



Exclusion Policy

Implementation date: September 2019

Review date: September 2021

Exclusion Policy

Background

This policy deals with the policy and practice which informs the Federation's use of exclusion. It is underpinned by the shared commitment of all members of the Federation community to achieve two important aims:

1. The first is to ensure the safety and well-being of all members of the Federation community, and to maintain an appropriate education environment in which all can learn and succeed;
2. The second is to realise the aim of reducing the need to use exclusion as a sanction.

Legislation and Statutory Guidance.

This policy is based on statutory guidance from the Department for Education: Exclusion from maintained schools, academies and pupil referral units (PRUs) in England.

Introduction

The decision to exclude a pupil will be taken in the following circumstances:

- (a) In response to a serious breach of the Federation Behaviour Policy
- (b) If allowing the pupil to remain in either Academy would seriously harm the education or welfare of other persons or the pupil him/herself in the Academy.

Exclusion is an extreme sanction and is only administered by the Head of School.

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the Federation Behaviour Policy:

- Actions which put the pupil or others in danger
- Verbal abuse to staff and others
- Verbal abuse to pupils
- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Racist abuse
- Bullying
- Persistent disruptive behaviour
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs

- Misuse of other substances
- Theft
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which sanctions and other interventions have not been successful in modifying the pupil's behaviour.

This is not an exhaustive list and there may be other situations where the Head of School makes the judgment that exclusion is an appropriate sanction.

Fixed term exclusions

If a pupil has seriously broken Federation behaviour rules or allowing them to stay in the Academy would seriously harm their education or welfare, or the education or welfare of other pupils, they may be excluded for a fixed period of time (usually up to five days), with a date set of when they can return to Academy.

A pupil may be excluded for one or more fixed periods, up to a maximum of 45 days in a single academic year. For a fixed period, exclusion of more than 5 academy days, an Individual Support Plan will be drawn up. This needs to be agreed with the Academy, pupil and parents.

The length of an exclusion will depend upon a number of factors, such as the severity of the incident, and the likely impact on the pupil's learning and ability to succeed on returning to the Academy. Such decisions will be made in the best interests of the pupil, whilst also mindful of the need to maintain order and reinforce the rules and expectations of the Federation in a clear and consistent way.

Following exclusion parents are contacted immediately where possible. A meeting will be called or a letter sent by post giving details of the exclusion and the date the exclusion ends.

During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on any of the Federation premises or in a public place, and that daytime supervision is their responsibility as parents/guardians.

Records relating to exclusions will be stored confidentially.

Permanent Exclusion

The decision to exclude a pupil permanently is a serious one. If necessary, a series of fixed term exclusions can be made to allow time for all options to be explored and for an emergency review to be arranged. Only after all parties have agreed that all options have been discussed and exhausted, will the Head of School take the decision to exclude permanently.

There are two instances where permanent exclusion may be considered:

The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement all available strategies have been exhausted and is used as a last resort. This would include persistent, repeated and defiant misbehaviour as listed in the examples in the above 'fixed term' section.

The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. Such an offence might include:

- Serious actual or threatened violence against another pupil or a member of staff.
- Sexual abuse or assault.
- Behaviour which poses a significant risk to the child's own safety.
- Carrying an offensive weapon *
- Arson.

*Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him."

If the Academy feels that police involvement is necessary for specific and serious offences, this will be considered by the Head of School, Executive Principal and all parties involved.

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well-being of the Academy.

Parents or carers will be notified of the exclusion immediately and will receive further details of reasons for the exclusion in writing.

Internal Exclusion

Internal exclusion is when a pupil is excluded from the rest of the Academy and must work away from their class for a fixed amount of time. This will be in a different classroom.

An internal exclusion is a discretionary measure, where a pupil's behaviour is escalating and more serious measures need to be taken but there are not yet grounds for an external / fixed-term exclusion. Typically, a child receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them to avoid their behaviour escalating to a point where a fixed term exclusion is necessary (examples: behaviour chart to address specific behaviours causing a problem; support from the Family Support Worker / SENDCO / Learning mentor etc.).

