

## **The Warriner Multi Academy Trust**

### **Exclusion of Pupils Policy**

#### **Aims**

The Directors of the Warriner Multi Academy Trust are committed to ensuring the safety and well-being of all members of its school communities and maintaining an appropriate educational environment in which all can succeed. Exclusion is viewed as a very extreme sanction to be used when all other available strategies have been exhausted or where there are exceptional circumstances and it is not appropriate to implement other strategies. The rationale underpinning this policy is outlined in Appendix 1.

#### **Objectives**

- To be well publicised (via the website) and easily accessible.
- To be fair and balanced
- To be used when all other avenues have been explored
- To ensure a fair investigation
- To allow for an appeal where appropriate

#### **Roles and Responsibilities**

##### **Head Teacher**

The DfE statutory guidance document “Exclusion from maintained schools, academies and pupil referral units in England” states that “only the head teacher of a school can exclude a pupil”. In the Warriner Multi Academy Trust each school has a Head Teacher OR a Head of School. Where there is a Head of School, there is also an Executive Head Teacher who has the legal responsibilities of the Head Teacher. The functions of the Head Teacher with regards to exclusions are delegated to the Head of School ONLY in the Executive Head Teacher’s absence.

Exclusion is an extreme sanction that is only administered by the Head Teacher (as defined above) In reaching a decision on exclusion, the Head Teacher will always look at each case on its own merits. The Head Teacher will consider guidance provided by Oxfordshire County Council’s Social Inclusion Officer and have regard to the Department for Education statutory guidance; “Exclusion from maintained school, academies and pupil referral units in England”

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/269681/Exclusion from maintained schools academies and pupil referral units.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269681/Exclusion_from_maintained_schools_academies_and_pupil_referral_units.pdf)

The exclusion protocol for The Warriner School is outlined in Appendix 2.

The exclusion protocol for the WMAT primary schools are outlined in appendix 3.

In any Governors Disciplinary Committee meeting to consider an exclusion, the Head Teacher/Executive Head Teacher who has made the legal decision to exclude will submit a report to the GDC which they will present in the meeting. In a school where there is a Head of School it is usual that they will be in attendance at the meeting as a witness.

### Local Governing Body

The Governing Body will monitor the implementation of this policy and will keep under regular review the number of exclusions being made including a comparison with national data.

The Governing Body has a duty to review the decision to exclude in the following circumstances;

- a) If the exclusion is permanent
- b) If the exclusion is fixed term and would bring the pupil's total number of school days of exclusion to more than 15 in a term
- c) If the exclusion would result in a pupil missing a public examination or national curriculum test
- d) Representations are made by or on behalf of parents of an excluded child

In circumstance a-c above the Governing Body will convene a Governors Disciplinary Committee (GDC) meeting within 15 school days of receiving notice of the exclusion, to consider reinstating the excluded pupil. In light of its consideration the GDC can either;

- Decline to reinstate the pupil or
- Direct reinstatement of the pupil immediately or on a particular date

In the circumstances of d) above, where representation are made by or on behalf of a parent of an excluded child, the Governing Body must consider those representations but it cannot direct reinstatement if the fixed term exclusion does not bring the total number of days of exclusion to more than 5 in a term.

Where the Local Governing Body is unable to form an independent panel without any prior knowledge of the pupil or the background to the exclusion, the panel will be formed from Directors of the WMAT and/or Governors from other WMAT schools.

The Governors Disciplinary Committee will have regard to the DfE statutory guidance "Exclusion from maintained schools, academies and pupil referral units in England" in reviewing any decisions to exclude.

### Monitoring and Evaluation

The effectiveness of this policy will be monitored against the following criteria:

- Compliance with statutory requirements
- Number of and reasons for exclusions
- Outcome of reviews and appeals

Related Policies<sup>1</sup>

School Behaviour Policy.

Complaints Procedure Statement.

Drugs Policy.

**The WMAT Exclusion of Pupils Policy was considered and approved by the Trustees Central Services Committee on 14<sup>th</sup> November 2019 for use in all WMAT schools.**

**The Warriner exclusion protocol was amended and approved in the meeting of the Trust Board on the 12<sup>th</sup> February 2020**

**Review Due November 2022**

## **Appendix 1 – Rationale**

Exclusion is an extreme sanction that is only administered by the Headteacher (or, in the absence of the Head, the Deputy Head who is acting in that role). Exclusion, whether fixed term or permanent may be used for serious or persistent breaches of the school's rules. Examples of breaches include the following:

- Bullying including cyber bullying / improper use of social media
- Actions which put the student or others in danger
- Verbal abuse of staff or students
- Physical abuse of staff or students
- Inappropriate sexual behaviour
- Damage to property
- Theft
- Carrying an offensive weapon
- Arson
- Disruptive or defiant behaviour
- Unacceptable behaviour which has previously been reported for which interventions have been unsuccessful
- Assault
- Possession of or under the influence of illegal substances
- Other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction

The above is a non-exhaustive list.

