

Exclusion Policy

West Heath School



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Copies of this policy are available on the School Website -
[http://www.westheathschool.com/ Staff matters - Policies](http://www.westheathschool.com/Staff%20matters%20-%20Policies) or as a hard copy on request from the School Office.

1. Introduction and Aims

Introduction

West Heath School has the highest concern for the safety and wellbeing of our whole school and residential communities and we work hard to ensure that our ethos and environment supports equality, educational and social learning as well as achievement and success.

This policy intends to outline the school's use of exclusions and is supported by our *Promoting Positive Behaviour Policy* (available on the school website).

West Heath School appreciates all our students have complex needs and may have experienced exclusion in other settings.

The school and residential settings are committed to working with parents, carers and other stakeholders to provide considered, measured and proportionate responses to the behaviours and challenges that our students may pose. Nevertheless, the school will not tolerate persistent breaches of policy that endangers the safety and wellbeing of the school community.

The aims of the Policy are:

- To promote clear behavioural processes between students, staff and parents and carers that safeguard and promote the welfare of all students, creating a positive school community
- To enable students and their parents/ carers to understand the West Heath School Escalation Chart and the processes involved in exclusion
- To enable students to reflect on the consequences of their behaviour and, most importantly, to take responsibility for their behaviour
- To provide an ethos and environment within which everyone feels safe
- To raise awareness among students to ensure that their behaviour does not put their peers or staff at an increased risk in respect of health and safety
- To raise awareness amongst students for the need to recognise and manage their emotions and reactions
- To support students when behaviour within the school environment is challenging or who may find friendship and co-operation difficult
- To use the Behaviour Watch system to create a fair and transparent behaviour system and to record, use and monitor behavioural data and/or share with relevant stakeholders.

2. Legislation and Guidance

- The Education Act 1996 National Guidance (DfES/DoH 2002)
- LA Policy Statements
- Keeping Children Safe in Education 2024

3. Definitions/Terms

- 'Positive and Negative' behaviour are terms used in preference to 'good and bad' because they convey the sense that all behaviour has a result or consequence and also a context. There are some behaviours that would be judged acceptable in one context but not in another
- The 4Rs- Respect, Resilience, Responsibility, Relationships

4. Pre-emptive Strategies to Reduce Exclusions

As per the *Promoting Positive Behaviour Policy*, all staff at West Heath School will attempt to de-escalate negative behaviour before acting in a punitive manner.

5. The Curriculum and Safeguarding

Safeguarding Across the Curriculum

All subject plans are scrutinised by the Head of Curriculum for opportunities to discuss and promote safeguarding.

The national Safeguarding Week is considered an integral part of the school curriculum and all key stages complete work on this topic.

Heads of School discuss relevant and newly emerging safeguarding risks regarding new technologies.

The curriculum aims to be adaptable and pre-emptive to students' needs.

4 Rs (**Respect, Relationships, Responsibility and Resilience**)

The 4Rs are displayed throughout the School and are a central part of the West Heath School's ethos; all lessons visibly show the 4Rs; all staff discuss the 4Rs with students.

Form Time

Serious behaviour and safeguarding issues are addressed during form time.

West Heath School's Awareness Courses

WH Awareness Courses enable students to reflect, discuss and learn from their behaviour. The courses are based around the 4Rs and support and encourage students who are at risk of being excluded from the School community.

There are a range of different courses, for example, racism, bullying, forming healthy relationships, and these are designed to challenge students' ideals and encourage meta-cognition, where students think about why they feel and act as they do. They also encourage students to take on Community Service Projects to try and repair and restore the harm their behaviour has caused. These courses aim to help students to reflect and change their behaviour and therefore improve their ability to remain part of the school community.

6. Types of Exclusion

- Fixed-Term Exclusion – internal or external
- Exclusion From Boarding
- Managed Move
- Permanent Exclusion

The length of any Fixed-Term Exclusion will be set out by the school at the start of the exclusion period and made clear to parents/ carers. Internal Exclusions will take place in school and will be monitored by the Heads of School; external exclusions will take place at the student's home.

