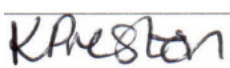


Policy/Procedure Name:	EXCLUSION POLICY		
Last Update:	August 2024	Next Update Due:	January 2027

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Signature of the Director	

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1) Legislation

The principle legislation to which this policy relates is:

- The Education Act 2002, as amended by the Education Act 2011; Education and Inspections Act 2006
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.
- The Education and Inspections Act 2006; and The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007. The School Discipline (Pupil Exclusions and Reviews) (England) regulations 2012
- SEND Code of Practice 2014
- The Equality Act 2010 and The European Convention on Human Rights (ECHR)
- DfE's latest guidance 'Exclusion from maintained school, academies and pupil referral units in England' which was effective from 1st September 2017

This policy also has due regard to statutory and non-statutory guidance, including, but not limited to, the following:

- DfE (2023) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' (WPS has analysed changes to suspensions and permanent exclusions from maintained schools, academies, and pupil referral units in England despite being an independent special school. WPS has made reasonable adjustments to this policy as deemed appropriate in the best interests of the school, the pupils and parents and carers)
- DfE (2022) 'Behaviour in Schools'
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2018) 'Mental health and behaviour in schools'

This policy should be read in conjunction with the following policies

- Behaviour Policy (Behaviour)
- Anti-bullying Policy
- Special Educational Needs and Disabilities (SEND) Policy / SEN information
- Mental Health Policy
- Child Protection and Safeguarding Policy

2) Who is the guidance for?

- The School's Head teacher and Principal
- The Directors
- The Local Authorities that place children in the care of Willow Park School
- Independent review panel members
- Parents & Families

This policy reflects the DfE Guidance for Exclusions (June 2012), plus all updates including Feb 2015. The notion of excluding children from school has become more familiar within

education over recent years. It is now a commonly accepted procedure in most educational contexts. However, it is taken as a last resort at Willow Park School.

The DfE guidance [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'](#) (May 2023). At Willow Park, we follow the following guidelines: **The Law on Exclusions**

Term	What does it mean?
	<i>..although for maintained schools, PRUs and academies, we follow this guidance at Willow Park</i>
Suspension (Fixed Term Exclusions)	- Fixed-term exclusion is also known as suspension...a temporary removal from school. - A suspension can include parts of a day (e.g lunch), up to a maximum of 45 days per academic year. - Education must be provided, <i>with</i> reasonable adjustments. - Does not 'convert' to a permanent exclusion. - Reintegration planning must follow.
Permanent Exclusions	- For serious breaches of behaviour policy, for example. - Only to be taken if remaining would seriously harm the education or welfare of pupils or others. - Education continues for the first five days if not attending alternative provision. - Headteachers can cancel exclusions before presentation to Governors.
Part Time Timetables	- NOT to be used to manage behaviour. - Only in use for the shortest necessary periods.
Off-Rolling	- Illegal. - Removal from school for disciplinary reasons is a suspension. - Sending children home to 'cool off' is not permitted. - No influencing or pressuring parents to remove their child or home educate, with threats of exclusion. - No attempts at off-rolling.
Managed Moves Alternative Provision Off Site Direction	- Considered "preventative measures". Using another setting temporarily as a planned intervention or moving a pupil permanently to a placement that is better matched.

Term	What does it mean? <i>..although for maintained schools, PRUs and academies, we follow this guidance at Willow Park</i>
Roles and Responsibilities	- The role of the Headteacher, Governors, independent review boards etc is covered. - Only a headteacher can permanently suspend or exclude pupil. - Headteachers have the power to suspend if a pupil's behaviour outside of school is problematic. - Headteachers should always notify parents, social workers (where relevant) and the local authority 'without delay' regardless of the length of suspension. - Pupil views should be considered.

3) Willow Park School's intention, the school's interpretation approach, and some considerations to Suspension and Permanent Exclusion

Intention

At Willow Park School we understand that good behaviour and discipline is essential for promoting a high-quality educational environment for all our pupils .

Amongst other disciplinary sanctions, the school recognises that suspension and exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the school's Behaviour Policy. Suspending or excluding a pupil may also be required in instances where allowing the pupil to remain in school would be damaging to the education and welfare of themselves or others; in all cases, suspending or excluding pupils should only be used if absolutely necessary, and where all other possible disciplinary sanctions, as detailed in the school's Behaviour Policy have failed to be successful.

The school has created this policy to clearly define the legal responsibilities of the Principal and Head teacher, Directors and LA when responding to pupil suspensions and exclusions, to ensure that they are dealt with both fairly and lawfully, and in line with DfE statutory guidance. This policy also aims to secure a pupil's right to an education despite having been suspended or excluded, by ensuring that appropriate arrangements are in place.

A "suspension" is defined as the temporary removal of a pupil from the school for behaviour management purposes. A pupil may be suspended for one or more fixed periods up to a maximum of 45 school days in a single academic year. A suspension does not have to be for a continuous period.

An "exclusion" is defined as the permanent removal of a pupil from the school in response to a serious breach or persistent breaches of the Behaviour Policy and/or allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or staff in the school.

