

# **WYVERN COLLEGE POLICY NUMBER 6 INCLUSION AND EXCLUSION OF STUDENTS**

## **PURPOSE AND RATIONALE**

This policy is intended to establish clear procedures for implementing and monitoring exclusions and to outline other strategies for dealing with serious mis-behaviour at Wyvern College. It is also intended to provide a fair, legal and consistent approach to behavioural expectations and exclusions for trustees, the Headteacher, staff, students and parents. It includes examples of strategies that may be used to support students who are exhibiting poor behaviour in an effort to prevent exclusions, the considerations that are taken into account prior to giving an exclusion and the steps that the college takes when issuing a fixed term exclusion.

## **PRINCIPLES AND CONTENT**

### **Strategies to prevent a fixed term exclusion**

Staff and students at Wyvern College believe in the right to disruption-free learning, every lesson, every day. This can be seen in the core principles of the PRIDe expectations. The college works with parents and students to promote the PRIDe expectations and to prevent poor behaviour. Staff have developed a range of strategies that are used to deal with poor behaviour and to support students with the aim of preventing fixed term exclusions. These strategies may include:

- Telephone call or letter to parents;
- Meeting with parents;
- Placing the student on PRIDe report to monitor behaviour;
- Use of departmental and SLT detention system;
- Change of teaching set or class;
- Support from the SEND department;
- Use of the 'On-Call' team;
- Peer mentoring from the Peer Supporters or Prefects;
- Use of the Restorative Behaviour Day;
- Personalised timetable at Key Stage 4 for example attendance at another form of alternative provision such as Riverside gardens or a work placement;
- Referral to the Eastleigh Early Help Hub;
- Referral to outside agencies for additional support;
- Removal of privileges for example freedom of movement at break as a precautionary, preventative measure;
- Placing student in the Internal Exclusion Room for an extended day;
- Inclusion programme of individual behaviour support plans and regular meetings with teachers of the student;
- Holding a multi-agency planning meeting for example a TAF ('team around the family');
- Organising a managed move to a partner school in the Eastleigh & Winchester consortium;
- Organising a period of 'respite' at a partner school in the Eastleigh & Winchester consortium.

Exclusion should be seen as the last resort and would be considered for the following reasons in the National Standard List of Reasons for Exclusions (outlined below) and when the student has disregarded all other punishments or has exhibited such serious poor behaviour that a more severe punishment is immediately warranted.

- **Persistent disruptive behaviour** - challenging behaviour, disobedience, persistent violation of college rules;
- **Physical assault against pupil** - fighting, violent behaviour, wounding, obstruction and jostling;
- **Physical assault against adult** - violent behaviour, wounding, obstruction and jostling;
- **Verbal abuse / threatening behaviour against pupil** - threatened violence, aggressive behaviour, swearing, sexist, racist or homophobic abuse and harassment, verbal intimidation, carrying an offensive weapon;
- **Verbal abuse / threatening behaviour against adult** - threatened violence, aggressive behaviour, swearing, sexist, racist or homophobic abuse and harassment, verbal intimidation, carrying an offensive weapon;
- **Bullying** – for example verbal, physical, homophobic bullying, racist bullying;
- **Racist abuse** - racist taunting and harassment, derogatory racist statements, swearing that can be attributed to racist characteristics, racist bullying, racist graffiti;
- **Sexual misconduct** - sexual abuse, sexual assault, sexual harassment, lewd behaviour, sexual bullying, sexual graffiti, peer-on-peer abuse;
- **Drug and alcohol related** - possession of illegal drugs, inappropriate use of prescribed drugs, drug dealing, smoking, alcohol abuse, substance abuse (see college drugs policy);
- **Damage** - damage to college or personal property belonging to any member of the college community, vandalism, arson, graffiti;
- **Theft** - stealing college property, stealing personal property (student or adult), stealing from local shops on a school outing, selling and dealing in stolen property;
- **Other** - incidents which are not covered by the categories above (this category should be used sparingly).

**Factors to be considered prior to issuing a fixed term exclusion:**

When considering whether to exclude a student, the college will take into account the following:

- The weight of evidence relating to the offending behaviour;
- The age of the student;
- The student's previous behaviour record at college;
- Any particular circumstances unique to the student which might sensibly be taken into account in connection with the behaviour of the student;
- The extent to which parents, peers or other pressures, may have contributed to the behaviour;
- The degree of severity of the behaviour, the frequency of its occurrence, and the likelihood of its reoccurrence;
- Whether or not the behaviour will have an impact on the Health & safety of staff and students;
- Whether or not the behaviour occurred on the college premises or when the student was otherwise in the charge of college staff;
- The degree to which the behaviour was a violation of one or more rules contained in the college's Behaviour and Discipline policy or related documents;
- Whether the incident was perpetrated by the student on his or her own or as part of a group;
- Whether consideration has been given to seeking the support of other agencies;
- Whether the behaviour might be an emerging sign of behavioural and emotional difficulties giving rise to special educational needs. Particular consideration should be given to students who have an Education & Health Care Plan;
- Equal opportunities, whether there are any equal opportunities issues such as race, disability or religion which need to be taken into account;

- Whether the student is in care, is a carer him/herself, pregnant or otherwise at risk;
- Whether criminal procedures are pending.

