



Policy Name: Exclusion Policy
Written by: Jennifer Parry

| Review history date | Next Review Date | Coordinator | Head of Education |
|-------------------------------|-------------------------------|----------------------------------|-------------------|
| 1 st February 2023 | 1 st February 2024 | Jennifer Parry Gareth Brenton | Declan Tuer |

Mission Statement

Preparing learners for the future by providing a sustainable outstanding educational experience where all students realise pursue and achieve their full potential, enabling them to thrive as adults.

Guiding Principles

Government guidance on Exclusions – both to aid the decision making process and to support the administration of procedures – does not automatically apply to Independent Schools.

However, in order to promote good practice, we at Greenfields School have regard for the principles of this guidance and this informs our working practice. This policy has been guided by the Welsh Assembly Government’s circular; April 2015 “Exclusion from Schools and Pupil Referral Units”. It has also been guided by the 2004 policy document “Children and Young People: Rights to Action Wales”.

The special educational needs of our students always includes social, emotional and behavioural difficulties, and may often include other diagnoses such as ADHD, ASD/Aspergers, MLD and communication difficulties. We aim to work closely with all the pupils in the school to support them and to help them overcome or minimise the impact of their special educational needs. We want them to become full and active citizens who are able to live cooperatively within their own community.

Our support for Greenfields School students continues during difficult times. We do not see Exclusion as a system for managing difficulties within the school. It is a choice of last resort and will only happen when all other options have been tried. The SLT will review all action taken to date, the nature of the difficulty and will make a decision on whether an Exclusion is the option available to the Headteacher.

Reasons for Exclusion:

The decision to exclude a pupil should be taken only:

- In response to breaches of the school’s behaviour policy
- Damage to property or offensive/verbally & abusive behaviour
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.



Procedures for excluding a pupil: role of Headteacher

Informing the relevant person

Whenever a Head teacher or teacher in charge of PRU excludes a pupil the 'relevant person' (see definition below) should be notified immediately, ideally by telephone or any other reasonable method, followed by a letter within one school day.

The 'relevant person', as defined in the regulations*, means:

- the parent if the pupil was aged ten or below on the day before the beginning of the school year in which he or she was excluded
- both the parent and pupil if the pupil is of compulsory school age and was aged 11 or above on the day before the beginning of the school year in which he or she was excluded
- the pupil if aged over compulsory school age (normally 16)

*The Education (Pupil Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003

Under the regulations, notification of an exclusion should be sent to guardians of pupils where the pupil is below the age of 11, i.e. normally in primary school; both the guardians and the pupil where the pupil is of compulsory school age but aged 11 and over and to the pupil alone where he or she is above compulsory school age.

Letters of notification of exclusion must state:

- the precise dates and period of the exclusion
- the reasons for the exclusion
- the parent/carers and pupil's right to discuss the exclusion
- the person whom the parent and / or pupil should contact if they wish to make such representations.

Procedure

The Head teacher will follow carefully the procedures set out as a matter of good practice. These procedures are designed to ensure fairness and openness in the handling of exclusions. Following these procedures will also reduce legal challenges to the exclusion at a later stage.

Whenever the Head teacher excludes a pupil, the guardian must be notified immediately, ideally by telephone followed up by a letter within one school day. Letters of notification of exclusion must state:

- a) For a fixed period exclusion, the precise period of the exclusion



- b) For a permanent exclusion, the fact that it is a permanent exclusion
- c) The reason for the exclusion including codes for justification page 6 & 7 of this policy
- d) The parent's right to make representation about the exclusion to the Headteacher Jennifer Parry and Head of Education Declan Tuer.
- e) The person whom the parent should contact if they wish to make such representations. This would be Declan Tuer Head of Education, who can be contacted via email Declan.Tuer@caretech-uk.com

Letters should also mention:

- a) The latest date by which the students representative must meet to consider the circumstances in which the pupil was excluded (except where the exclusion is for a total of not more than five school days in any one term, and would not result in the pupil missing a public examination).
- b) In the case of a fixed period exclusion, the date and time when the pupil should return to school and how this would be managed.
- c) If the exclusion is permanent, the date it takes effect and any relevant previous history.
- d) For fixed term exclusion the arrangements made for enabling the pupil to continue working, including the setting and marking of work. It is the parents' responsibility to ensure that work sent home is completed and returned to school.

ALL EXCLUSION CASES SHOULD BE TREATED IN THE STRICTEST CONFIDENCE.

