



# Wakefield Grammar School Foundation

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**VALIDITY** – Policies should be accessed via FireFly to ensure the current version is used.

## **CHANGE RECORD - REVIEW PERIOD (Annually)**

<b>Version</b>	<b>Date</b>	<b>Change details</b>
V1.0	Oct 2023	Created (HJ Boyes); replaces the previous 'Exclusions Policy', amended and updated RMB and HJB.

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## WGSF Exclusions Policy

### 1. Introduction

#### 1.1 Definitions:

“Suspension”	a fixed term exclusion of a pupil
“Expulsion”	a permanent exclusion of a pupil
“Withdrawal”	where a pupil will be given assistance to locate a place at another school to avoid the need for expulsion
“Required removal”	in relation to the conduct of a parent, making the appropriate care and education of the child impossible.

1.1.1 Exclusion from school, in accordance with the Foundation’s Terms and Conditions, can be a temporary withdrawal for a fixed term (a “suspension”) or a permanent exclusion (an “expulsion”). The Governing Body of Wakefield Grammar School Foundation is responsible for setting the policy on the suspension or expulsion of pupils.

1.2 However, failure to strictly observe these procedures shall not entitle the parent or pupil to any remedy or form the basis of any claim against the Foundation if in substance the pupil has been dealt with in a fair manner that conforms generally to the rules of natural justice.

1.3 Throughout the guidance, the expression “parents” is used for those having parental responsibility for the child.

1.4 Parents should refer to the Foundation’s Terms and Conditions for details of the financial implications of exclusion, whether suspension or expulsion..

1.5 This policy is informed by the [DfE guidance for maintained schools](#) (Sept 2022). It should also be read in conjunction with the following Foundation and School Policies:

- QEGS Behaviour Policies for WGHS and QEGS
- Anti-bullying policies for WGHS and QEGS
- WGSF ICT Acceptable Use Policy
- WGSF Equal Opportunities policy (for pupils)
- WGSF Drugs and Substance Abuse policy
- WGSF Safeguarding and Child Protection Policy
- WGSF Complaints policy

1.6 The Head may, at their discretion, suspend or exclude a child from school or require the parent to remove the child if they consider that your child’s attendance, progress or behaviour (including behaviour outside School) is seriously unsatisfactory, and in the reasonable opinion of the Head the removal is in the best interests of the School, child or other children.

### 2. Equal Opportunities

This Exclusion Policy will be operated in accordance with the Foundation’s Equal Opportunities Policy.

### **3. Rewards System**

- 3.1 At the Foundation Schools, we believe that acknowledging good behaviour encourages repetition and communicates the School's expectations and values to all pupils. Positive reinforcements and rewards are applied clearly and fairly to reinforce the routines, expectations and norms of the School's behaviour culture.
- 3.2 The Schools encourage the establishment of staff / pupil relationships and support for the Schools' values through a system of rewards which are designed to promote a calm, disciplined learning environment. Our system of rewards includes:
- verbal praise and written praise for good work;
  - certificates, prize ceremonies or special assemblies;
  - academic merits for both effort and achievement, which are celebrated in the classroom and in assemblies;
  - annual subject and year group prizes;
  - posting examples of excellent work in art/design, sports, and drama and concert achievements on the School's website and on social media, so that the community can celebrate success;
  - reports to parents.
- 3.3 Further information can be found in the Schools' Behaviour Policies.