Failure to complete homework, poor academic performance, lateness or truancy and failure to adhere to the college's uniform policy will not be used as reasons for a fixed term exclusion. These may, however, contribute to a fixed term exclusion for persistent disruptive behaviour.

### **The use of a fixed term exclusion**

At Wyvern College, a fixed term exclusion will be considered after full consideration of the above factors. A student will be excluded if their behaviour breaches the college's Behaviour and Discipline policy (Policy Number 4), or allowing them to remain in college would be seriously detrimental to the student or others in the college, or where a student's actions poses a serious risk to the health and safety of the student or others in the college.

The authority to exclude students lies solely with the Headteacher

### **Fixed Term Exclusions**

These are limited to a total of 45 days in any one academic year for an individual student, not in any one particular establishment, so if a student moves schools part way through the year, the receiving school should ensure that accurate information is received in relation to previous exclusions.

Fixed term exclusions are split into three categories: fixed term exclusions of 5 days and under, fixed term exclusions of between 6 and 15 days, fixed term exclusions of 16 days and over. Schools are responsible for the setting and marking of work during the first 5 school days of a fixed term exclusion. During this period, parents are responsible for ensuring that the pupil is not present in a public place during normal school hours without reasonable justification. Failure to complete work, however, does not constitute a reason for refusing to allow the pupil to return to school. The college is required to arrange a readmission interview following fixed term exclusions but the exclusion cannot be extended if such an interview cannot be arranged in time or the parents do not attend.

For students who are excluded for more than 5 days, the college must make arrangements to provide full-time education provision from the 6<sup>th</sup> day, either off site or in a shared provision. The college works in partnership with other schools in the Eastleigh & Winchester consortium to provide this provision on a reciprocal basis. The arrangements for 6<sup>th</sup> day provision are required to be reported to the Local Authority on each occasion that we are required to implement it.

### **Permanent Exclusion**

Permanent exclusion will be considered in response to extremely serious breaches of the college's discipline policy and where allowing the student to remain in college would be seriously detrimental to the education or welfare of the student or other students in the college. Examples may include:

- Serious actual or threatened violence against another student or member of staff;
- Sexual abuse or assault against another student or member of staff;
- Carrying an offensive weapon;
- Persistent and defiant mis-behaviour including bullying or continual harassment;
- Possession, use or supply of illegal and other unauthorised drugs or substances within the college boundaries or on college transport, or during a college visit.

In most cases, a range of other support strategies will have been in place for a period of time before permanent exclusion is considered.

The Local Authority is responsible for arranging suitable full-time education provision from Day 6 of a permanent exclusion and provides guidance to the college on fulfilling the legal and administration requirements in relation to a permanent exclusion.

## **Procedures for both fixed term and permanent exclusions**

### **Recommendation for a fixed term exclusion**

- a) The Pastoral Leader must speak to parents personally by phone to advise them that an exclusion is being considered.
- b) The Pastoral Leader should complete an Exclusion Recommendation Form and submit it to their SLT Line Manager for approval.
- c) The Pastoral Leader should ensure that statements from the student and other people involved in the incident are attached to the Exclusion Recommendation Form. A copy of the student's behaviour log and attendance should also be included. Exclusions cannot be processed if any relevant paperwork is missing. It is important that statements contain as much detail as possible.
- d) Reference should be made to the National Standard List of reasons for exclusion.

### **Fixed term exclusions up to five days**

- a) For all fixed-term exclusions, the SLT Line Manager should ensure that the student has had an opportunity to express his/her views and that the exclusion paperwork has been correctly completed by the Pastoral Leader.
- b) The authority to exclude students lies solely with the Headteacher, who will review each exclusion request.
- c) For all fixed-term exclusions, the SLT Line Manager will personally contact the parents by phone to explain the decision to exclude the student, to inform them of the dates of the exclusion, to arrange re-admission details and to outline the work to be done by the student. This contact should be made within 24 hours of the decision to exclude being taken.
- d) If the misbehaviour is so serious that it warrants the student being excluded part way through the day, he/she should not be sent home to an empty house unless parents give verbal consent. If parents cannot be contacted, the student should be withdrawn from lessons and placed in the Internal Exclusion Room until contact can be made with them.
- e) Students should be given work to complete for each day of their exclusion.
- f) The completed Exclusion Recommendation Form should be passed to the Admin Support Assistant who produces the letter containing the exclusion details, the re-admission time and the work to be completed.
- g) By law, it is the parents' responsibility to ensure that their child is supervised whilst excluded.