Fixed-Term Exclusions will be no more than 5 days for one episode of exclusion. It is unlikely that a student's first offence will result in a Fixed Term Exclusion, however, if the behaviour has caused significant harm to self or others, it is an option that may be considered proportionate in response to the incident. Further to this, persistent disruptive behaviour that requires a more robust response/ sanction than other sanctions available to the School under the *Promoting Positive Behaviour*, may result in a Fixed Term Exclusion, but do not warrant a Permanent Exclusion at that time.

During Fixed-Term Exclusions and Permanent Exclusions, daytime supervision of the students is not the responsibility of the school. An excluded student has no automatic right to take public examinations or National Curriculum tests on West Heath School premises. The Principal, in consultation with the Senior Management Team, can decide whether or not to allow the student to sit these tests, and this will depend on the seriousness of the reason for exclusion and risks associated with the student attending the school for tests or examinations.

In exceptional circumstances, a Permanent Exclusion may follow on from a Fixed Term Exclusion if approved by the Principal and the circumstances warrant it. This rare event may be considered in cases where further evidence comes to light during an investigation. In this scenario, parents or carers and other stakeholders, will be notified in writing of the decision to permanently exclude the student, together with the evidence and reasons for doing so.

7. Power to Exclude

Exclusion of any sort, for any period of time, is taken very seriously by West Heath School and the decision to exclude is not taken lightly.

Various alternative strategies to manage behaviour will usually be tried before exclusion, as this sanction is only used as a last resort unless the behaviour exhibited equates to a serious breach of the *Promoting Positive Behaviour Policy*.

If it is decided that Permanent Exclusion is necessary, the parents/ carers of the students will be notified, and the circumstances surrounding the exclusion will be formally recorded.

The Principal is the only member of staff within the school who can exclude a student, either permanently or for a fixed-term.

However, in the absence of the Principal, the Deputy Principal can make this decision. The Trustees can review the Principal's/panel's decision to permanently exclude and consider representations from the excluded student, their parents/ carers or other stakeholder in their 'Best Interests'. This process may direct the reinstatement of an excluded student, or uphold an exclusion after a review.

8. Grounds for Exclusion

Any exclusion, whether fixed term or permanent, may flow from a breach or breaches of the *Promoting Positive Behaviour* or *Drug and Alcohol Policy*.

Fixed-Term Exclusion and Permanent Exclusion may only be imposed in response to a serious breach or persistent breaches of these policies and where allowing the student to remain within the school or residential setting would seriously harm the education and/or welfare of the student themselves, other students or members of staff within the school community.

In line with the school's *Promoting Positive Behaviour* and *Drugs and Alcohol Policy*, the following actions are examples of unacceptable behaviour which may result in a fixed-term or permanent exclusions, however, **this list is not exhaustive**:

- Persistent disruptive behaviour which endangers the safety of self or others
- Damage to School property
- Persistent bullying / online bullying or via social media

- Physical attack on staff or fellow students
- Persistent setting off of fire alarm or setting fires which set alarms off
- High level disruptive behaviour
- Possession, use or supply of Class A, B or C drugs, alcohol, solvents or other substances
- Possession of an offensive or dangerous weapon
- Criminal behaviour
- Unacceptable or unsafe behaviour which has previously been reported, and for which school sanctions and other interventions have not been successful in modifying the student's behaviour
- Arson

9. Exclusion from Boarding

On occasions, it may be deemed necessary to exclude a student solely from our boarding provision, resulting in the student becoming a day student only. This may be in the form of a Fixed-Term or Permanent Exclusion and would only be actioned if it was clear that the student's behaviour was causing serious concerns for their own and/or the welfare of others in the boarding setting.