The school's interpretation and approach

The approach to the use of exclusions with our pupil's has some clear advantages and disadvantages. What follows in this policy gives:

- i) The main features of our own attitude and policy towards the suspension or exclusion of pupils and
- ii) The procedures we follow in case this course of action becomes necessary

Willow Park School Specific Considerations

- i) We are an Independent special school that has a clearly identified cohort of children who have a primary diagnosis of autism and speech and language difficulties; and, potentially, additional diagnoses of pathological demand avoidance or 'avoidance type behaviour', ADHD and identified mental health difficulties. All children that attend Willow Park School have an Education Health and Care Plan. As a result of our pupil's complex diagnoses, we understand that they may or will display behaviours that challenge. We accept that our staff need high quality training in team teach, autism, PDA and mental health to ensure, collectively as an educational provision / team, we have the capability, capacity and skill set within the school staff team that is sufficient to cope with most diagnoses and the associated behaviours that we encounter.
- ii) We have the appropriate skills, resources and purpose-built environment that enables Willow Park School to manage and support pupils who exhibit various behaviours that challenge often associated with their diagnosis and the dyad of impairment associated with children with autism.
- iii) The school has a rigorous and robust admissions procedure to ensure Willow Park School proactively assesses each individual's child's or young person's Education, Health and Care Plan and any additional assessments conducted prior to formally offering a place at the school.
- iv) The consistent approach to behaviours that challenge through the school's team teach approach, effective management and the additional intervention of a highly qualified team are central to our philosophy and ethos in supporting pupils who will display various behaviours that challenge. We accept that children who come to Willow Park School will have difficult educational experiences, a number of previously failed placements, potentially will have been out of education for various periods of time and will transition into Willow Park School with varying levels of anxiety and often low self-confidence, self-belief, self-worth and self-esteem. Their acceptance into the school is not conditional upon 'good behaviour' but more of an acceptance that over time they will work towards building positive relationships with staff and existing pupils and learn to 'work with us' to support their academic, social, emotional and behavioural difficulties. **Their behaviours that challenge** are part of the presenting problems which have caused their referral and **are seen, at all times at Willow Park, as a form of communication**. We work with these behaviours in a restorative, reflective and where possible by showing a 'better way' of behaving or managing each situation.

- v) Some pupils coming to Willow Park School will have experienced being permanently excluded or may have had several fixed term exclusions. This makes us extremely cautious about following a similar course of action. This cycle of continually being excluded, for the child or young person's sake, has to be stopped. We are experienced at managing behaviours that challenge, that are often anxiety driven due to the child or young person's autism and communication difficulties. It is the school's belief that pupils, over time, need to become more independent in managing their anxiety and therefore their behaviour to ensure they are ready for the next step in their young lives. Willow Park School's responsibility is to prepare pupils for the 'working reality' that they will face in accessing society when they leave Willow Park School. Over time, pupils must learn to accept responsibility for their actions and often the associated consequences of their actions. This is something that each child or young person encounters throughout their individual journey at Willow Park School and will continue to build on in the secondary education beyond our school.
- vi) Willow Park School work with these behaviours that challenge wherever possible and to the extremes of our professional tolerance. This is the nature of our therapeutic and educational resilience as experienced practitioners. It is part of our professional obligation in working with children with autism, speech and language delay, PDA and additional mental health difficulties.
- vii) **Suspension and Permanent Exclusion, therefore, is very rarely used in our school and should always be considered as a last resort.**

4. Promoting Positive Behaviour and Early Intervention

Suspension and Permanent Exclusion is a last resort for severe cases of violent, persistently disruptive behaviour or an accumulation of disappointing poor attitude and behaviour, only when all other possible options and opportunities have been explored. All reasonable steps to resolve problems will be taken prior to any consideration of the use of 'suspension' or 'exclusion.' Please refer to the school's Behaviour policy.

Wherever possible, Willow Park staff, working with the LA and parents, should try to be creative in resolving issues and, where possible, seek the advice of other professionals. Local authorities (LA) must be informed at an early stage of any situation or developing problem that is likely to lead to exclusion. This gives the LA the opportunity to work with Willow Park and parents/carers to resolve the difficulty.

Effective policies, procedures and training minimise the number of pupils at risk of exclusion. For those at risk of exclusion, preliminary additional measures should include:

- Working with parents and carers
- A managed move to another school, with consent of all parties involved; this can be successful for pupils/young people at risk of permanent exclusion and as an alternative to permanent exclusion.
- Referral to a specific support service, such as the Education Welfare Service, Social Services of the Child and Adolescent Mental Health Service (CAMHS).

5. Alternatives to Suspension and Exclusion

A number of different alternatives may be available to the Head teacher in response to a pupil consistently displaying concerning attitudes and behaviour in school that are seriously impacting on pupils and staff welfare and well-being.

