

Wellbrook School: Exclusion Policy



WELLBROOK
SCHOOL

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Policy Statement

At Wellbrook School, we strive to provide every child with the opportunity to unlock their potential. We honour and celebrate their individuality and tailor our instruction to their personal needs. Our goal is to nurture self-confidence and provide students with the support necessary to help them reach heights they didn't think were possible. We want parents to imagine the possibilities when they walk through our doors and be filled with hope as they see their children achieve beyond their expectations. We strive to be a place where children feel they belong and can thrive.

As a school that accepts pupils who in some instances have been excluded from multiple schools, we understand that for some pupils we present a final opportunity for education. For this reason, we have robust measures in place during the process of referral to ensure that we are the right school for each pupil before they are admitted to the school to reduce the chances of permanent exclusion. We know that most of the pupils who are referred to our school will have had significant gaps in their education, for this reason, we use exclusion as a last resort.

In this policy we will outline the procedures that we will follow before excluding a pupil from Wellbrook School.

What is an Exclusion?

Exclusion is a disciplinary sanction and means that a pupil is not allowed on the school premises for the duration of the Exclusion. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year) - or permanently. These are two types of Exclusion:

- Suspension
- Permanent Exclusion

Reasons for Exclusion

Although this is not an exhaustive list, the main categories of misconduct which may result in suspension or permanent exclusion include:

- supply/possession/use of certain drugs and solvents, or their paraphernalia, or substances intended to resemble them, or alcohol or tobacco whilst on school premises, representing the school, travelling to or from school, on school-organised trips, being associated with the School

- theft, blackmail, physical violence, intimidation, racism or persistent bullying (including cyber-bullying).
- child on child abuse.
- misconduct of a sexual nature.
- supply or possession of pornography.
- possession or use of unauthorised firearms or other weapons.
- vandalism or computer hacking.
- persistent attitudes or behaviour which are inconsistent with the school's ethos.
- serious academic malpractice such as plagiarism.
- other serious misconduct, on or off school premises, which affects the welfare of a member or members of the school community or which brings the school into disrepute (single or repeated episodes).

The following very serious offences are likely to lead to permanent exclusion:

- Sexual abuse or assault.
- Serious actual or threatened violence (including bullying) against another pupil or member of staff.
- Involvement in the possession, use or supply of drugs or substances.
- Repeated serious offences such as those outlined under “Reasons for Exclusion” may also lead to permanent exclusion.

Suspension

- DfE guidance says that a pupils may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). Although this guidance does not apply to independent schools we will follow it.
- Pupils may be suspended for a set number of days at a time (not more that 5), after which the pupil returns to school.
- We will inform the parents/carers explaining the reasons for the suspension and how long it is to last. If a pupil has a social worker, or if a pupil is looked-after, the Headteacher will, also without delay after their decision, notify the social worker and/or Virtual School Head, as applicable.

- We will ensure that pupils still receive their education during suspension. The Headteacher will take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Google Classroom or Oak National Academy.
- Suspension can be for part of a school day.
- We will not extend a suspension or convert it into a permanent exclusion.
- During the exclusion, the pupil must not be in a public place during school hours and the parents are responsible for the whereabouts of the pupil.
- Parents may have a right to challenge the suspension through written representation to the proprietor. Parents may also request a meeting with the proprietor. The proprietor may then decide whether or not to reinstate a pupil and if the Headteacher's decision to suspend was justified based on the evidence.

Re-integration of Pupils after Suspension

- On returning to school, there will be a re-integration meeting, in which all those concerned can discuss the best way forward for the pupil.
- During the reintegration meeting, the school will communicate to the pupil that they are valued, and their previous behaviour should not be seen as an obstacle to future success.
- We will consider a range of measures to enable the pupil's successful reintegration which can include, but are not limited to:
 - Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school.
 - Daily contact with a designated pastoral professional in school.
 - Use of a report card with personalised targets leading to personalised rewards.
 - Ensuring the pupil follows an equivalent curriculum during their suspension or off-site direction or receives academic support upon return to catch up on any lost progress.
 - Planned pastoral interventions.
 - Mentoring by a trusted adult or a local mentoring charity.
 - Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage.

- Informing the pupil, parents and staff of potential external support.

Permanent Exclusion

- The decision to exclude a pupil permanently is a very serious one.
- The decision to exclude a pupil permanently should only be taken:
 - in response to a serious breach or persistent breaches of the school's behaviour policy; and
 - where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.
- There are two main types of situations in which permanent exclusion may be considered.
- The first is a final, formal step in a concerted process for dealing with disciplinary issues following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour e.g., repeated bullying (which could include racist or homophobic bullying) or repeated possession and or use of an illegal drug on school premises.
- The second is where there are exceptional circumstances, and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:
 - 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.
- The school will consider police involvement for any of the above offences. *
Offensive weapons are defined in the Prevention of Crime Act 1953 as "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." These instances are not exhaustive but indicate the

severity of such offences and the fact that such behaviour seriously affects the discipline and well-being of the School.