Informing the LA

The following exclusions must be reported to the LA within one school day:

- all permanent exclusions
- exclusions which will result in a pupil missing a public examination

Fixed period exclusions of 5 days or less than 5 school days, in any one term should be reported to the LEA as soon as possible

The exclusion report - Exclusion reports must include:

- the pupil's name, age, gender and ethnicity
- whether the pupil has a statement of SEN, is being assessed for such a statement, or is on School Action or School Action Plus
- whether the pupil is in Local Authority care
- the length of the exclusion
- the reason for the exclusion including codes for justification page 6 & 7 of this policy.

In our cases where the students are looked after children from another local authority area, the "home" social services department are to be informed.



Factors to consider prior to an exclusion

The head teacher should not act in the heat of the moment but should:-

- ensure that an appropriate investigation has been carried out;
- consider all the evidence available to support the allegations, taking account of the school's behaviour and equal opportunities policies, and, where applicable, the Race Relations Act 1976 (as amended) and the Disability Discrimination Act 1995 (as amended);
- allow the pupil to give his or her version of events;
- check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment;
- if necessary consult others, but not anyone who may later have a role in reviewing the head teacher's decision,

If satisfied that, on the balance of probabilities, i.e. it is more likely than not that the pupil did what he or she is alleged to have done, the head teacher may exclude the pupil.

When an exclusion is not appropriate

Exclusion should not be used for:

- minor incidents such as failure to do homework
- poor academic performance
- lateness or truancy
- pregnancy
- breaches of school uniform rules or rules on appearance (including jewellery and hairstyle), except where these are persistent and in open defiance of such rules and where all other avenues for resolving the uniform dispute have been exhausted;
- punishing pupils for the behaviour of their guardians, for example where parents refuse or are unable to attend a meeting

Responsibility for exclusions

The Headteacher will take the final responsibility for the decision to Exclude and will then initiate the appropriate procedures.

Once the decision to Exclude a student has been made by the Headteacher will inform the registered manager of the student, the Social Worker responsible for the student, the Virtual School, Welfare and the Head of Education Declan Tuer.

School Senior Leadership Team (SLT) will ensure that all are informed of the terms of the exclusion, whether it is a fixed-term or a permanent exclusion, when the period of exclusion will end and how to



appeal or receive further information relating of the Exclusion Procedure. Letters will be sent to all and copied to the LEA. The student's LEA may have specific exclusion forms, the LEA involved will be asked to provide one of their forms for completion to be sent to parents and the LEA alongside the exclusion letter. Guardians will have the right to discuss the procedure with SLT and the Head of Education Declan Tuer.

Types of exclusion

Definition of exclusion

Exclusion is the means by which a Headteacher and the Governing Body of an LEA maintained school can withdraw the right of a pupil to attend the school, whether for a fixed period, or, permanently on disciplinary grounds.

Permanent exclusion

Permanent exclusion means the expulsion of a pupil from a maintained school on disciplinary grounds. It should be the final step in the process of dealing with disciplinary issues, and, only after careful reflection. Permanent exclusions should be used only for very serious breaches of a school's behaviour policy and not for minor incidents.

In permanently excluding a pupil, the head teacher must be able to demonstrate that the behaviour leading to the exclusion has been sufficiently serious to warrant the permanent exclusion, or, if allowing the pupil to remain in school would seriously harm his/her education, or the education and welfare of others in the school.

Fixed term exclusion

The regulations allow head teachers to exclude a pupil for one or more fixed-periods not exceeding 45 school days in any one school year. However, individual exclusions should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school. Inspection evidence suggests that one to three days is often long enough to secure the benefits of exclusion without adverse educational consequences. Exclusions may not be given for an unspecified period, for example until a meeting can be arranged. Such a practice amounts to an indefinite exclusion, for which no legal arrangements exist.

Drug-related exclusions

In making a decision on whether or not to exclude for a drug-related offence the head teacher should have regard to the school's published policy on substance misuse and should consult the appropriately trained services. The decision, however, will also depend on the precise circumstances of the case and the evidence available. In some cases fixed-period exclusion may be more appropriate than permanent exclusion.

In more serious cases, an assessment of the incident should be made against criteria set out in the school's policy. This should be a key factor in determining whether permanent exclusion is an appropriate course of action.



Alternatives to exclusion

Generally, before making a decision to exclude, a range of alternative strategies should have been tried.

These may include:

- The use of Pastoral Support Programme
- Using a restorative justice process
- Outreach provision

Making the decision to exclude

Only the head teacher or teacher in charge can exclude a pupil. If they are absent from school, then the most senior teacher may exercise the power of exclusion, though they should make clear that they are acting in the head’s absence. The head teacher or teacher in charge cannot routinely, or on an ad hoc basis, delegate the power to exclude to another teacher.