- Internal school meetings, internal SLT
- Attempt further therapeutic approaches / input / review of emotional well-being
- Meetings with parents /carers, discuss current difficulties and strategies undertaken. Talk with parents and attempt to work in partnership to find a solution
- External meetings, potential meetings with an existing team around a child, social worker, social care CAMHS worker or completing an EHA
- Restorative justice, which enables the pupil to redress the harm that has been done to a 'victim' and enables all parties with a stake in the outcome to participate fully in the process. This can be to resolve situations that could otherwise have resulted in exclusion. All professionals involved in the process need to be thoroughly involved and this can only work with the consent of all parties. Staff will be trained in school's restorative justice approach.
- Mediation, through a third party, usually a member of staff or therapist is another approach that may lead to a satisfactory outcome, particularly where there has been conflict between two parties.

- Time out, planned time out. This potentially allows the pupil and staff 'take-up time' to consider the best next steps. Pupils will be allowed time to regain emotional control and reduce their anxiety. Staff will make decisions in the best interests of the child and gain additional support where necessary to improve the situation and reduce the possibility of the pupil returning to 'crisis'
- Internal seclusion (also known as internal exclusion), which can be used to defuse situations that occur in school that require a pupil or young person to be removed from class but may not require removal from the Willow Park premises. The seclusion could be a designated area within the school with appropriate support and supervision on a temporary basis and may continue during break periods. Internal seclusion should be for the shortest time possible and should be subject to constant review and should be a very short-term measure. Staff will always support the young child or young person and parents and carers will be informed of the decision.
- Alternative provision, Willow Park School will review what alternative provision is available off-site. This could offer alternative academic or vocational provision or additional provision to help reduce behaviours that challenge on site. Reasonable adjustments in the pupil's timetable and offering different options could possibly bring about a positive change in attitude and behaviour.
- Managed move to another school or educational facility to enable the pupil to have a fresh start in a new school, college or educational provision. This should only be done with the full knowledge and co-operation of all the parties involved, and through the educational review process. In these instances, it is important to put clear plans for transition in place. Parents/carers should never be pressured into removing their child from the school under threat of a permanent exclusion, nor should pupils' names be taken off from Willow Park Schools roll on disciplinary grounds unless the permanent exclusion procedures set out in this guidance have been adhered to.

6. The Decision to Exclude or Suspend

Where does tolerance end? There is no easy answer to this question. Each situation must be assessed on its own individual set of circumstances; each pupil's individual reactions and needs must be taken fully into account. We have never adopted 'standard procedures' for all pupils in these situations. Where we have concerns about the behaviour, or risk of exclusion of a pupil we will consider that additional support or alternative placement may be required. This will involve assessing the suitability of our provision against a child's EHCP and the pupil's specific special educational needs. Often, we will consider requesting an annual review or interim review. There are circumstances, however, in which the only decision left to us (and sometimes the best course of action in the situation we face) is to make a decision to suspend or permanently exclude the pupil.

7. Reasons for Exclusion or Suspension

This should be taken by the school Principal or Head Teacher upon the review of the serious incident or accumulation of serious incidents via information being recorded on the school's behaviour logs on Horizons. The school's directors must be informed and, where required, incorporated into the process and decision making.

Some considerations for Exclusion and Suspension.

Serious behaviours that challenge and that endanger other pupils, endanger staff and consistently disrupt the schools learning environment may, but will not exclusively, include the following;

- Persistent disruptive behaviour. Includes: Persistent challenging behaviour that, despite the staff's best efforts, is not improving; including, unwillingness to listen to Senior Leadership Team / school staff team advice and support; Persistent violation of school rules; inability to work with staff to improve attitude or behaviour.
- Deliberately and intentionally attacking another peer with the intention to hurt or harm There is often an element of a plan / or intention to hurt or harm a particular pupil. This is very different to anxiety driven behaviour.
- A pupil who is constantly creating serious dangers for himself and/or for others (is constantly devising, organising and implementing dangerous, destructive and/or antisocial behaviours). The deliberate and persistent 'leader' for disruption to the school's learning environment.
- A pupil who is a genuine threat to staff or other peers.
- Child on child abuse (formally peer on peer abuse)
- Damage; includes damage to school or personal property belonging to any member of the school community: vandalism; graffiti persistent and active compulsion towards arson.
- A pupil who becomes seriously disaffected. We expect our children to know, accept and support our values and standards. If a child totally rejects the school, the other pupils and the staff, we do not persist with their placement.
- Carrying a weapon with the intention to hurt or harm staff or pupils
- Sexual abuse
- Sexual violence or sexual harassment
- Drug abuse and alcohol abuse
- Smoking / vaping on school site
- A pupil who engages in persistent and serious crime.
- Behaviour of a pupil outside school can be considered grounds for an exclusion
- A pupil who is unable to benefit from our therapeutic and educational style.
- Persistent Bullying that is showing no sign or indication of stopping despite school intervention.
- Discriminatory Racist / homophobic / biphobic / transphobic or ableist abuse

- Theft. This includes: Stealing school property; Stealing personal property (pupil or adult); Stealing from local shops on a school outing; Selling and dealing in stolen property
- Setting the school fire alarm off 3 times in one day with the intent to cause disruption to other pupils learning
- Other: Includes incidents which are not covered by the categories above, but this category should be used sparingly.

