

West Midlands UTC

Exclusion Policy

The governing body considers the use of exclusions, and in particular permanent exclusions, as a sanction of last resort for use when other methods of behaviour management fail or in the most serious breaches of student conduct. This appendix sets out the types of exclusion that the UTC may apply and the circumstances under which they will be issued.

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Comments	This appendix elaborates on elements referred to within the Behaviour Policy.		
Monitoring, Evaluation and Review	The Governing Body will review this document at least once every 2 years. Monitoring and Evaluation shall be conducted as part of review of the Behaviour policy, or at other times when specifically required due to changes in legislation or at the request of the governing body.		

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1. Purpose

1.1. A decision to exclude a student for a fixed period or permanently should be taken only:

1.1.1. When there has been serious breaches of the UTC's Behaviour policy

1.1.2. If allowing the student to remain in school would seriously harm the education or welfare of the student or other students in the school.

1.2. Where a student has been identified as at risk of exclusion a range of strategies will be used to support the student and prevent an exclusion.

- 1.3. Exclusion is not an appropriate response to minor incidents, deviations from school dress code, lateness and truancy or poor academic performance.
- 1.4. There are precise regulations for dealing with exclusions. The Headteacher must follow these procedures.

2. Types of Exclusion

There are four types of exclusion that the UTC may use

2.1. Lunchtime & Break time Exclusions (internal) in the Conduct Isolation Room (CIR)

- 2.1.1. Students whose behaviour at lunchtime or break times is disruptive may be excluded from common areas of the UTC for the duration of the lunchtime and break times.
- 2.1.2. Students will be placed in the CIR, be brought lunch or permitted to partake of their own packed lunch, and will be permitted to make use of their computer or any reading materials freely (with the exception of making use of social media or using electronic devices to otherwise communicate with other students in the UTC). They will not be permitted to use their phone.
- 2.1.3. Support staff will work with students to ensure that they are accountable for their actions and recognise the requirement to adjust their conduct before reintegration with other students.
- 2.1.4. These exclusions will not normally continue for a period of longer than one week.
- 2.1.5. Lunchtime exclusion will not normally exceed a week and if this is the case alternative strategies would be discussed with the parents.

2.2. Internal Exclusion in the CIR

- 2.2.1. The Conduct Leader or SLT may determine to exclude a student from all UTC activities whilst retaining them on site in the CIR.
- 2.2.2. Students will only be informed that they have been or will be excluded by the Conduct Leader or SLT – no other member of staff should inform a student of the decision.
- 2.2.3. The period of such exclusions will usually not exceed 3 days, but may do in exceptional circumstances.
- 2.2.4. Students will not be permitted to mix with the general student population nor communicate with them via phone or other electronic communication media.
- 2.2.5. Students will be set work to complete.
- 2.2.6. Students will undergo discussions and training sessions regarding their conduct whilst in internal exclusion to support their reintegration into the UTC (e.g. anger management training).
- 2.2.7. Parents will always be informed by telephone and in writing (which may be electronic) of an internal exclusion on the first day of such an exclusion. The arrival and departure times whilst internally excluded will be discussed and agreed with parents.

2.3. Fixed Term External Exclusion

- 2.3.1. Wherever feasible exclusions will be managed internally, but on occasion it may be necessary for students to be excluded from the UTC site.
- 2.3.2. The Principal, Vice Principal or Assistant vice Principal may determine to exclude a student from the UTC for a fixed period.

- 2.3.3.** Normally each instance of exclusion will last from between 1 and 3 days, but may last longer depending on the specific circumstance of the exclusion.
- 2.3.4.** Students may receive repeated exclusions in any one academic year but the total number of excluded days in any one year shall not exceed 45 days.
- 2.3.5.** During the first five days of any exclusion the UTC will set work for the student to complete at home.
- 2.3.6.** When the period of exclusion exceeds 5 days the UTC will arrange for alternative full-time education for the student from the 6th full day of exclusion.
- 2.3.7.** Students with a parent/carer will need to attend a reintegration meeting before they return to resign the UTC/Home contract.
- 2.3.8.** During an external exclusion parents must ensure that students are supervised, are not permitted to be present in public places during UTC hours without reasonable justification and are engaged in productive learning work.