10. Managed Move

Although it may be necessary to permanently exclude a student, the school strongly believe, in most cases, it is in the student's best interests to end placement without using our power to Permanently Exclude. The school prefers to work in partnership with parents/carers, local authorities and other stakeholders, focusing on moving the student on positively to a more suitable educational or residential setting where the student can prosper and progress.

It may be the case that a student may require more support than West Heath School can provide, or that an alternative provision is better able to meet their need and/ or it is in the student's best interest that their EHCP be changed to name a different provider. In such situations, West Heath School works closely with all stakeholders and the child's parents or carers to ensure the transition is as smooth as possible.

11. Permanent Exclusion

Permanent Exclusion is an extremely serious sanction, and a step taken by the school only as a last resort. In most cases, Permanent Exclusion will be used only after various alternative strategies have been tried to improve behaviour but have been unsuccessful. See **Appendix B**.

There are, however, some situations in which Permanent Exclusion on the first offence is the only option. These may include, but are not limited to:

- serious, actual or threatened violence against another student or a member of staff
- sexual abuse or assault
- supplying an illegal substance

- carrying an offensive weapon
- arson

This list is not exhaustive, however, provides an indication of the severity of the offence which may lead to an immediate permanent exclusion.

It will also be necessary for West Heath School to involve the police, if the offence warrants it.

12. Confidentiality

The school will deal with all cases of exclusion and the surrounding circumstances confidentially. Information will be shared only with those who need to know it, and a breach of this may result in disciplinary action.

13. (A) Investigating Exclusions

Disruptive behaviour or actions that may warrant discipline will always be investigated before the decision to exclude is made.

Before a decision to exclude is made, the Principal and/ or Deputy Principal will ensure that:

- the relevant Head of School has undertaken and recorded a thorough investigation
- SMT has considered all the evidence available (see **Appendix B**);
- staff have encouraged the student to give his or her version of events if possible
- considered West Heath School's *Promoting Positive Behaviour Policy*
- Heads of School/ Head of Care and Safeguarding have completed a thorough investigation of the incident. For example, in the case of racial or sexual harassment, or bullying
- consulted other people as necessary (but not Trustee members who may later have a role in reviewing the decision)
- made records of discussions, interviews and actions, and retained copies of written records made by other members of staff on Behaviour Watch.

All Permanent Exclusions will also be reviewed by the Student Services Committee Trustees to ensure that the Principal's Panel decision was measured, reasonable and proportionately lawful.

The Principal can withdraw an exclusion that has not yet been reviewed by the Trustees.

13. (B) Use of CCTV

West Heath School uses Close Circuit Television (CCTV) within its premises.

One reason why the School uses CCTV is to provide a safe and secure environment for students, staff and visitors. If behavioural incidents are recorded on CCTV the footage may be viewed as part of the investigation and the content considered before imposing a sanction. *For further information regarding the use of CCTV please see the West Heath School's CCTV Policy.*

When more than one student is involved in an incident and the interpretations of an event differ, then every effort will be made to try to find the truth. If this still remains unclear, then the staff members involved will use their professional judgement to conclude on the balance of probabilities.

14. Recording and Notifying the Decision to Exclude

All exclusions will be formally recorded and the Principal will write to the parents or carers of the student, once the decision has been made to exclude. This document will outline why this action has been taken and the length of time that it will last. The LA will receive a copy of the written Exclusion Letter.

Other senior staff, typically senior members of staff, will contact parents/ carers on the day the decision was made to exclude. The decision to inform the student directly of the exclusion will be individually considered in the context of the incident leading to exclusion, the student's needs, the student's history and risk to others.

15. Appealing a Permanent Exclusion

The Trustees will review a Permanent Exclusion on request by parents/ carers who feel that the sanction is unjustified.

A meeting will not always be required. Trustees will look at the evidence and the records leading up to the exclusion and decide whether, in light of the evidence and his/her legal duties, the Principal has made a lawful, reasonable and fair decision.

