupil may have a prohibited item. Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil).

Procedure

The Education Manager is informed that an incident has taken place. An incident report is completed.

She will collect statements from the key people (pupils and staff members) involved in the incident, or who witnessed or were on duty at the time of the incident.

The Education Manager will select at least two other members of staff, including where possible the pupil's class teacher or class guardian. This group will act as a temporary Exclusion Mandate Group, and will meet as soon as possible on the day of the incident to review the incident report and written statements, consider all the factors above and make a decision. While this takes place the pupil will usually be excluded from lessons. The pupil will

be sent to the Pupil Support Room with some work or a book to read and given the “Thinking about my behaviour...” form to fill in.

If the decision is to exclude the pupil, the school will require the parents/ carers or a person designated by them to collect the child as soon as possible. Either the Education Manager or another member of the group must inform the parents/carers immediately and explain (if the decision has already been made):

- Why the school has decided to exclude the pupil.
- That this exclusion could be permanent.
- The date by which a decision on permanent exclusion will be taken (this will be the date of the next Co-ordination Group meeting).
- That the student is not allowed on the school premises and that daytime supervision is their responsibility.

This must be followed up by a letter with a copy going to the exclusion file, along with the statements and the notes of the above meeting.

The Office staff are to be informed immediately.

Either the Education Manager or another member of the group must also inform the parents/carers of any child directly affected by the incident (e.g. on the receiving end of verbal abuse or physical assault) and explain:

- What happened.
- That the school has decided to exclude the pupil.
- That this exclusion could be permanent.
- The date by which a decision on permanent exclusion will be taken.

The Education Manager must report on the exclusion at the next Co-ordination Group meeting, and agree with the group whether the incident warrants permanent exclusion.

The exception to this is point 8 above, where the decision is made by the Finance Committee after consultation with the Co-ordination Group.

The Education Manager must inform the parents/carers within 24 hours and explain:

- That the school has decided to exclude the pupil permanently.
- That they have the right to appeal.

This must be followed up by a letter with a copy going to the exclusion file, along with the minutes of the Co-ordination Group meeting at which the decision was taken and a copy of the Exclusion Policy.

The Education Manager must inform the Council of Management and the local authority Education Welfare Officer of the permanent exclusion and the reasons for the decision.

The Education Manager must also inform the parents/carers of any child directly affected by the incident of the final decision.

Behaviour Outside School

The school’s Exclusion Policy applies on school trips.

Appeals Procedure

Parents/carers of a child who has been excluded have the right to appeal against the exclusion of their child. If you wish to appeal, you must write within 15 school days of receiving notice of the exclusion to the address below.

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

The Council of Management Appeal Group must meet within 15 school days of receipt of an appeal letter to decide whether to uphold the decision. Appellants are strongly advised to attend this meeting, but you can ask a friend or legal representative to speak on your behalf if you wish.

Address for Appeals:

The Chair of the Council of Management
Elmfield School
Love Lane
Stourbridge
West Midlands
DY8 2EA

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