### **4. Sanctions for Breaches of Discipline that do not merit exclusion**

- 4.1 It is hoped that pupils will respond to the School's positive encouragement and rewards and will comply with the School Rules at all times. However, the School acknowledges that from time to time, pupils' conduct may fall below the standards of behaviour reasonably expected by the School. When poor behaviour is identified sanctions are implemented in line with the Schools' Behaviour Policies.
- 4.2 School staff can issue sanctions any time pupils are in school or elsewhere under the charge of a member of staff, including on school visits. This also applies in certain circumstances when a pupil's misbehaviour occurs outside of School.
- 4.3 Examples of sanctions that are used in School include:
- a verbal reprimand and reminder of the expectations of behaviour reprimand from a member of School staff;
  - a 'point' or a 'demerit' which is visible to parents and pupils via Firefly;
  - additional school work or repeating unsatisfactory work until it meets the required standard;
  - the setting of written tasks as sanctions, for example, letters of apology or an essay relevant to the poor behaviour (e.g. the dangers of smoking);
  - loss of privileges e.g. missing break time;
  - confiscation of property that is being used inappropriately or without consideration.
  - withdrawal from a lesson, school trip or team event;
  - detention including during lunch-time, after school and at weekends;
  - School-based service or imposition of a task – such as removing chewing gum or picking up litter under the supervision of a member of the pastoral team;

- regular reporting, including early morning reporting; scheduled uniform and other behaviour checks; or being identified for behaviour monitoring;
- removal from the classroom.

## **5. Breaches of Discipline Outside of the School Premises**

- 5.1 The Foundation takes the conduct of its pupils outside of school premises extremely seriously. Each School has the power to sanction pupils for misbehaviour outside of the school premises to such an extent as is reasonable.
- 5.2 A pupil's misbehaviour outside of School can be damaging to the reputation of both the pupil and the School as well as having a detrimental effect on the wellbeing of other members of the school community. Where an incident is reported to the School of a pupil's poor behaviour outside of the School premises and the incident has not been witnessed by School staff, the School will take an evidence-based approach and/or talk to witnesses before identifying further action and any sanctions required for such behaviour.
- 5.3 The School will usually report to the police any activity which it believes may amount to a criminal activity which takes place either within or outside school premises. Suspected drugs and weapons will be confiscated immediately and held for the police as potential evidence. If the School believes a pupil may have taken drugs then the School will seek immediate medical advice and may involve the police.
- 5.4 Alleged sexual offences will generally be reported to the police immediately.
- 5.5 Other agencies, for example Children's Social Care, may also be notified where necessary and appropriate to the facts of the case.
- 5.6 Any decision to sanction a pupil will be made on the school premises or elsewhere at a time when the pupil is under the control or charge of a member of school staff.

## **6. Behaviour and Conduct: breaches of School Rules by pupils which merit exclusion**

- 6.1 A pupil may be excluded from school (by being sent home, or having their return to school prevented, or on occasion by serving the exclusion within school):
- a. for a defined period of time ("suspension"); or
  - b. permanently ("expulsion"), whereby the pupil will not be permitted to return to School;
- 6.2 The school is required to act fairly, proportionately and in accordance with the principles of natural justice and not to permanently exclude a pupil other than in grave circumstances and, where possible, to explore the alternatives prior to following this route. However the school reserves the right when faced with a single isolated but serious incident to apply an expulsion on the basis of that incident alone. The Head - or Deputy Head in absence of the Head - has the authority, after proper consideration, to permanently exclude (expulsion) a pupil. The Deputy Head also may suspend a pupil.
- 6.3 Expulsion from school is regarded as a last resort and will usually be considered in response to a history of persistent disruptive behaviour, or breaches of School Rules, or poor attendance, where other strategies and sanctions to modify the conduct or attendance of the pupils have proved to be ineffective and where this course of action is deemed the only reasonable option. A decision to suspend or carry out an expulsion will be taken only:

- a. Where there has been a serious breach (or breaches) of, or repeated failure to observe, the Schools' Behaviour Policies and / or any related policies, such as the School Rules, WGSF ICT Acceptable Use Policy, Schools' Anti-Bullying Policy, and Drugs Policy; or
- b. Where there has been a build up of incidents over time, which, in the professional judgement of the Head, constitutes a concerted failure to follow, observe and respect School Rules. Whilst exclusion is not generally an appropriate sanction for minor incidents, in such cases of repeated breach, a suspension may be given, and any subsequent failure to abide by the School Rules could give rise to an expulsion; or
- c. If allowing the pupil to remain in school will seriously harm the education or welfare of other pupils or the welfare of staff.

