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<b>Date of next review:</b>	January 2019	<b>Owner:</b>	Principal
<b>Type of policy:</b>	Network	<b>LGB or Board approval:</b>	LAB

## Exclusion Policy

### Internal exclusion

Students can be internally excluded (removed from lessons) for a whole day (8.40 am until 4.40 pm) and placed in Isolation for any length from 1 day to 5 days. The decision to internally exclude a student will be taken in response to breaches of the SSWL code of conduct, these include persistent disruptive behaviour or if allowing the student to remain at SSWL the education or welfare of the student or others would be seriously harmed. There are specific actions or events that do automatically result in at least an internal exclusion:

- Rudeness to a member of staff
- Racist or sexual provocation
- Internet abuse of another student (at home or in SSWL)
- Physical violence
- Bullying

In every case, before making the decision to internally exclude a student, SSWL will ensure that a **thorough investigation** has been carried out, including allowing the student to give his/ her version of the events, seeking any **witness statements** and considering any evidence of provocation (racial, sexual or otherwise).

### External Exclusion

Fixed term External Exclusion

For more serious incidents the School can decide to exclude a student externally for a fixed period.

In every case, before making the decision to internally exclude a student, SSWL will ensure that a **thorough investigation** has been carried out, including allowing the

student to give his/ her version of the events, seeking any **witness statements** and considering any evidence of provocation (racial, sexual or otherwise).

Students can be externally excluded from SSWL for 1 to 45 days in any one academic year.

## **Permanent Exclusion**

Only the Principal of SSWL has the discretionary power to exclude permanently any student. In the event of a permanent exclusion, should the Principal be absent, an interim fixed period exclusion will be made.

In exceptional circumstances, the Principal may decide to take this course of action without the student having had any previous fixed term exclusions.

The decision to exclude a student permanently may be made if:

There has been persistent defiance of the SSWL code of conduct and where SSWL has tried a wide range of strategies to modify this behaviour and to provide support but without success.

**If a student has been externally excluded on three separate occasions this may lead to permanent exclusion.**

Also, there will be exceptional circumstances where it is appropriate to permanently exclude a student for a first or one off 'offence'.

These might include:

- serious actual or threatened violence against another student or a member of staff
- sexual abuse or assault
- supplying an illegal drug, or
- carrying an offensive weapon (an offensive weapon in the definition of SSWL is considered to be any item which could cause injury to other people when used in a threatening way)
- carrying a knife of any kind (including a pen knife)

In every case, before making the decision to externally exclude a student, SSWL will ensure that a **thorough investigation** has been carried out, including allowing the student to give his/her version of the events, seeking any **witness statements** and considering any evidence of provocation (racial, sexual or otherwise). In some cases, particularly where there is significant first hand evidence implicating a student, the student may be given a temporary exclusion whilst a full investigation takes place.

In cases where there is a potential danger to a student or a member of staff, as a result of a student's behaviour, the student identified as being responsible for the

incident will be isolated and arrangements made to contact parent(s) whilst a further investigation takes place. No student will be sent off-site before the end of the day unless contact has been established with parents/guardians. In the event of contact not being made, the student must remain on site, withdrawn from class until the end of the normal SSWL day.

### **Parental Representation:**

#### **Fixed Period Exclusions of Five Days or Less**

The parent(s) may wish to make written representation to the Chair of the Local Advisory Board about an exclusion. The letter informing parent(s) of the exclusion will explain the procedure to make representations.

There are no statutory time limits which apply to the consideration of such exclusions. The Chairman the Local Advisory Board will respond promptly to any request made by a parent relating to such exclusions, although they have discretion as to whether to call a meeting or not. A record of subsequent action will be recorded and placed on the student file.

If a meeting is held, it will be after the period of exclusion has been served. The parent(s) may, if they wish, have someone of their choice to accompany and assist them at the meeting. The meeting is not an appeal and will not cause an interim postponement of the exclusion.

The purpose of the meeting is to enable the parent(s) to be satisfied that his/her views have been heard and consideration given as to whether more information should be added to the student's record.

In the event of a meeting being called, the Local Advisory Board cannot overturn the exclusion, but can add a note to the student file.

#### **Fixed Period Exclusions of more than 5 and less than 15 days in any one term**

For an exclusion of more than five days, SSWL will arrange suitable full-time educational provision from and including the sixth SSWL day of the exclusion. This must be off-site. Therefore, arrangements are made for students to attend an alternative provision

The Chair of the Local Advisory Board will, in the case of a fixed period exclusion of more than 5 but not more than 15 SSWL days in one term, consider a meeting between the 6<sup>th</sup> and the 50<sup>th</sup> SSWL day after receiving notice of the exclusion, to consider the exclusion, only if the parent requests such a meeting.

Parental representation procedures are exactly the same as those outlined above for fixed period exclusions of 5 days or less.

#### **Fixed Period Exclusions of more than 15 Days in Any One Term**

For a fixed period exclusion (or series of temporary exclusions) adding up to more than 15 days in any one term, the Governors **must** meet between 6 and 15 days from the date of exclusion – **whether the parent(s) requests it or not.**

Parental representation procedures are exactly the same as those outlined above for fixed period exclusions of 5 days or less.

### **Permanent Exclusions**

The parent(s) will be informed in writing by the Principal of his/her right of appeal against a decision to exclude permanently.

The parent(s) will be advised that he/she may, if they wish, have someone of his/her choice to accompany and assist him/her at the appeal meeting.

Appeals should be made in writing to the Chairman of the Governing Body via the Clerk to Governors, within 10 SSWL school days of notification of the exclusion.

**For permanent exclusions, the Student Discipline Committee should meet between the 6<sup>th</sup> and 15<sup>th</sup> SSWL day after notification by parent(s) of their wish to appeal.**

A minimum of 3 governors will constitute the Student Discipline Committee convened for the purpose of considering appeals, against permanent exclusions.

The Chairman of Governors may be a member of this committee provided he has not been involved in any prior discussions concerning the student or the incident.

There is no restriction on Governors who have served on a fixed period exclusion panel serving on any subsequent exclusion panel for the same student.

Parent(s) and the SSWL will be invited to present evidence.

Governors will make a decision which will be provided via the Clerk to Governors in writing to the parent(s) and posted within 5 SSWL days after the meeting.

The decision of the Governors will be final.

Any meeting of the Student Discipline Committee may, at their discretion, consider in sequence more than one exclusion case at that meeting. The LEA will be informed of all permanent exclusions.

The Chairman of Governors and the Chief Executive of the Trust will be informed promptly of all permanent and/or temporary exclusions as appropriate.

In cases where the Principal has permanently excluded a student for one of the offences outlined earlier in this section, or persistent and defiant misbehaviour, including bullying or repeated possession and/or use of an illegal drug on the SSWL premises and where the basic facts of the case have been clearly established on the balance of probability, the Secretary of State would **not normally** expect the Governing Body or an independent Appeal Panel to re-instate the student.

**Missing a public examination.** If a fixed term external exclusion would result in a student missing a public examination, the Principal will review this decision. In the event of the Principal deciding it is not appropriate for a student to take an examination; this will be referred to the Student Discipline Committee. The panel should attempt to meet before the examination. If, exceptionally, it is not practical for the Panel to meet before the examination is due to be taken, the Chair of the Student Discipline Committee or the Chairman of Governors has the discretion to allow the student on site to take the examination.