- Permanent exclusion at Wellbrook School involves returning the pupil to the referring local authority. An assessment of the pupil should be undertaken by the Local Authority, so that a long-term re-integration plan for a new placement can be devised. Because our pupils all have special educational needs and EHC plans, the Local Authority must ensure that an appropriate full-time placement is identified in consultation with the parents, who retain their rights to express a preference for a school that they wish their child to attend, or make representations for a placement in any other school
- For the first five days, the parents are responsible for the pupil's whereabouts, and they must not be in a public place during school hours.
- For the first five days, we will ensure that pupils still receive their education during suspension. The Headteacher will take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Google Classroom or Oak National Academy.
- After 5 days, the local authority will need to make arrangements for a new placement

Suspension & Exclusion Procedure

- If the Headteacher decides to exclude a pupil, they will: -
 - Ensure that there is sufficient recorded evidence to support the decision
 - Check the behaviour tracking system
 - Look at the evidence that has been gathered and built up and examine incident reports. An incident report needs to have been written each time by staff involved and then passed onto a member of the Senior Leadership Team.
- The Headteacher will then make the decision on whether to suspend or exclude and the duration of the suspension as appropriate.
- Information is entered onto an in-house suspension & exclusion log by Headteacher and kept on the pupil's file.

- Should a child in care be identified as at risk of exclusion, then contact is made with the local authority Inclusion Officer, social worker and the named contact in the Looked after Children team immediately, to enable early intervention/preventative strategies to be instigated.
- The decision to exclude should be explained to the pupil and the parents/carers. The Headteacher will contact the parents/carers, explain the decision and ask that the child be collected explaining what has happened and review date to be set.
- If an incident occurs mid-day and the school is unable to make contact with the parent/carer, the pupil will remain on site (if safe to do so) until the normal leaving time or until contact is established. Transport will then be arranged to send the pupil home. The pupil will only then be sent home.
- The school will send a letter to the parents confirming the reason for the exclusion, whether it is a suspension or permanent exclusion, the length of the suspension and any terms or conditions agreed for the pupil's return.
- In cases of more than a day's suspension, we will ensure that appropriate work is set and that arrangements are in place for it to be marked. This can include utilising any online pathways such as Google Classroom or Oak National Academy.
- The School Administrator will collate all documents relating to the suspension or exclusion, i.e., copy of incident reports, copy of the suspension/exclusion letter, minutes of the reintegration meeting (where applicable) and suspension & exclusion log in separate Exclusions folder using a numbering system.
- The Headteacher will email the proprietor outlining suspension or exclusion details and in the case of suspension, duration and a plan about how to address the pupil's needs on his/her return
- A suspension or exclusion will not be enforced if doing so may put the safety of the pupil at risk. Suspensions are more likely to occur, and they are of short duration (usually between one and three days).
- Parents/carers have a right to make representations to the proprietor and the Local Authority Commissioner if they want to challenge a decision to exclude their child. This information, with contact details, will be in the exclusion letter. Parents/carers will be fully advised on procedure. Please refer to procedure for appeal below
- A reintegration meeting will be held following the expiry of any suspension, and this will involve the pupil, parent/carer, a member of the Senior Leadership Team, and other staff where appropriate.

- It is school practice to monitor behaviour and work of the pupil very closely for the period following suspension. This means monitoring of the Behaviour Tracker, Critical Incident Reports, and any Pastoral sessions.

Procedure for Appeal

Stage 1 – Representation to the proprietor

Parents/carers who wish to appeal against a decision to suspend or permanently exclude their child must submit their representations in writing to the proprietor within 5 school days of receiving written notification of the exclusion.

The proprietor will acknowledge receipt of the appeal within 2 school days.

The proprietor will review all relevant documentation and evidence and may uphold, amend, or rescind the exclusion. The outcome of this review will be communicated to parents/carers in writing within 10 school days of receipt of the appeal.

Stage 2 – Independent Review

Where parents/carers remain dissatisfied following the proprietor's decision, they may request that the matter is referred to an Independent Reviewer.

The request for an independent review must be made in writing within 5 school days of receiving the proprietor decision.

The school will appoint an Independent Reviewer within 5 school days of receiving the request. The Independent Reviewer will be an external education professional, such as a School Improvement Partner or independent consultant who has had no prior involvement in the case, the pupil, or the management of the school.

Independent Review Process

The independent review will take place as soon as practicable and normally within 10 school days of the Independent Reviewer being appointed.

The Independent Reviewer will consider:

- Whether the decision to suspend or permanently exclude was lawful
- Whether the decision was reasonable, proportionate, and procedurally fair
- Whether due regard was given to the pupil's special educational needs, Education, Health and Care Plan (EHCP) (where applicable), safeguarding, and equality duties
- Whether all reasonable alternatives to exclusion were considered

Parents/carers may attend the review meeting and may be accompanied by one supporter. Legal representation will not normally be appropriate.

Outcome of the Independent Review

The Independent Reviewer will issue a written decision, including reasons, within 5 school days of the review meeting.

The outcome of the independent review will be recorded and retained in line with the Independent School Standards and the school's record-keeping procedures.

Cancelling Exclusions

At Wellbrook School we do not cancel exclusions or re-instate pupils who have been permanently excluded unless, after an appeal, the proprietor rescinds the exclusion. In that case:

- The Headteacher must notify the parents/carers as soon as possible
- If a pupil has a social worker, or if a pupil is looked-after, the Headteacher will, also without delay after their decision, notify the social worker and/or Virtual School Head, as applicable.
- Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled which should be arranged without delay
- The pupil must be allowed back into the school from which they were excluded without delay.
- Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in any school year (see paragraph 6).
- A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.