6.4 A non-exhaustive list of the sorts of behaviour that could merit expulsion (including behaviour or conduct outside of School) includes the following:

- physical assault against pupils or adults;
- behaviour which puts the safety of the pupil, or any other person, in jeopardy;
- verbal abuse/threatening behaviour against pupils or adults;
- Malicious allegation against a pupil or an adult;
- Use, or threat of use, of an offensive weapon or prohibited item (that has been prohibited by the Schools' Behaviour policies;
- bullying, including (cyber-bullying) [in accordance with the School's Anti-Bullying Policy];
- committing a criminal offence;
- fighting;
- abuse on the grounds of protected characteristics or any form of unlawful discrimination;
- sexual harassment or misconduct, including youth-produced sexual imagery;
- drug and alcohol misuse (including supply/possession/use);
- damage to property;
- vandalism or computer hacking;
- theft or unauthorised possession of any property belonging to the School, another pupil, or a member of staff;
- wilful damage to property;
- bringing illegal, inappropriate or dangerous items into School, such as drugs, weapons, firearms, pornographic material etc;
- misconduct which adversely affects or is likely to adversely affect the welfare of a member or members of the School community;
- misconduct which brings or is likely to bring the School into disrepute; and
- persistent disruptive behaviour or breaches of the School's Behaviour Policy or School Rules;
- Conduct that facilitates, encourages or makes possible any of the above.

6.5 An expulsion of a pupil may be given for a first offence, particularly if it involves violence or another criminal offence. In such instances, immediate action may need to be taken to protect pupils and / or staff; following any essential immediate action all due procedures must be observed.

## **7. Work and Academic Progress**

- 7.1 In the event of a pupil in the **Senior Section** struggling with school work, the School will contact parents, and will aim to distinguish between difficulties caused by a pupil's behaviour or lack of engagement with studies and those caused by a pupil's lack of ability, and to identify the extent to which the difficulties are compromising the progress of the pupil and / or other pupils.
- 7.2 The School will determine whether the pupil's approach to school work, including lessons, is considered serious enough to trigger a review of either a pupil's suitability to progress to the next year or the School's willingness to permit the pupil to continue in the school.
- 7.3 In such circumstances, pupils and parents will receive notice of what a pupil must do to improve, an indication of the timeframe during which the improvement must happen, and guidance which will be offered to the pupil. The Head may, at their discretion, require the removal of a pupil who does not respond to such intervention.
- 7.4 It is typical that pupils in the Junior Sections or Wakefield Grammar School Pre-Prep will usually wish to complete work to the best of their ability. Unsatisfactory work is only rarely a result of a younger child's unwillingness to complete it. Parents are expected to support their child's learning at home (e.g. by listening to their child read, supervising homework, checking that homework is being completed appropriately, helping learn lines or songs for a performance, etc.) and will be asked to cooperate with the School to this effect. Sanctions for late, incomplete or poorly presented work may be applied for persistent offences, but generally only after discussion with parents.

## **8. Special Educational Needs (also refer to the WGSF Equality and Diversity Policy)**

- 8.1 In applying sanctions, especially those with serious consequences, we undertake to take reasonable steps to avoid placing pupils with special education needs and disabilities (SEND) or a particular vulnerability at a particular disadvantage compared to other pupils, in accordance with the School's obligations under the Equality Act 2010.
- 8.2 Where there is misbehaviour by a pupil with SEND, the School will consider whether a pupil's SEND has contributed to the misbehaviour and if so, whether it is appropriate and lawful to sanction the pupil, and the appropriate sanction to be applied. It does not follow that every incident of misbehaviour will be connected to a pupil's SEND. For further information on this please see the Schools' Behaviour Policies.

## **9. Contextual Safeguarding**

- 9.1 The School will consider whether any misbehaviour gives cause to suspect that a pupil is suffering, or is likely to suffer, harm. Where this may be the case, school staff will follow the WGSF Safeguarding and Child Protection Policy and consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.
- 9.2 The School will also consider whether any disruptive behaviour might be the result of unmet educational needs, or any other needs, and will discuss concerns with the pupil's parents accordingly.