8. Advantages and disadvantages of exclusion or suspension

Recognised Advantages of Exclusion and Suspension at Willow Park School

- It takes pressure off the school atmosphere, other pupils and off the staff.
- It can give a child a 'breathing space' away from the immediate pressure they face. It can offer a chance for emotional relaxation and personal recovery in a context less fraught with situational anxiety.
- It can give a pupil a chance to reconsider their present attitudes and their future intentions.
- It gives the school a chance to involve parents and other agencies in the problem and its resolution.
- The investigation process is sometimes better conducted away from the school setting, away from the pressure of recent difficulties.
- Exclusion can lead to a more realistic formulation of goals and a better working relationship based on negotiation between the school, pupil and the family (I refer here to exclusions of a temporary nature).
- Precipitous actions, taken in the heat of very difficult situations, can be avoided if we know that exclusion is a viable alternative within the school's procedures. This can provide an alternative to serious confrontation with some pupils.
- For many children, who genuinely like the school, the possibility of being excluded holds no attractions. It can be a real deterrent to poor behaviour and poor attitude for some pupils.

Recognised Disadvantages of Exclusion and Suspension at Willow Park School

- Exclusion can create many additional pressures and difficulties.
- It takes the child out of the consistent educational and therapeutic support of the school.
- It takes the child out of a structured and controlled environment and (often) places him in a difficult home or alternative context.
- It often places the family under additional difficulties.
- It can create parental resentments.
- It can damage still further the child's place in the family and lead to a further breakdown in family relationships.
- It may place the child in a home situation where there is less ability to handle their behaviour than there is at the school.

- It may place the referring agencies (LA, Social Services, CAMHS) under increased pressure.
- It may encourage the notion amongst other pupils that bad behaviour provides a possible 'way out' from the school.
- Being seen to be 'sent home' could be a very attractive idea to a few pupils. There are some who might even see it as a 'reward' for disappointing / poor behaviour.
- It could prove to be totally counter-productive if it is used too frequently. This might produce a tendency to 'off-load' problems rather than to contain them and work them through.

Should exclusion become necessary, however, it is important to follow our internal procedures. These will help to limit adverse effects and protect the pupil, the school and the family.

Exclusion and suspension will not be used for:

- Minor incidents (occasional stage 2' s)
- Poor academic performance
- Lateness or consistent absence
- Occasional breaches in school rules
- Anxiety or behaviour that challenge that are clearly associated with the pupil's SEND diagnosis or existing mental health difficulties.

If the Principal or Head Teacher is satisfied that, on the balance of probabilities, a pupil has committed a disciplinary offence and the pupil is being removed from the Willow Park site for that reason, formal suspension is the only legal method of removal. Informal or unofficial exclusions are illegal regardless of whether they are done with the agreement of parents/carers.

9. Roles and Responsibilities

The LA is responsible for:

- Having due regard to the relevant statutory guidance when carrying out its duties in relation to the education of Looked After Child (LAC).
- Arranging suitable full-time education for any pupil of compulsory school age excluded permanently, in coordination with the school.
- Reviewing and reassessing pupils' needs in consultation with their parents/carers in relation to their child's EHC plan. Where a permanent exclusion is sanctioned, the LA will consult with parents/carers regarding a new placement. (All pupils at Willow Park School have an EHC plan.)
- Arranging a 'next steps' meeting without delay at a time, date and venue convenient for all parties.

- Attending, where possible, any meeting regarding a pupil's reintegration following suspension, interim placement review or an appeals meeting in relation to a permanent exclusion.

The directors working with the school Principal and Head Teacher are responsible for:

- Providing information to the LA about any suspensions and exclusions within the last 12 months.
- Arranging suitable full-time education for any pupil of compulsory school age who is suspended.
- Considering parents' representations about exclusions within 15 school days of receiving notice if the appropriate requirements are met.
- Where a suspension or exclusion would result in a pupil missing a public examination or test, considering the suspension or exclusion before this date.
- Considering whether it would be appropriate for a pupil to be permitted onto the school premises to sit the public examination or test.
- Arranging the representation meeting at a time and date convenient to all parties, but in compliance with the statutory time limits.
- Adhering to its responsibilities to consider the reinstatement of pupils.
- Considering the interests and circumstances of the suspended or excluded pupil, including the circumstances in which they were suspended or excluded, and have due regard to the interests of others at the school.
- Using the civil standard of proof (based on the 'balance of probabilities', it is more than likely that the fact is true) when establishing the facts relating to a suspension or exclusion.
- Ensuring clear minutes are taken at an EHCP interim review meeting or appeals meeting.
- Notifying the pupil's parents and the LA of its decision and the reasons for it, without delay.
- Informing parents of relevant sources of information.
- Ensuring a pupil's name is removed from the school admissions register, where appropriate.
- Using data to evaluate the school's practices regarding intervention, suspension and exclusion.