2.4. Permanent Exclusions

- 2.4.1.** A student will only be permanently excluded following serious breaches of discipline or if the education or welfare of students and others at the school would be harmed by the continued presence of the student in the school. Permanently excluding a student is a very serious matter and will usually only be taken when all other strategies have been tried.
- 2.4.2.** There are a number of circumstances in which students may be permanently excluded for a single offence, which include (but are not limited to):
 - 2.4.2.1.** Serious assault, threatened or actual, against another student or member of staff
 - 2.4.2.2.** Sexual abuse or assault
 - 2.4.2.3.** Supplying an illegal drug
 - 2.4.2.4.** Carrying an offensive weapon
 - 2.4.2.5.** Deliberate and wilful significant damage to the UTC, particularly that which endangers life (e.g. arson)
- 2.4.3.** When the decision has been made to permanently exclude a student, parents will be notified immediately, if possible by telephone. This will then be followed by a letter of confirmation. The governing body, LAs and the EWO will also be informed.
- 2.4.4.** Parents will be invited to attend the UTC at the earliest opportunity (and certainly within 3 days), with the student where this is safe and feasible, to discuss the decision to permanently exclude with the Principal. Note that this is not an appeal process but ensures that the parents are able to state their case directly to the Principal and listen to the reasons for making the decision to permanently exclude.
- 2.4.5.** Parents have a right to appeal a permanent exclusion, and students will remain on the UTC roll until any appeal process has been completed or it is confirmed that no appeal is to be lodged (either through expiration of the time limit or through direct notification by the parents to the LA that an appeal will not be sought).
- 2.4.6.** The student's home LA is responsible for the student's education from the 6th day of the exclusion.

3. Handling Exclusions

- 3.1.** When considering the type and extent of exclusion, the UTC will consider the following factors:
 - 3.1.1.** the severity of the offence;
 - 3.1.2.** the student's previous record;
 - 3.1.3.** the student's current personal circumstances;
 - 3.1.4.** what support/intervention we have offered to the student;
 - 3.1.5.** is there an alternative to exclusion?

- 3.2.** If, following consideration of the above, it is considered an exclusion may be warranted then the Principal must:
 - 3.2.1.** ensure that a thorough investigation has been carried out;
 - 3.2.2.** consider all the evidence available to support the allegations, taking into account the UTC's various policies and where applicable, the Race Relations Act and the Disability Discrimination Act;
 - 3.2.3.** allow and encourage the student to give his/her written version of the events;
 - 3.2.4.** check whether the event might have been provoked, for example by bullying or sexual or racial harassment;
 - 3.2.5.** keep a written record of the action taken (and copies of records made by other members of staff) including any interviews with the students concerned. The statements must be dated and signed whenever possible; and
 - 3.2.6.** if necessary, consult others, but not anyone who might have a role in reviewing the decision.

- 3.3.** If the decision is taken to exclude then at that meeting the tariff will be set and any special arrangements for readmission will be put into place. The Principal will then write to the parents explaining:
 - 3.3.1.** The precise period and the reasons for the exclusion;
 - 3.3.2.** The parents' duties during the first five days;
 - 3.3.3.** The parents' right to make representation to the Governing Body and how the student may be involved in this;
 - 3.3.4.** The person the parent should contact if they wish to make such representation;
 - 3.3.5.** The arrangements made by the UTC to set and mark work for the student during the initial 5 days of the exclusion (for exclusions of more than one day);
 - 3.3.6.** If the exclusion is to be for more than five days, the UTC day on which the student will be provided with full time education; and

4. Details of a reintegration interview.

- 4.1.** The Principal must inform the Governing Body if a student is being excluded for more than 15 days in any one term. Students can be excluded for one or more fixed periods, which when aggregated, do not exceed 45 UTC days in any one UTC year.
- 4.2.** When this exclusion leads to a final warning (before a permanent exclusion a referral to the Governors' Student Welfare Committee should be automatic)
- 4.3.** In all cases the Assistant Vice Principal or Student Support Leader should arrange to meet with parents before or soon after the student returns and a dated contract should be drawn up to be signed at that meeting. If the UTC or the LA considers that parental influence

could be better brought to bear in the behaviour of the student, a parenting contract may be offered.