### **Return from fixed term exclusion**

- a) Following a fixed-term exclusion, the student and parents should attend a readmission meeting with SLT Line Manager and Pastoral Leader. Every attempt should be made to do this before the student is due to return to college.
- b) On return to college, the student should be placed on PRIDe report to the SLT Line Manager and the Pastoral Leader should offer other support where appropriate.
- c) In exceptional circumstances, the college may agree a part-time return following an exclusion for an agreed length of time, as part of a re-integration programme and this would be agreed by the Headteacher.

### **Additional information**

If a student has exclusions totalling more than 15 days within a term or 45 days within a year, then a Trustees' Review Meeting will be called, where the Trustees' student disciplinary committee meet to discuss the case. Such meetings are organised in conjunction with the Clerk to the Trustees and the Local Authority provides support to the college in respect of this.

If a Trustees' Review Meeting is held, the relevant Pastoral Assistant will need to produce paperwork for the review from the student's file. The contents of the paperwork will be provided by the local authority, but as a guide the information required would include: all previous exclusions and supporting statements, behaviour log, any behaviour support plan or pastoral levels of intervention document, SEND information, evidence of involvement of other agencies, evidence of other intervention strategies, attendance data and the last two college reports.

At the point of formal written notification, the College should be more than satisfied that the exclusion decision is both appropriate and unavoidable, and has been authorised by the Headteacher. However, if parents do not accept the decision and feel that there are grounds for appeal, the notification letter will provide them with details of how to contact the Clerk of Trustees in order to register their objection to the decision.

The Trustees do not have the power to direct a reinstatement, but it will consider the parental representations and may decide to place a copy of its findings on the student's official school record. The formal notification letter will also inform parents of their legal rights, e.g. with respect to the Equality Act 2010, and provide them with contact details for further help and advice from external agencies.

In the event of a student being subject to criminal proceedings and an exclusion in relation to a particular incident, the Headteacher will decide whether an exclusion would be appropriate under the circumstances. Minor theft will be dealt with by the college but subsequent occurrences would be reported to the police. Any activities involving illegal drugs or any offence which would be likely to result in a criminal prosecution will be reported to the police.

### **Monitoring of exclusions**

The termly Headteacher's report to then Trustees will provide details on the number and type of exclusions given, together with comment on particular behaviour issues that Trustees need to be aware of. The Care, Guidance and Support Committee will receive a termly report regarding exclusion data from the Pastoral Assistant Headteacher.

## **RESPONSIBILITY FOR IMPLEMENTATION**

The Trustees of Wyvern College have a duty, within its general role of supporting the Headteacher and staff, to maintain standards of discipline and ensure fairness to students and parents with regard to strategies for serious mis-behaviour, fixed and permanent exclusions, parents' representations and monitoring of exclusions.

## **ACCOUNTABILITY**

The Trustees are responsible for approving this policy.

The Care, Guidance and Support Committee is responsible for ensuring this policy is monitored effectively.

## **SUPPORTING DOCUMENTS AND APPROPRIATE LINKS**

Exclusions Guidance for Hampshire Schools

Statutory Guidance and regulations on exclusion 2012 (updated July 2017)

<https://www.gov.uk/government/publications/school-exclusion>

Wyvern College Drugs Policy

Behaviour and Discipline Policy

Equal Opportunities Policy

SEND policy

## **REVIEW SCHEDULE**

Reviewed by Care, Guidance and Support Committee 30<sup>th</sup> June 2020

Revised & Adopted by Governing Body: 6<sup>th</sup> July 2020

Next Review Date: July 2022 (Every 2 years)

## APPENDIX 1

### Permanent exclusion:

<b>Permanent exclusion</b>
<ul style="list-style-type: none"><li>• The *LA shall make available, suitable full time education from day 6.</li><li>• Notification to parent, *TDC &amp; LA immediately.</li><li>• TDC to meet between 6 and 15 school days from the date of receipt by the TDC of a notice of permanent exclusion.</li><li>• Parents may make representation to the TDC orally and/or in written form.</li><li>• The LA must be invited to the meeting at a time convenient to all parties.</li><li>• Full paperwork should be provided by the school to all the parties 5 days prior to the meeting.</li><li>• LA will provide a written statement to all parties.</li><li>• TDC has the power to uphold, or reinstate the student immediately or by a particular date. They should write to parents and LA informing them of their decision within one school day.</li><li>• If reinstated, the exclusion remains on the student's record as a matter of fact, but the reinstatement is added to the record.</li><li>• Parents have the right to make an appeal to an Independent Appeals Panel (IAP) even if they do not attend the TDC meeting and/or if they do not wish their child to be reinstated to the excluding school. They must do this within 15 school days after the receipt of notification of the TDC decision to uphold the permanent exclusion.</li><li>• IAPs will also hear appeals against permanent exclusion where disability discrimination is alleged to have taken place (see DCSF Guidance para 68-72. The decision of the IAP is binding on all parties.</li></ul>

\* LA – Local Authority

\* TDC -Trustees' Discipline Committee