The Principal / Headteacher is responsible for:

- Implementing good levels of discipline to ensure all pupils can benefit from the opportunities provided by education and to minimise potential suspensions and exclusions.
- Applying the sufficient evidence when establishing the facts in relation to a suspension or exclusion.
- Complying with their statutory duties in relation to pupils with SEND when administering the suspension or exclusion process, as outlined in the Special Educational Needs and Disabilities (SEND) Policy.
- Considering any contributing factors that are identified after an incident of poor behaviour has occurred, e.g., if a pupil has suffered bereavement, experienced bullying or has a mental health difficulty.
- Considering the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour.
- Reviewing the effectiveness of suspensions and exclusions as sanctions, e.g., if a pupil has received multiple suspensions or is approaching the legal limit for suspensions in an academic year.
- Considering what extra support may be needed to identify and address the needs of individual pupils, particularly those with SEND, LAC and pupils entitled to FSM
- Engaging effectively with parents in supporting the behaviour of pupils with additional needs.
- Determining whether a pupil will be suspended or excluded on disciplinary grounds.
- Ensuring any decision to suspend or exclude is lawful, rational, reasonable, fair and proportionate.
- Complying with the requirements of the Equality Act 2010 when deciding whether to suspend or exclude a pupil.
- Ensuring they have considered their legal duty of care when sending a pupil home following a suspension or exclusion.
- Making the decision to suspend or exclude based on the evidence available at the time, regardless of any police investigation and/or criminal proceedings.
- Notifying a pupil's parents/carers without delay where the decision is taken to suspend or exclude the pupil, including the days on which the parents must ensure the pupil is not present in a public place at any time during school hours, as well as any other necessary information statutorily required.
- Ensuring that all information provided to parents is clear and easily understood.
- Notifying the directors and pupil's Local Authority of their decision to exclude a pupil.
- Organising suitable educational work for excluded pupils where alternative provision cannot be arranged.

Only the Principal has the power (or in the absence of the Principal, the Head Teacher) to suspend or exclude a pupil. All suspensions and exclusions will be issued on disciplinary grounds. As the Head teacher is also a Director, this ensures a separation of responsibilities.

The Principal is also able to consider a pupil's disruptive behaviour outside of the school premises as grounds for suspension or exclusion.

When sending a pupil home following any suspension or exclusion, the Principal will ensure that they exercise their duty of care at all times and will always inform the parents/carers and allow the pupil to be collected safely from school. Where deemed appropriate, the pupil will remain on school site until the end of the school day if it is safe to do so.

Any decision made to suspend or exclude a pupil will be lawful, reasonable, proportionate and absolutely necessary, with respect to legislation relating directly to suspensions and exclusions and the school's wider legal duties. At all times, the Principal / Headteacher will take into account their legal duties under the Equality Act 2010 and the 'Special Educational Needs and Disability Code of Practice: 0 to 25 years', ensuring that they do not discriminate on any grounds for example on race, sex, or disability, and will not increase the severity of a pupil's suspension or exclusion on these grounds.

The Principal will apply the civil standard of proof when responding to the facts relating to a suspension or exclusion, i.e., that 'on the balance of probabilities' it is more likely than not that the facts are true.

The Principal power to suspend and exclude

The Principal may cancel any suspension or exclusion that has already begun. However, this power will only be used if the suspension or exclusion has not already been reviewed by the board of directors. Where a suspension or exclusion is cancelled, the Principal will notify the pupil's parents/carers, the board directors and the LA, and, where relevant, the virtual school head (VSH) and the pupil's social worker. The Principal will offer the pupil's parents/carers the opportunity to meet with them to discuss the circumstances that led to the cancellation of the exclusion, and the pupil will be allowed back into school.

The Principal will report the number of suspensions and exclusions that have been cancelled, alongside the circumstances around and reasons for cancellation, to the board of directors on an annual basis.

All suspensions and permanent exclusions will be documented and recorded on the schools 'behaviour log' system, Horizons. The school's Head Teacher and Principal will keep a record of all serious incidents that have led to a suspension or permanent exclusion, and this will be readily available during an inspection.

10. Permanent exclusion

A decision to permanently exclude a pupil will only be taken:

- As the final step in a process for dealing with disciplinary offences following the implementation of a wide range of other strategies, which have been tried without success. It is an acknowledgement by Willow Park School that it has exhausted all available strategies for helping support and manage the child and should normally be used as a last resort.

- In response to a serious breach or persistent breaches of the school's Behaviour Policy
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in school.

These criteria are not the only factors which can contribute to decisions about exclusion. There may be deeper clinical and psychological considerations; there may be insuperable pressures from the family and home contact or unexpected deteriorations in a child's psychological condition/ presentation can occur; and so on. Again, the important thing is to make careful and informed decisions which are in the best interest of the child, the school community and other pupils. These collective interests cannot always be reconciled, of course. We are well aware of this, and we accept the fact that on some occasions the collective good will have to prevail over individual considerations.

First-time permanent exclusions – exceptions

There may, in exceptional circumstances, be instances where, in the Principal's judgement, it is appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another pupil or a member of staff.
- Sexual abuse / assault or serious sexual harassment with intent to hurt / harm
- Carrying / threatening or using an offensive weapon or prohibited item

These instances are not exhaustive, but the severity of such offences and the fact that such behaviour can affect the discipline, safety and well-being of the Willow Park community.

The Principal will inform the police and other appropriate services where a criminal offence has taken place.

Procedure to follow:

Before deciding whether to exclude a pupil permanently, the Principal must discuss reasons with the directors before action is taken. This is to ensure that they are aware in order to assist with the review of suitable alternative options and to communicate effectively, as necessary, with any necessary stakeholders.