## **10. Investigation Procedure and Decision Making**

- 10.1 The Head will apply any sanctions fairly, and, where appropriate, after due investigative action has taken place (such investigation to be carried out by the Head or their nominee). Any findings of fact will be made on the basis of whether it is more likely than not to have (or have not) occurred, i.e. the balance of probabilities. Parents will be informed as soon as reasonably practicable if a complaint or allegation under investigation is of a nature that could result in the pupil being suspended.
- 10.2 The School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure. Alternatively, the pupil may be placed under a segregated regime if they remain on school premises. The requirement for a pupil to remain away from School would be *for a period not normally exceeding 5 school days. If the Head considers that the investigation cannot be completed within the period of the initial removal, they may extend the suspension by no more than a further period of 10 school days.*
- 10.2.1 If a suspension is subsequently imposed, time spent out of lessons may, at the Head's discretion, be counted towards the length of the exclusion period.
- 10.2.2 Where school activities take place within the suspension period (including outside normal school hours) the pupil should not normally take part in such activities.
- 10.2.3 Appropriate work should be provided to the pupil from the outset of any removal. In particular, any pupil coming up to examinations should be provided with clear direction or an appropriate programme of study, including the marking of work, where appropriate. Details of work set or relevant study guidance given should be included in the record of the exclusion process and made available to the Appeal Panel if an appeal is lodged against expulsion.
- 10.3 Prior to any decision being taken by the Head to exclude or require the removal of the pupil, the Head will meet with the pupil and their parents, or (in circumstances involving the possibility of the pupil's required removal on the grounds of parental unreasonable behaviour) with the parents above.
- 10.4 If the Head considers that further investigation is needed, the meeting may be adjourned, and the reason for the adjournment will be explained to the pupil / their parents.
- 10.5 Following the conclusion of the meeting the Head will reach their decision. The Head will communicate their decision in writing within five working days from the meeting.

## **11. Required Removal and Withdrawal as an alternative to Exclusion**

- 11.1 For a serious breach of School discipline falling short of one for which expulsion is required immediately in terms of an isolated incident, but when combined with a cumulative sequence of events might be such that the pupil cannot expect to remain a member of the school community, or for another reason set out in the School's Terms and Conditions, the Head may, at their discretion, offer the opportunity for the parents to withdraw the pupil.
- 11.2 In this case, the pupil will be given assistance to locate a place at another school and the position adopted will be one where the move is discussed and negotiated with another school to avoid the need for expulsion. The decision on whether to offer this rests with the



Head and the Head reserves the right to proceed to an expulsion without offering the opportunity to withdraw.

- 11.3 The Head may also choose to pursue a required removal in relation to the conduct of a parent where it is deemed that there has been a breakdown of the relationship between the school and the parent thereby making the appropriate care and education of the child impossible.

## **12. Appeals Against Exclusion: The Appeal Procedure**

- 12.1 Appeals can only be made to a suspension of more than five days (up to five days is entirely the decision and responsibility of the Head).
- 12.2 Parents (or the pupil, over the age of 18) have the right to appeal against expulsion,
- 12.3 Parents who wish to appeal against the expulsion of a pupil must lodge their appeal, in writing, clearly setting out the grounds on which they wish to appeal, with the Chair of Governors at Green House, Governor's office, 158 Northgate, Wakefield, WF1 3UF within 14 days of the date of the Head's written confirmation of that decision. The request for appeal must set out the matters the parent would like to be reviewed, together with any documents that the parent would like to submit for consideration. **If parents do not appeal within 14 days, there shall be no later right of appeal** unless, in the opinion of the Chair of Governors, exceptional circumstances exist which justify the delay.
- 12.4 The appeal will be heard in front of a Panel of Governors which will include one independent person. Where two or more pupils are alleged to have been involved in the same incident or linked incidents and expulsions of these pupils have been made as a consequence of the incident(s), each case should, in the interests of fairness, be heard by the same Panel.