Education during exclusion

We want our learners to continue to make progress with learning while excluded, therefore where possible Greenfields school will provide physical and/or digital work for the excluded pupil. This work may include sharing resources that have been prepared by the teacher to support learning. Requests will usually be made for learners to complete activities and tasks using these resources and there is an expectation that work will be shared and/or returned to the school for assessment. Where this is not possible parents/carers are directed to Seesaw, Twitter and/or the Greenfields school website where a range of appropriate learning resources and tasks have been created and shared to support learning. Tasks can be completed and submitted digitally or downloaded, printed and completed physically. This work should also be shared and/or returned to the school for assessment.

DfE Additional Reasons for Exclusion.

The DfE expects schools from the beginning of academic year 2020/21 to **cease** the use of “**Other**” as a reason for an exclusion. There has also been the introduction of 5 additional exclusion reasons. The expansion of exclusion reasons aims to give schools more scope for accurately coding the reasons for exclusion as outlined below.

| New Exclusion Codes | New Pupil Exclusion Reason |
|---------------------|--|
| OW | Use or threat of use of an offensive weapon or prohibited item |
| LG | Abuse against sexual orientation and gender identity |
| DS | Abuse relating to disability |
| MT | Inappropriate use of social media or online technology |
| PH | Wilful and repeated transgression of protective measures in place to protect public health |



The table below provides a full set of the descriptors of reasons for exclusions. This is to be used as a guide and is not intended to be used as a tick list for exclusions.

| Exclusion Code | Pupil Exclusion Reason | Includes |
|-----------------------|---|--|
| OW | Use or threat of use of an offensive weapon or prohibited item | Carrying or bringing onto the school site an offensive weapon / prohibited item such as knives, sharp instruments and BB guns, Carrying any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property Use of an offensive weapon |
| LG | Abuse against sexual orientation and gender identity | Derogatory statements about sexual orientation (e.g. heterosexual, lesbian, gay, bisexual) and gender identity (e.g. transgender) Homophobic, biphobic and transphobic bullying LGBT+ graffiti LGBT+ taunting and harassment Swearing that can be attributed to LGBT+ characteristics |
| DS | Abuse relating to disability | Derogatory statements or swearing about a disability Bullying related to disability Disability related graffiti, Disability related taunting and harassment |
| MT | Inappropriate use of social media or online technology | Sharing of inappropriate images (of adult or pupil) Cyber bullying or threatening behaviour online Organising or facilitating criminal behaviour using social media |
| PH | Wilful and repeated transgression of protective measures in place to protect public health | Deliberate breaching of protective measures such as (but not limited to): non-compliance with social distancing, causing distress such as through purposefully coughing very near to other pupils or adults, or any other deliberate breach of public health protective measures which the school has adopted. |
| PP | Physical assault against pupil | Fighting Violent behaviour Wounding Obstruction and jostling |
| PA | Physical assault against adult | Violent behaviour Wounding Obstruction and jostling |
| VP | Verbal abuse / threatening behaviour against pupil | Threatened violence Aggressive behaviour Swearing Verbal intimidation |
| VA | Verbal abuse / threatening behaviour against adult | Threatened violence Aggressive behaviour Swearing Verbal intimidation |
| BU | Bullying | Verbal, physical, cyber bullying or threatening behaviour online, racist bullying, sexual bullying, homophobic, biphobic and |



| | | |
|-----------|---|---|
| | | transphobic bullying, bullying related to disability |
| RA | Racist abuse | Racist taunting and harassment Derogatory racist statements Swearing that can be attributed to racist characteristics Racist bullying Racist graffiti |
| SM | Sexual misconduct | Sexual abuse Sexual assault Sexual harassment Lewd behaviour Sexual bullying Sexual graffiti |
| DA | Drug and alcohol related | Possession of illegal drugs Inappropriate use of prescribed drugs Drug dealing Smoking Alcohol abuse Substance abuse |
| DM | Damage to property | Damage includes damage to school or personal property belonging to any member of the school community Vandalism Arson Graffiti |
| TH | Theft | Stealing school property Stealing personal property (pupil or adult) Stealing from local shops on a school outing Selling and dealing in stolen property |
| DB | Persistent or general disruptive behaviour | Challenging behaviour Disobedience Persistent violation of school rules Raising of fire alarms falsely |

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| Head Teacher: | Jennifer Parry | Date: | 1 st February 2023 |
| Responsible Individual | Declan Tuer | Date: | 1 st February 2023 |