1. In the event of a proposed permanent exclusion, the Principal will notify the LA by telephone immediately, with written confirmation provided within 24 hours.
2. When the Principal suspends a pupil for a fixed period of time he must inform the parent, LA and social worker (if applicable and where possible) within 24 hours including the reason and length of exclusion.

Figures for permanent exclusions and suspensions for fixed periods of time must be recorded and included in the Principal's reports to directors.

In all cases of exclusion and suspension:

- A thorough investigation must have been carried out which includes consideration of all the evidence available to support the allegations, taking account of Willow Park's behaviour policy.
- Pupils must be allowed to give their version of events and checks should be made as to whether the incident may have been provoked, for example by bullying, including homophobic bullying, or by racial or sexual violence or sexual harassment.
- All suspensions and permanent exclusions must result in an in-depth analysis by staff of the appropriateness of policies and practice in dealing with the types of behaviour leading to the suspension or exclusion. In this way it may be possible to improve practice and lessen the chance of suspension or possible permanent exclusion in the future.
- The Principal must take into consideration whether the pupil has received multiple suspensions or is approaching the legal limit of 45 suspended days per school year, and whether suspension is serving as an effective sanction.
- The Principal must consider early intervention to address underlying causes of disruptive behaviour, including liaising with external agencies, to assess pupils who demonstrate consistently poor behaviour.

Police involvement: Where a police investigation leading to possible proceedings has been initiated, the evidence available may be very limited. However, it may still be possible for the Principal to make a judgement on whether to suspend or exclude the pupil.

11. Unofficial Exclusions

If the Principal is satisfied that, on the balance of probabilities, a pupil has committed a disciplinary offence and the pupil is being removed from Willow Park School for that reason, formal suspension or permanent exclusion is the only legal method of removal. Informal or unofficial exclusions are illegal regardless of whether they are done with the agreement of parents/carers.

The Principal will not issue any 'informal' or 'unofficial' suspensions or exclusions, e.g., sending a pupil home to 'cool off', regardless of whether the parents/carers have agreed to this. The Principal will not use the threat of suspension or exclusion as a means of instructing parents to remove their child from the premises.

12. Removal of Pupils/Young People from School in Exceptional Circumstances

There may be exceptional circumstances in which the Principal / Head Teacher needs to remove a pupil from the Willow Park site when exclusion would not be appropriate. For example: when a pupil is accused of committing a serious criminal offence outside the Principal/Head Teacher's jurisdiction. In such a case, a pupil may need to be removed from the premises pending the outcome of a police investigation. The Principal/Head Teacher can authorise leave of absence for a fixed period pending an investigation providing there is a clear period and return to school. When the pupil has been granted

leave of absence, Willow Park must ensure that the pupil's full-time education continues while off site. Any such arrangements do not amount to a formal exclusion from Willow Park and should be kept under periodic review.

13. Length of Suspension

The regulations allow the Principal to suspend a pupil for one or more fixed periods. For Willow Park School this is not exceeding 45 school days in any one school year. Suspension (formerly fixed-term exclusion) is to be used in order to review strategies around the child and Individual fixed period exclusions should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into Willow Park School.

Suspension may not be given for an unspecified period.

During the period of suspension, the young person will:

- Return to the care of the parent/carer or LA
- The School Principal / Head Teacher may offer work for the child / young person to complete
- The Principal will convene a meeting at the earliest opportunity with the LA. The outcome of this meeting will be a strategy plan to be adopted for the pupil's return.
- In the case of a looked after child (LAC child), the Principal will convene an urgent review meeting to agree the next steps with the social worker and key professionals working around the child - this may include the child's independent reviewing officer or Virtual School Head.
- If a pupil has a social worker, they will be informed of any exclusion or suspension where possible within 24 hours of a decision being undertaken.

Permanent exclusion will not be confirmed until both the LA and parents/carers have been given an opportunity to meet with the Principal or Head Teacher to discuss the matter. This must be within 15 school days. The Principal may take up to 5 days to consider the points raised before determining whether to uphold the exclusion. Exclusion is deemed permanent upon expiry of these 20 days.

14. Considerations Following suspension (formerly fixed-term exclusion) or permanent exclusion

Schools are obligated to provide education while a pupil remains on the roll. In all cases of more than a 5 day's suspension, work will be set. The Principal, considering whether to suspend a pupil at Willow Park for a longer fixed period, for example for more than 15 school days, will plan:

- How the pupil's education will continue during the period of suspension if deemed appropriate by the parent/ carer

- How the time might be used to address the pupil's problems / difficulties
- Together with the LA and parents/carers, what educational arrangements will best help with the pupil's reintegration into Willow Park at the end of the suspension.
- Where a pupil receives consecutive suspensions, these will be regarded as cumulative, and full-time education will still have to be provided from the sixth day of suspension. For exclusions, full-time education will be provided for the pupil from the sixth day of exclusion.

The school's Directors and the school's Principal are aware that it is beneficial to suspended and excluded pupils to begin their alternative education arrangements before the sixth day of suspension or exclusion; therefore, the directors and school principal will always attempt to arrange alternative provision before the sixth day. Where it is not possible to arrange alternative provision during the first five days, the school will ensure that they take reasonable steps to set and mark work for the pupil.

