

September 2024

Next Review date: September 2025

Permanent Exclusion and Suspension Policy

This policy applies to Wootton Upper School, managed by Wootton Academy Trust (WAT).



**Wootton
Upper School**

Person responsible: Head of School

Reviewed by: Executive Headteacher

Associated documentation:

- Equal Opportunities
- Curriculum Statement
- Teaching and Learning Policy
- WUS Behaviour Policy
- Complaints Procedure
- "Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement: Guidance for maintained schools, academies, and pupil referral units" Aug 2024

1. Introduction.

- This policy informs the academy's use of fixed term suspension and permanent exclusion. It is underpinned by the shared commitment of all employees to achieve two important aims:
 - first, ensure the safety and well-being of all members of the academy community, maintaining an appropriate educational environment in which all can learn and succeed;
 - second, reduce the need over time to use fixed term suspensions and permanent exclusions as sanctions.
- Suspension and Permanent Exclusion are very serious sanctions and ones which are only used when it is not appropriate to use other sanctions;
- The Head of School is the only person authorized by the Executive Headteacher to issue fixed-term suspensions or permanent exclusions.
- The school's intention is to operate in-line with Department for Education Exclusion Guidance [**August 2024**]. In the event of any conflict between the WUS Exclusion and Suspension Policy and the DfE Guidance, the Guidance will take precedence.
- The Executive Headteacher and Chair of the Local Governing Board will be informed of suspensions and permanent exclusions and receive copies of letters sent to parents/carers.
- Copies of letters sent to parents/carers will be sent to the appropriate Lead Officer at the Local Authority.
- In relation to children with social workers or looked after children, the school will notify the social worker and/or foster carers or children's home workers, the local authority that looks after the child and the local authority's Virtual School Head.

2. Fixed Term Suspension.

- These may take issued for a period of between ½ day and 5 days and can be as a result of a serious one-off incident or for an accumulation of incidents.

3. Permanent Exclusion.

- The decision to exclude a pupil permanently is a serious one.
- A decision to exclude a pupil permanently should only be taken:
 - in response to a serious breach or persistent breaches of the academy's Behaviour Policy; **and**
 - where allowing the pupil to remain in the academy would seriously harm the education or welfare of the pupil and/or others in the academy.
- Permanent exclusion may be appropriate in the following circumstances:
 - As a final, formal step in a concerted process for dealing with disciplinary offences 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.

- Where there is a one-off serious breach of the Behaviour Policy and it is not appropriate to implement other strategies.
- Where a pupil with an Educational Health Care Plan is permanently excluded the school will ask the relevant Local Authority to convene an Interim Annual Review will be held within two weeks of the Permanent Exclusion.
- Permanent Exclusion will not be imposed instantly unless there is an immediate threat to the safety or wellbeing of others in the Academy or the pupil concerned.
- Where practical, a pupil will be given an opportunity to present their case before a decision to exclude permanently is taken.
- The views of the pupil will be taken into account by the Head of School before a decision to exclude is made. The pupil will be told by the Head of School how they factored in the pupil's views when making the decision. Where necessary the pupil will be given support to help them express their view.

Exercise of discretion.

- In reaching a decision, the Head of School will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.
- In considering whether permanent exclusion is the most appropriate sanction, the Head of School will consider all the circumstances, including:
 - The gravity of the incident, or series of incidents, and whether it constitutes:
 - A serious breach of the Trust's Behaviour Policy; and
 - The effect that the pupil remaining in the academy would have on the education and welfare of other pupils and staff.
- **Nonetheless, in the case of a pupil found in possession of an offensive weapon, whether there is an intention to use it or not, it is generally the school's policy in this particularly serious matter to issue a permanent exclusion.**
- In line with its statutory duty [DfE Guidance 2024], these same two tests of appropriateness will form the basis of the deliberations of the Local Governing Board's Pupil Discipline Committee, when it meets to consider the Head of School's decision to exclude a pupil permanently from the school. In accordance with the statutory guidance, the Pupil Discipline Committee will consider whether the decision to exclude the pupil permanently was lawful, reasonable and procedurally fair. This Committee will require the Head of School to explain the reasons for the decision and will look at appropriate evidence, such as the pupil's academy record, witness statements and the strategies used by the academy to support the pupil, prior to exclusion.