Parents/ carers who want to review the permanent exclusion can contact the Chair of Trustees via the School Reception (see website for contact details or call 01732 460553).

Parents/ carers will be asked to provide the nominated Trustees with any written statements or evidence that they might have relating to the Permanent Exclusion prior to the review meeting to enable this information to be circulated. There will be an opportunity during the meeting for parents/ carers to ask questions of the other parties.

The student concerned is encouraged to attend, if they are able to fully understand the proceedings.

16. Notification of the Trustees' Decision

Parents/ carers will be notified of the outcome of the Trustees' decision about their child's Permanent Exclusion in writing.

Upholding the Decision

If Trustees find the Permanent Exclusion decision was lawful, reasonable and fair, they will uphold the School's decision to permanently exclude. In this case, a letter will be sent to the parent or carer of the child.

Reinstating the Student

If the nominated Trustees decide the decision for Permanent Exclusion was not lawful, reasonable or fair in light of the evidence provided by the parent/carers and school, the Trustees must and will reinstate the student immediately or by a given date. If the latter option is chosen, support will be given to ensure that the student is easily reintegrated into the School.

A copy of the letter detailing the outcome will be put in the student's academic records along with any relevant papers.

The Trustees' decision to either uphold or reinstate the student is final.

17. Ethnicity and Disability

West Heath School does not discriminate against any person and the School's ethos is one that promotes inclusion, equality, and diversity. The school is committed to supporting all our students to progress and will make reasonable adjustments to support our students to ensure they have a successful placement and make progress.

All students at West Heath, irrespective of their sexuality, religion and/ or disability are valued in our community and will be treated fairly and with respect.

If any person feels that they have been discriminated against due to their ethnicity or disability, they may make a formal complaint to the school following the process outlined in the Complaints Policy.

Where an issue arises in relation to an exclusion, the school will deal with any concerns raised by the parents/carers through the consideration of parental representations within the exclusion framework detailed above.

18. Application of the Policy Outside of School Hours

The School will also apply sanctions within this policy for behaviour that takes place outside of School premises, where it is reasonable to do so. For example, if allegations of severe bullying or sexualised online activity taking place outside of school hours are reported to the School.

When deciding whether it would be reasonable to impose a sanction for poor behaviour outside the School, staff will consider:

- whether the student is taking part in any School-organised or School-related activity. For example, when in the boarding premises, whether the student is travelling to or from the School, or is in some other way identifiable as a student of the School at the time of the behaviour
- the severity of the misbehaviour. For example, whether the student's behaviour could have had repercussions for the orderly running of the school; whether the behaviour poses a threat to another student or member of the public; whether the behaviour could adversely affect the reputation of the School.

19. Complaints

If parents or carers have any concerns or complaints over the application or implementation of this policy they should raise their concerns with a staff member or the Principal in accordance with the *West Heath School Complaints Policy*.

20. Links with other Policies

This policy should be read alongside:

- Promoting Positive Behaviour Policy
- Drugs and Alcohol Policy
- Anti-Bullying Policy

21. Consultees

Persons with particular responsibility:

- The Principal and Deputy Principal
- SMT
- All staff at West Heath School have a responsibility to uphold the values of the 4Rs and to follow the systems and escalation process outlined in this policy

Consultees:

- Staff
- Student Welfare Meeting

Monitoring and Evaluation:

- The Student Council, SMT and Pastoral Teams

Appendix A: Promoting Positive Behaviour Strategies

West Heath School staff will always seek to be proactive rather than reactive in their response to behaviour management.