Due to all pupils at Willow Park School having SEND and an EHC plan, any alternative provision is arranged in consultation with the pupil's parents/carers, who are able to request preferences. The school will evaluate requests and where possible make reasonable adjustments to support the pupil's education and act in their best interests.

15. Reintegration After Suspension

The Principal should arrange a reintegration discussion / meeting with the parents/carers, the pupil and the LA, relevant educational and teaching staff and the pupil following the expiry of a suspension period. This should be an opportunity to discuss how best the pupil can return to Willow Park and can be a useful forum to consider with parents/carers the possibility of suitable interventions. However, a suspension period ideally should not be extended if such a discussion cannot be arranged in time, or the parents/carers do not attend. This will be decided by the Principal / Head Teacher as a discussion / meeting may be required before the pupil is deemed safe to return to the school environment. Please refer to Appendix 1 for the WPS – Reintegration Meeting Template.

16. Lack of Parental / Carer Cooperation

If a parent/carers does not comply with an exclusion, for example by sending the excluded child to Willow Park School, or by refusing to collect, or arrange, collection of him at a designated time, Willow Park School must have due regard for the pupil's safety in deciding what action to take. An exclusion should not be enforced if doing so may put the safety of the pupil at risk. If efforts to resolve the issue with the parents/carers are unsuccessful, Willow Park School will consider whether to contact the Education Welfare Service, Social Services and to seek the advice of the LA about available legal remedies.

17. Extension of Suspension and Conversion of Suspension to Permanent Exclusion.

In exceptional cases – usually where further evidence has come to light – a suspension period may be extended or converted to a permanent exclusion. In such cases, the Principal must write again to the parents/carers explaining the reasons for the change. The Principal / Headteacher may withdraw a suspension that has not yet been reviewed by the directors.

18. Procedures for Review and Appeal

Parents/carers and LAs have the right to appeal against decisions to permanently exclude pupils. Willow Park School's Directors will respond to any appeal or complaint sent to the schools Principal. Please also refer to section 20.

19. Procedure Following Permanent Exclusion Being Upheld

Once a permanent exclusion has been upheld by Willow Park School's directors, after consultation with the school's Principal, all parties will be informed including parents/carers, LA, social worker and VSH (if required). An interim EHCP review will be arranged to discuss next steps if the LA agree this is the best action. The LA may consider that an interim review is not required. The LA may discuss next steps with parents /carers without the need for an interim review and without the need of Willow Park School representation.

20. Procedure for Excluding or Suspending a Pupil; Role of Principal / Head Teacher / board of directors / governance

Informing parents/carers about the exclusion:

- i) Discuss with LAs and parents/carers the possibility of suspension or exclusion where possible well in advance of any decision being made (ongoing dialogue throughout where possible).
- ii) The Principal or Head Teacher will inform the directors of any pupil being suspended.
- iii) Once a suspension period has been decided, parents/carers, LAs and social workers will be notified immediately, ideally by telephone followed up by a letter / e mail within one working day. Letters of notification of the suspension period must state the date it takes effect, details of the serious incident(s), the precise period of the suspension and the reintegration meeting date once confirmed.
- iv) The school-based decision about suspension will ultimately rest with the Principal consultation with other senior staff. The opinions of other members of staff involved with the child (i.e., teachers and teaching assistants) must be taken into account
- v) In cases of alleged sexual/physical/drug abuse the Designated Safeguarding Lead (DSL) will make the initial assessment and then communicate with appropriate outside agencies. Kimberley Preston is the lead DSL at Willow Park School, Oliver Preston is the Deputy DSL.

- vi) Often suspension has, unavoidably, to be arranged urgently. Even then proper arrangements must be made. If required travel arrangements will be made should the pupil need to leave site within the school day.
- vii) Permanent exclusions are extremely rare at Willow Park School. Managed moves through interim EHCP reviews are more appropriate ways of supporting a pupils move to another school or educational setting.
- viii) The Principal or Head Teacher at Willow Park School have the authority to sanction a permanent exclusion. The Principal and Head Teacher will inform and consult the Governorss before confirming a permanent exclusion. A Permanent exclusion will not be confirmed until both the parents/carers and LA have been given an opportunity to meet with the Principal / Head Teacher to discuss the matter. This must be within 15 working days. The Principal / Head teacher may take up to 5 days to consider the points raised before determining whether to uphold the exclusion. Exclusion is deemed permanent upon expiry of these 20 days.

Further considerations

Any meeting to consider reinstatement of a pupil following a suspension will be arranged at a date and time convenient for all parties, in compliance with any statutory time limits and following the procedure set out in the template in Appendix 1. Parents/carers and the appropriate LA will be invited.

Where it is appropriate to the pupil's age and level of understanding, the pupil will also attend any reintegration meeting following a suspension.

The Directors will consider the reinstatement of a suspended or excluded pupil, where:

- The exclusion is permanent.
- The suspension is fixed period and would bring the pupil's total number of
- suspended school days to more than 15 in any given term.
- The suspension or exclusion would result in the pupil missing a public examination.