Mitigating Factors.

- Whilst permanent exclusion may still be an appropriate sanction, the Head of School will take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that the pupil has suffered bereavement, has mental health issues or has been subject to bullying. The Head of School will also consider paragraph 45 of the 'Behaviour in Schools guidance' which provides the range of possible sanctions available.

4. What constitutes a Serious Incident?

- A serious incident may include, but is not limited to, issues such as physical assaults on staff or pupils, indecent or lewd behaviour, sexual abuse, serious damage to property, bringing illegal substances on to the academy site, supplying an illegal drug, possession of an illegal substance, bringing offensive weapons on to the academy site, possession of an offensive weapon, extreme cyber-bullying, homophobic, sexist and racist bullying, hate-crime, downloading pornography or extremist material from the internet, serious actual or threatened violence against staff or pupils, arson, setting a firework off,

setting off the fire alarm and any action which brings the academy into serious disrepute. This is not, and cannot be, an exhaustive list and there may be other incidents where the Head of School may judge permanent exclusion to be the appropriate sanction.

- 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.'

5. Investigating Serious Incidents.

- WUS will investigate all reported incidents of serious poor behaviour in the academy and whilst travelling to and from the academy.
- Staff receive training, support and advice for the conduct of any investigations, including in respect of the recording of evidence and the taking of witness statements.
- Where it is appropriate to do so, WUS will notify the police and other relevant bodies of incidents.
- Feedback from any investigation undertaken is provided to relevant persons together with recommendations for action.
- A copy of the results of all investigations undertaken will be held on record until such time as the pupil leaves WUS.
- Where an investigation finds that there is no case to be heard, the report will be retained by the WUS but will not be kept within the pupil's file.
- Witness statements will be kept on file for all serious incidents. Where it is practical to do so statements will be gathered from all pupils involved in the incident and any witnesses (staff and/or pupils). Notes from interviews will supplement statements where appropriate.
- All serious incidents must be reported to a Pastoral Leader, Pastoral Support Officer, Year Leader or appropriate member of the Senior Leadership Team so that appropriate investigations can be conducted.
- The pupil(s) suspected of the serious incident may be placed in the Learning Recovery Centre until decisions on sanctions are made.
- Once the investigation is completed, a decision will be taken on the appropriate sanction. In the case of fixed term suspension and permanent exclusion, only the Head of School can make the decision.

6. Fixed Term Suspensions.

- Parents/carers will be notified of any decision to issue a Fixed Term Suspension immediately at the end of the investigation process outlined above.
- Parents will be notified by telephone and in writing and notified that, in line with legislation, their child is not allowed to be present in a public place during school hours without reasonable justification.
- The Local Authority will be informed of fixed term suspensions using the appropriate pro forma it has for this purpose.
- Pupils will take part in a "Return to School" meeting with a senior member of staff e.g. Pastoral Leader, Assistant Head of School.
- Pupils may be required to be on report for a period of not less than two weeks after their return to the academy in order to allow monitoring by the Assistant Head of School (Behaviour) and Year Leader;
- A Pastoral Support Plan will be considered for all pupils who receive a Fixed Term Suspension and enacted where it is deemed useful.

7. Alternative to Fixed Term Suspension.

- WUS endeavours to support pupils internally in its Learning Recovery Centre to ensure the impact on

learning and progress of poor behaviour is minimised as well as specialist Pastoral Support Officers being able to monitor and mentor pupils.

- Our Learning Recovery Centre to ensure that the education of a pupil is not affected adversely as a consequence of behaviour that falls below the high standards we expect at WUS. In other words, the Learning Recovery Centre is an inclusion centre which on occasion, is preferable to alternatives, including fixed term suspension.
- Pupils in the Learning Recovery Centre work with the close support of teaching staff and support staff to complete the work they would normally be doing during their timetabled lessons. In addition, the high staff to pupil ratio affords us the opportunity to discuss issues further, often on a "one-to-one" basis, so that we can try to prevent future similar occurrences and allow for time to reflect on the incident and the outcomes.
- In the case of pupils who demonstrates persistent disruptive behaviour, the academy will consider the use of a multi-agency assessment and specialist offsite provision.