## **13. Cases Not Covered by Appeal**

- 13.1 The following cases do not fall within the Exclusions Policy:
- where the Head gives contractual notice in accordance with the Foundation's Terms and Conditions (Parental Contract);
  - where parents are in breach of contract for non-payment of fees.
  - where parents are in breach of contract due to unacceptable behaviour on their part.

Such cases will lead to a required removal of the pupil, and are determined in accordance with The Foundation's Terms and Conditions.

### **13.2 Contractual Notice**

- 13.2.1 This applies where, in the professional opinion of the Head, the pupil will not benefit from continuing their education at the school or where the pupil has not attained a sufficiently high standard of work or behaviour to continue.
- 13.2.2 Schools must ensure that they have a clear set of procedures in place, known to all relevant staff and communicated in an appropriate form to parents, which enable them, where a pupil is failing to achieve a satisfactory standard of work or behaviour, to:
- identify pupil difficulties;
  - provide support as appropriate;

- c. where appropriate, arrange individual Home/School Agreements setting out previously identified goals and time related targets;
- d. allow a reasonable time scale for monitoring of progress; and
- e. keep parents fully informed.

13.2.3 Where, in the professional opinion of the Head, having gone through the above, it is clear that the pupil should be required to withdraw from the school, the pupil's parents should have at least a term to make alternative arrangements.

13.2.4 In all cases, documentation should be clear and readily available.

### 13.3 **Breaches of Contract**

#### **In cases of non-payment of fees**

13.3.1 The Foundation will make every effort to assist parents who experience sudden financial hardship; due to limited resources this is, however, not always possible.

13.3.2 The Chair of Governors may require a pupil to be removed from school at any time if the fees have not been paid by the due date. The pupil's parents will receive not less than one week's notice of the **intended removal** (this is the last chance for parents to pay).

13.3.3 If parents do not react to the **intended removal** and payment in full has not been received nor an appropriate repayment arrangement has been agreed then the pupil's parents will receive not less than two weeks' notice of the **intended permanent removal** and removal of the pupil's name from the school roll. During these two weeks of the removal taking effect, the pupil may not return to the school and the Chair of Governors may require the pupil to be **permanently** removed from school.

13.3.4 The Head will inform the Local Authority of the deletion from the school roll following the relevant local procedures.

13.3.5 If a pupil is required to be removed from school for non-payment of fees, the school is under no obligation to provide them with work to enable them to pursue their studies at home.

#### **In cases of unacceptable parental behaviour**

13.4 If, in the professional opinion of the Head, the behaviour of either or both of a pupil's parents is unreasonable and:

- a. is adversely affecting, or is likely to adversely affect, the pupil, other pupils or staff at the school; or
- b. is bringing the school or The Foundation into disrepute; or
- c. the relationship of trust and confidence between the parents and the school has irreparably broken down;

the Foundation may require a parent to remove the pupil without notice, either for a set period or permanently.

13.5 In the event of such required removal, parents will be permitted a reasonable opportunity (determined by the Head) to make written representations to the Head, and, if parents wish, to the Chair of Governors, before the length of premanence of the withdrawal is confirmed. The decision of the Head or Chair of Governors (if the latter is involved by parents) will be final.

- 13.6 In cases of removal for a set period, the school will, wherever possible, provide the pupil with work or study guidance to enable them to pursue their studies at home including, where appropriate, marking of work.
- 13.7 Permanent withdrawal in such cases will only be appropriate in exceptional circumstances. The implications must be carefully considered with the Chair of Governors before any final decision is made.

#### **14. Recording and Monitoring**

- 14.1 Where the sanction imposed is expulsion, required removal or suspension, the written report on the investigation will be placed on the pupil's file.
- 14.2 Details of the expulsion, required removal or suspension will be recorded on the School's Sanctions Record.
- 14.3 Correspondence, statements and records relating to any Appeal will be kept confidential except where disclosure is required in the course of the school's inspection by the relevant regulatory authorities or where any other legal obligation prevails.