Where suspension or exclusion would result in a pupil missing a public examination, the Principal / Head Teacher and directors will consider the suspension or exclusion before the exam to decide whether the pupil should be reinstated in time to take the examination.

When considering the reinstatement of a pupil who is suspended or permanently excluded thus potentially missing a public examination, the directors will:

- Discuss the suspension or exclusion with all parties at an arranged meeting.
- Ensure that a written agenda is be circulated prior to any meeting.
- Circulate any written evidence and information to all parties, where possible at least five school days in advance of the meeting.
- Allow pupils and parents/carers to be accompanied by a person of their choice to the meeting.
- Invite the appropriate LA.

- Identify the steps needed to enable and encourage the suspended or excluded pupil to attend the meeting and speak on their behalf, or how they may contribute pupils' views by other means if attendance is not possible.
- Consider the best interests and circumstances of the pupil, including the grounds for suspension or exclusion.
- In the case of exclusion, where the Principal, Head Teacher and director(s) decide not to reinstate the pupil, they will notify the parents carers in writing, where possible within 3 working days of the meeting, that the exclusion is permanent.
- Parents/carers have a right to appeal this decision. This will need to be put in writing to the Principal within 5 working days. The letter must set out the grounds on which the appeal is being made. The appeals meeting will include an independent panel member identified by Willow Park School.

21. Removing excluded pupils from the school register

The Principal / Headteacher will remove pupils from the school register if:

- 15 school days have passed since the parents were notified of the decision not to reinstate the pupil and no appeal has been submitted by the parents/carers
- The parents/carers have stated in writing that they will not be appealing the decision.

If a pupil's name is to be removed from the register, the Principal / Headteacher will inform the LA stipulating that the pupil's placement at Willow Park School has ended. The LA will be informed of the decision following an interim EHCP review.

Whilst a pupil's name remains on the admissions register, the appropriate code will be used to mark the pupil's attendance.

22. The Decision following an appeal against a permanent exclusion.

The Principal, Head Teacher and Director(s) may uphold the decision to permanently exclude; or direct immediate reinstatement of the young person if this is appropriate given the evidence presented at the appeal meeting.

After considering the appeal regarding a permanent exclusion, the board of director/governors will either:

- Decline to reinstate the pupil.
- Direct the reinstatement of the pupil immediately, or on a specified date.

To reach a decision, the Principal / Headteacher and directors will;

- Identify the steps they intend to take to ensure that all parties involved will have the opportunity to participate and present their views.
- Ensure that minutes are taken of the meeting as a record of the evidence that was considered.

- Ask all parties including the 'independent person' invited to attend the appeals meeting to withdraw from the meeting before concluding their decision.
- Consider whether the permanent exclusion of the pupil was lawful, proportionate and fair, taking into account the Principal's / Headteacher's legal duties and any evidence that was presented to the directors in relation to the decision.
- Record the outcome of the decision on the pupil's educational records, along with copies, which will be kept for at least six months.
- Make a note of their findings, where they have considered a permanent exclusion but cannot reinstate the pupil.
- Ensure that the LA is informed of any outcome of the appeal meeting.

23. Record of Proceedings

Minutes of the attendance, proceedings and result must be taken and kept. The panel must let all parties know its decision within 10 days in writing.

Conclusion

We expect to use the above procedures very infrequently. It is, however, a response which we reserve the right to use in certain circumstances. It will always be used in a constructive spirit with careful attention paid to striking a balance between the needs of the pupil concerned, their family, the school, our staff and our existing pupils on roll.

Equality Statement

At Willow Park School, we actively seek to encourage equity and equality through our teaching and our employment practices. As such, we seek to advance the equality of opportunity between people who share any of the following characteristics:

- age
- disability
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

The use of stereotypes under any of the above headings will always be challenged.

Inclusion

Our school is an inclusive school. We aim to make all pupils feel included in all our activities. We try to make all our teaching fully inclusive. We recognise the entitlement of all pupils to

Willow Park School Policies & Procedures

a balanced, broadly-based curriculum. We have systems in place for early identification of barriers to their learning and participation so that they can engage in school activities with all other pupils. We acknowledge the need for high expectations for and of all children.

Appendix 1 WPS – Reintegration Meeting Template

Pupil Reintegration after Suspension

Attendees (and role)

Pupils' Name:		
Date:		
Time:		

Agreement (including reason for suspension/exclusion)

Reintegration agreement:

XXX will be able to return to school under the understanding that any further:

- e.g. Dangerous play
- Aggressive play
- Bullying
- Inappropriate use of school play equipment

Will result in further and extended exclusion periods

Actions agreed by parties

Details of reintegration and other expectations here

The school will also support by:

- Making expectations clear
- Update any instances of poor conduct to parents

Other Information

- **Class teacher to follow the above plan.**
- **Class teacher to ensure that XXX is reminded of expectations**
- **Follow-up Meeting with parents on YYY at (time) to assess progress towards expectations**

Conclusions / Actions:

Continuation of clear communication and expectations by all parties.

Open dialogue between parents and school

Deadline (s):

Review: Date of review meeting (further review to be agreed after this)

Signed	Name	Role	Date