Exclusion at lunchtime

All parents and pupils should be made aware that inclusion in lunchtime is dependent on the Academy's ability to reasonably supervise pupils. If a pupil regularly presents behaviour difficulties which cannot be regulated by normal Academy sanctions the Head of School must consider implementing lunchtime exclusion. Prior to implementing exclusion, the Head of School will warn the child and will contact the parents expressing the Academy's concerns.

Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the pupil, the pupil's welfare is the priority. In this situation, depending on the reason for exclusion, the Academy may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the pupil is collected from the Academy, or, in more severe circumstances the Academy may contact Social Services and/or the Police to safely take the pupil off site.

Re-integration

After fixed term exclusion the pupil and parent will be requested to attend a reintegration meeting with a senior member of staff. At this meeting the behaviour leading to exclusion will be discussed and targets will be set for improvement. Support around behaviour will be also be discussed. The pupil will be asked to reflect on their actions at this stage. This reflection time promotes the value of forgiveness and a fresh start- thus allowing the pupil to move forward positively- but also underlines the importance of saying sorry, and actively showing repentance. The meeting will be recorded on the Academy re-integration form and a copy retained by the parent, child and Academy.

Work Set

When a pupil is excluded for more than one day, work should be set by the Academy within a reasonable time-scale and this should be returned to the Academy when the exclusion is over. If a child is excluded at the end of an Academy day, then it may not be possible to arrange for work to be set until the following morning. A pupil can be excluded for up to 10 continuous days on a fixed term basis. On the 6th continuous day, the Academy is responsible for providing education for the pupil, which could be at another local Academy, a pupil referral unit or by providing home education.

Behaviour outside Academy

Pupils' behaviour outside the Academy on school business e.g. on academy trips, at sports events, is subject to the Federation behaviour policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in the Academy.

Pupils with special educational needs and disabled pupils

The Academy must take account of any special educational needs when considering whether or not to exclude a pupil. The Head of School should ensure that reasonable steps, in line with the Equality Act have been taken by the Academy to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

Managed move

In cases where the Head of School and parents agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parent's failure to engage in strategies implemented by the Academy are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the Head of School may consult with the Local Authority and propose a managed move. This is not exclusion and in such cases the Head of School may assist the parents in placing the pupil in another school or Academy.

Removal from the Academy for other reasons

The Head of School may send a pupil home, after consultation with that pupil's parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time. A pupil cannot be 'sent home' for other reasons, including poor behaviour.

Equal Opportunities

The Governing Body recognise that it is unlawful to take into account anyone's gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation. Full consideration has been given to this during the formulation of this policy as it is our aim that no-one at The Whitchurch CE Federation should suffer discrimination, either directly or indirectly, or harassment on any of these grounds.

Discipline and physical contact

Teachers cannot and will not punish pupils physically. There are rare occasions when a member of staff may have to use reasonable force to protect pupils from injuring themselves, others or causing damage to property. See Positive handling policy for further details.

Further Information

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the Academy or the pupil concerned.

The Head of School must notify the Local Governing Committee, St Bart's Multi-Academy Trust and the Local Authority of a permanent exclusion, fixed term exclusions exceeding more than 15 days in the Academy and/or when it will result in the pupils missing a National Curriculum Test.

For all other exclusions the Head of School must notify the Local Governing Committee and Local Authority once a term.

The Local Governing Committee has a duty to consider parents' representations about exclusion and has a duty to convene a meeting to consider the reinstatement of a pupil:

- If the exclusion is permanent
- If it is a fixed period exclusion which takes the pupil total to more than 15 days in the term.
- If it would mean the pupil would miss a national curriculum test, or;
- If the parent / carer requests a meeting when the pupil has been excluded from the Academy for more than 5 but not more than 15 in a term.

The Local Governing Committee, after listening to everyone's views can either:

- Uphold an exclusion
- Direct re-instatement of the pupil immediately or by a certain date.

The LGC may delegate their functions with respect to the consideration of an exclusion decision to a designated sub-committee.