5. Governors' Exclusion Appeals Meetings

- 5.1. Where an appeal to a permanent exclusion is made in writing, the Governors shall convene an Exclusion Appeals Panel in accordance with government guidance. A representative from the Local Authority shall also be invited to attend.
- 5.2. Parents shall be informed of the arrangements of this meeting in writing by the Clerk to the Governors and shall be invited to attend (with a representative should they desire)
- 5.3. The Panel shall receive, in advance of the meeting, a written summary of the evidence and justification for the exclusion from the Principal.
- 5.4. The Panel shall receive, in advance of the meeting, any written justification for the appeal against the decision from the parent(s).
- 5.5. During the Panel meeting the Principal shall be required to present the justification for the decision to exclude and describe the processes leading up to the decision to exclude
- 5.6. Parents will be given an opportunity to make a case for their appeal during the meeting.
- 5.7. The Governors may require additional investigation or witnesses to attend the Panel meeting to provide additional information.
- 5.8. The Governors will determine whether or not to uphold the decision to exclude.
- 5.9. Where parents do not accept the Governing body decision they may request an independent appeals panel (at the expense of the UTC in accordance with government guidance and legislation).

6. **DfE Guidance and other documentation** has been used to create this document. The specific guidance documents include:

- [Exclusion from maintained schools, academies and pupil referral units in England](#)

Note that the government guidance shall always be followed: should there be any discrepancy between any policy and national legislation or direct guidance

7. Exclusion Check List

Name	
Date of Exclusion Meeting	
Who attended	
Offence	
Exclusion	
Police involved?	
Parent phoned:	
Letter sent via student	Copy in the post Copy to Chair Copy to LA Copy to file
Work set arrangements	
Contract Meeting	
Key Contract conditions	1. 2. 3.

Student Support Plan Outline if a second exclusion or a longer than 10 day first exclusion	1. 2. 3.
If over 15 days in any one term refer to Governors' Inclusion Committee	Yes/No
Help required from LA	

Governors' Exclusion Appeals Panel

Date of Meeting			
Panel members			
LA Representative invited			
Paper work prepared by	Sent out	Includes reply form	Yes/No
Parents attending or not			
Permanent Exclusion ratified	Yes/No	Letter to parents sent within 24 hours Copy to file	Date:
Decision ratified by LA	Date:		
Taken off roll	Date:		

8. Examples of Exclusion Tariffs

8.1. Below are listed some example exclusion tariffs for a selection of offences. It is impossible to write an exhaustive list of offences that would lead to an exclusion, nor is it possible to determine in advance the duration of exclusion for any particular individual or circumstances. What is shown below is an **indication** of the types of exclusion that might be levied to respond to different offences. Where durations are given these, too, are indicative only. The UTC will always seek alternatives to external exclusion where these are deemed to be more effective (including mediation, restorative justice and internal exclusion).

8.2. Internal exclusion:

- 8.2.1. Repeated defiance e.g. failing to attend repeated detentions (1-2 days)
- 8.2.2. Rudeness or milder verbal abuse of staff; (1-2 days)
- 8.2.3. Reciprocated assault; (1-2 days)
- 8.2.4. Gross defiance of a member of staff when a class is not under full control;
- 8.2.5. Theft; (1-2 days)
- 8.2.6. Bullying; (1-3 days)
- 8.2.7. Unprovoked first assault where the other student does not respond and where the assault is not severe; (1-3 days)
- 8.2.8. Misuse of the fire bell. (3 days)

8.3. External exclusion:

- 8.3.1. Repeated rudeness to a member of staff; (3-5 days)
- 8.3.2. Extreme verbal abuse of a member of staff; (3-5 days)
- 8.3.3. Serious unprovoked first assault where the other student does not respond; (5 days/permanent)
- 8.3.4. Repeated unprovoked assault where the other student does not respond; (3-5 days)
- 8.3.5. Repeated reciprocated assault; (1-3 days)
- 8.3.6. Total loss of control whilst hitting out and swearing; (1-3 days)
- 8.3.7. Repeated bullying after warning; (3-5 days)
- 8.3.8. Repeated or very serious theft; (3-5 days)
- 8.3.9. Repeated or serious damage; (3-5 days)
- 8.3.10. Illegal acts like the possession of cannabis or a knife; (5 days/permanent)
- 8.3.11. Combinations of the above;
- 8.3.12. Where there is a necessary deterrent value and other measures have failed to have an impact;
- 8.3.13. Poor behaviour whilst in internal exclusion;
- 8.3.14. Where a student is “re-offending” and all other methods to bring about a change in the student’s behaviour have failed.