The school may apply a sanction (including fixed period or permanent exclusion) for poor behaviour away from the school premises which is either witnessed by a member of staff (for example on a school related activity) or reported to the school.

The decision to exclude a student permanently is taken very seriously. There are two main types of situation in which permanent exclusion may be considered;

- As a final formal step following the use of a wide range of other strategies that have been unsuccessful in dealing with disciplinary offences.
- Where there are exceptional circumstances and it is not appropriate to implement other strategies and where it would be appropriate to permanently exclude a student for a first "one-off" offence.

In all cases a decision taken to permanently exclude must meet the following DfE criteria;

- In response to a serious breach, or persistent breaches of the School Behaviour Policy.
- and

- Where allowing the student to remain in school would seriously harm the education or welfare of the pupil or other members of the school.

The Warriner Multi Academy Trust has a zero tolerance policy on drugs. All cases where students are found with, or under the influence of, illegal substances, new psychoactive substances or other unauthorised substances will result in an immediate fixed term exclusion to allow for the full facts to be investigated and may result in permanent exclusion.

**Appendix 2**  
**The Warriner School – Exclusion Protocol**

The following procedures must be completed for External Exclusions:

Student Name: \_\_\_\_\_ Tutor Group: \_\_\_\_\_ Date: \_\_\_\_\_

1. The student must have the opportunity to put his/her case with a signed written statement being obtained if at all possible. **(Warriner Learning Centre WLC)**
2. Witness statements must be obtained whenever possible/necessary. **(WLC)**
3. The WLC and the Head of Year must consult on the facts and present them to The Head of School (or another member of SLT) so that a decision to recommend can be reached. Where appropriate the following should be consulted. **(WLC/HoY)**   
 SENCO       Form Tutor       Safeguarding Lead       DT/LAC
4. The Head of School (or other member of SLT) decides on the appropriate number of days based upon the evidence. The student's attendance and behaviour records must be considered. Alternative sanctions may be considered. **(Head of School / SLT)**
5. Head of School to consult with the Executive Head Teacher and explain their recommendation to exclude (FTE or PEX) , as ***it is the Executive Head Teachers legal responsibility to make the decision*** (including signing the paperwork) unless the Executive Head Teacher is absent in which case that responsibility has been delegated to the Head of School. **(Head of School/Executive Head Teacher)**
6. The Executive Head Teacher will satisfy themselves that this protocol has been followed before making the final decision and requesting the Executive Headteacher's PA (HPA) to type the exclusion letter(s). **(Executive Head Teacher)**
7. If an external exclusion is decided upon, parents, carers or guardians must be contacted immediately by phone **(Head of School)**
8. Where applicable the victim's parents, carers or guardians should be informed **(WLC)**
9. One copy of exclusion letter to be sent by first class post or emailed to parents **(HPA)**
10. One copy of exclusion letter to be given to House Administrator**(HPA)**

**Appendix 3**  
**The WMAT Primary Schools – External Exclusions Protocol**

The following procedures must be completed for External Exclusions:

Student Name: \_\_\_\_\_ Class: \_\_\_\_\_ Date: \_\_\_\_\_

1. The student must have the opportunity to put his/her case with a signed written statement being obtained if at all possible. For younger students where this is not possible all effort must be made to hear the pupil voice, for example through a verbal statement taken by a trusted adult.
2. Witness statements must be obtained whenever possible/necessary.
3. The Class Teacher, Head Teacher/Head of School (and SENCO where appropriate) must consult on the facts.
4. The student's attendance and behaviour records must be considered. Alternative sanctions may be considered.
5. Head Teacher to **inform** the CEO of the WMAT of any FTE. This can be after the event to take into account the need for swift action in some circumstances. It is best practice to seek advice from the CEO if possible but this is not a requirement.
6. Head Teacher to **consult** with the CEO of the WMAT **prior** to making the decision to permanently exclude.
7. Head of School to **consult** with the Executive Head Teacher and explain their recommendation to exclude (FTE or PEX) , as it is the Executive Head Teachers legal responsibility to make the decision (including signing the paperwork) unless the Executive Head Teacher is absent in which case that responsibility has been delegated to the Head of School.
8. The Headteacher/Executive Head Teacher must satisfy themselves that this protocol has been followed before making the final decision.
9. If an external exclusion is decided upon, parents, carers or guardians must be contacted immediately by phone a letter is sent by post and a re-admission meeting booked with the parents, student, and the Head Teacher. (See Appendix 4 for link to standard letters)

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10. Where applicable the victim's parents, carers or guardians should be informed

11. Exclusion letter to be sent by first class post or emailed to parents



#### **Appendix 4 – Exclusion Letter templates**

See OCC Exclusion and Reintegration website for standard letters to be used when communicating with parents during the exclusion process;

<http://schools.oxfordshire.gov.uk/cms/content/exclusion-documents>