



W A T E R T O N
ACADEMY TRUST®



Exclusion Policy

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1. Introduction

Waterton Academy Trust and its member academies are committed to valuing diversity and to equality of opportunity. We aim to create and promote an environment in which pupils, parents/carers and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities.

Waterton Academy Trust, its member academies and local governing bodies recognise that it is unlawful to take into account anyone's gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation.

We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.

A decision to exclude a pupil, either for a fixed period or permanently is seen as a last resort. The physical and emotional health of our children and staff is our primary concern, and we therefore accept that in some rare situations, exclusion may be necessary, if all other strategies have been exhausted.

2. Related Policies

Waterton Academy Trust and its member academies are responsible for communicating to pupils, parents/carers and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct.

These are:

- Behaviour Policy;
- Anti-Bullying Policy;
- Physical Intervention Policy.

No exclusion will be initiated without first exhausting other strategies or, in the case of a serious single incident, a thorough investigation.

3. Reasons for exclusion

- Total defiance (cumulative)
- Intentional physical harm to another pupil / adult
- Extreme, threatening behaviour to another pupil / adult
- Children at risk

Any exclusion will be at the decision of the Headteacher of the respective academy in which the incident has occurred, in consultation with the Academy Standards Committee (ASC), as appropriate.

4. Types of Exclusion

4.1 Temporary Fixed-Term Exclusion

A temporary exclusion should be for the shortest time necessary. Ofsted evidence suggests that 1-3 days is usually enough to secure benefits without adverse educational consequences.

4.2 Persistent or cumulative problems

Exclusion for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when the academy had already offered and implemented a range of support and management strategies. These strategies are outlined in the local Behaviour Policy.

4.3 Single 'one-off' Incident

Temporary fixed-term exclusion may be used in response to a serious breach of academy rules and policies or a disciplinary offence. In such cases the Headteacher of the respective academy in which the incident has occurred will investigate the incident thoroughly and consider all evidence to support the allegation, taking account of the academy's policies. The pupil will be encouraged to give his/her version of events and the Headteacher will check whether the incident may have been provoked, for example by bullying or racial harassment. If necessary the Headteacher will consult the Chair of the ASC and other Senior Leaders.

4.4 Permanent Exclusion

A permanent exclusion is a very serious decision and the Headteacher will consult with the Deputy Headteacher and Chair of the local Governing Body before enforcing it.

As with a temporary fixed-term exclusion, it will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of academy rules and policies or a disciplinary offence such as:

- Serious actual or threatened violence against another pupil or a member of staff;
- Failure to follow school rules - defiance
- Possession or use of an illegal drug on school premises;
- Persistent bullying;
- Persistent racial harassment;

5. The decision to exclude

If the Headteacher decides to exclude a pupil he/she will:

- Ensure that there is sufficient recorded evidence to support the decision;
- Explain the decision to the pupil;
- Contact the parents/carers, explain the decision and ask that the child be collected;
- Send a letter to the parents/carers confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion;
- The length of the exclusion and any terms or conditions agreed for the pupil's return;
- In cases of more than a day's exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked;
- Plan how to address the pupil's needs and integration back into their class on his/her return;
- Plan a reintegration meeting with parents/carers and pupil on his/her return.

6. In the absence of the Headteacher

- If the Headteacher is absent from school then wherever possible they should still be contacted in the event of a child committing an excludable offence. If the Headteacher can be reached then they should make the decision to exclude verbally.
- When the Headteacher is absent and unreachable, the Deputy Headteacher is acting as Headteacher and as such has the designated power to exclude in this situation.

- In schools where there is an Executive Headteacher and Head of School, the Head of School has designated power to exclude. In the absence of both the Executive Headteacher and the Head of School, this power will be delegated to the Deputy Headteacher.

7. Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents/carers will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the academy may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from the academy. In more severe circumstances the academy may contact Social Services and/or the Police to safely take the pupil off site.

8. Behaviour Outside the Academy

Pupils' behaviour outside the academy on academy business e.g. on trips, at sports fixtures, is subject to the academy's behaviour policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place within the academy.

9. Pupils with Special Educational Needs and Disabled Pupils

The academy must take account of any special educational needs when considering whether or not to exclude a pupil.

We have a legal duty under the Equality Act 2010 not to discriminate against disabled pupils by excluding them from the academy for behaviour related to their disability. The Headteacher should ensure that reasonable steps have been taken by the academy to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

10. Marking Attendance Registers following Exclusion

When a pupil is excluded temporarily, he/she should be marked as absent using Code E.

11. Managed Move

In cases where the Headteacher and parents/carers agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parent has treated Waterton Academy Trust, a member academy or a member of staff unreasonably the Headteacher may require the parents/carers to remove the pupil at the end of a term. This is not exclusion and in such cases the Headteacher may assist the parents/carers in placing the pupil in another school/academy.

12. Removal from the Academy for Other Reasons

The Headteacher may send a pupil home, after consultation with that pupil's parents/carer and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time.

13. Procedure for Appeal

If parents/carers wish to appeal the decision to exclude, the matter will be referred to the ASC of the academy to which the incident relates and will be handled through Waterton Academy Trust appeal procedure.

14. Appendix 1 – Exclusion Codes

DfE Changes to Reasons for Exclusion Academic Year 2020/2021

The DfE expects schools from the beginning of academic year 2020/21 to **cease** the use of “**Other**” as a reason for an exclusion. Sept 2020 also sees the introduction of 5 new exclusion reasons. The expansion of exclusion reasons aims to give schools more scope for accurately coding the reasons for exclusion as outlined below. From September 2020 the DfE gives schools the opportunity to utilise up to three reasons for any exclusion. Schools will be able to record a main reason and, if required, a second and third.

| 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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