This list will include, but is not limited to:

- Keep calm and do not shout.
- Always try to use the language of unconditional positive regard. For example, rather than state, "I can see you are struggling", ask, "This must be frustrating, how can I help?" Rather than state, "Don't throw that toy", try, "Keep the toy in your hands please". Rather than state, "No Running" try, "Walking Please".
- If possible, try and meet and greet at the door and/ or ensure that the first interaction with your student is a positive interaction.
- View each lesson as a new start.
- Offer students the opportunity to use the classroom Zones of Regulation Chart so that the teacher is able to understand and identify the understand how the students are feeling. The portable ZoR also gives students the opportunity to provide staff an insight into how the student is feeling during the lesson.
- Begin each lesson with a Connect Task to calm students' nervous system and to help maintain and build positive relationships with the students. In the whole-school Attachment Training, staff studied how if nervous system is in flight or fight mode, that students will not be able to access the learning.
- If possible, tactically ignore some behaviors', particularly if it seems that the student is looking for a reaction.
- Give students a choice- "You can do this or this..."
- Use the resources available in the classroom. For example, use the therapy toolkit, which has desk screens, fiddle toys, weighted blankets and/ or ear defenders.
- Allowing students to use MP3 players to listen to music in lessons;
- Use micro scripts- plan what you are going to say if you are struggling with a student.
- Allow for short, planned movement breaks for a student whose SEND means that they find it difficult to sit still for long;
- Think WINE:
 - I **wonder** how it felt...
 - I can't/ can **imagine** that was...
 - I **noticed** that you...
 - I **empathise**...
- Always try to model the behaviours that you expect or desire from the students. For example, apologising if you misread their intentions or their mood.

Appendix B: Emergency Meeting Checklist

Before entering into an Emergency Review Meeting, please complete the following checklist and add all evidence to this form:

- 1) Have we ensured that they have contacted the parents/ carers regularly and kept them updated on how their child's behaviour is changing or escalating.

Y/N

DATE/S OF CONTACT:

INFORMATION STORED:

ADD PRINT OUT OF CONTACT LOG/ WELL-BEING INCIDENT SLIPS NOTES:

- 2) Have you kept a log of negative bullying behaviours on Behaviour Watch and seen a pattern of negative bullying behaviours across a period of time?

Y/N

DATE RANGE:

NUMBER OF BULLYING INCIDENTS INVOLVED:

ADD PRINT OUT OF BEHAVIOUR WATCH EVIDENCE

- 3) Have you used elements of the Teaching Therapeutic Toolkit to help students focus in lesson such as allowing students to use MP3 players to listen to music in lessons, wobble stools, desk screens?

Y/N

ADD LIST OF ITEMS USED:

- 4) Have you used restorative approaches that encourage students to reflect and learn from their behaviour, including the participation in a Restorative Meeting?

Y/N

DATE/S OF RESTORATIVE MEETING:

ADD RESTORATIVE MEETING NOTES

- 5) Have you created a bespoke student timetable and included additional interventions?

Y/N

ADD COPY OF TIMETABLE:

ADD LIST OF INTERVENTIONS (INCLUDE COT FORMS IF NECESSARY)

6) Have you reduced the student's timetable or reduced number of days at school?

Y/N

ADD COPY OF TIMETABLE:

7) Has additional work been provided for the student on Satchel One?

Y/N

ADD SCREEN SHOT OF SACHEL ONE WORK (INCLUDE WHETHER WORK HAS OR HAS NOT BEEN SUBMITTED)

ADD EXAMPLES OF WORK GIVEN

8) Has the student had:

- an Internal or External Exclusion **on Behaviourwatch**;
- spent time/ participated in EOS provision;

Y/N

ADD TIMES/ DATES

9) Has the student completed an Independent Learning Plan (ILP) during this exclusion?

Y/N

ADD COPY OF ILP

10) Internal Professionals Meeting

11) Has a previous meeting with the parents/ carers, Head of School and Deputy Head been completed whereby it has been made clear that the next escalation would be an Emergency Review Meeting?

Y/N

DATE OF MEETING:

ADD COPY OF MEETING NOTES

Please note that some Red Behaviour Types (such as ~~Arson~~ extreme and continuous bullying) will trigger an automatic Emergency Review Meeting

