

Exclusion Policy

Beech Hill School



Approved by:	BH LGB	Date: April 2023
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Last reviewed on:	April 2023
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Next review due by:	April 2024
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Policy Statement

This policy is an appendix to the Behaviour Policy; it deals with the policy and practice which informs the Academy's use of exclusion. It is underpinned by the shared commitment of all members of the Academy community to achieve very important aims.

Aims

- to ensure the safety and well-being of all members of the Academy community, and
- to maintain an appropriate educational environment in which all can learn and succeed.

The principal legislation to which this policy relates is:

- The Education Act 2002, as amended by the Education Act 2011;
- 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.

Introduction:

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

- In response to a serious breach of the Academy's Behaviour Policy (See Positive Behaviour policy)
- If allowing the student to remain in school would seriously harm the education or welfare of the pupil or others in the school.

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Headteacher, the member of the Senior Leadership Team who is acting in that role).

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 Behaviour Policy;

- Unacceptable behaviour which has previously been reported and for which Academy sanctions and other interventions have not been successful in modifying the pupil's behaviour
- Verbal or physical abuse of other pupils or staff
- Aggression towards other pupils leading to the possibility of physical or emotional harm
- Indecent behaviour

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

Exclusion procedure:

- Most exclusions are of a fixed term nature and are of short duration. The DfE regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.
- A fixed period exclusion does not have to be for a continuous period. In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion.

- Pupils whose behaviour at lunchtime is disruptive may be excluded from the Academy premises for the duration of the lunchtime period. In such cases the legal requirements in relation to exclusion, such as the head teacher's duty to notify parents, still apply. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a disciplinary meeting is triggered.
- The Governors have established arrangements to review promptly all permanent exclusions from the Academy and all fixed term exclusions that would lead to a pupil being excluded for over 15 days in a school term or missing a public examination.
- The Governors have established arrangements to review fixed term exclusions which would lead to a student being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.
- Following exclusion parents are contacted immediately where possible. A letter will be sent home (on the same day if possible) giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Trust as directed in the letter.
- A return to school meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Leadership Team and other staff where appropriate.
- 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 the Academy premises, and that daytime supervision is their responsibility, as parents/guardians. Parents will also be informed of the risk of prosecution if their child is found in public place during the school day.
- Work will be provided by the class teacher for the first 5 days, with alternative provision from day 6.

Permanent Exclusion:

The decision to exclude a pupil permanently is a serious one and is not taken lightly. There are two main types of situation in which permanent exclusion may be considered.

1. The 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 that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying).
 2. When a serious criminal act has been committed, the school will involve the police in any such offence eg: bringing in an offensive weapon.
- As with fixed term exclusions, parents will be informed in writing of the decision to exclude and their right of representation and appeal at a disciplinary committee meeting, to be arranged within 15 school days.
 - Work will be sent home and marked when returned for the first 5 days.
 - From day 6 the local authority are responsible for providing full time alternative educational provision, usually through the Locksley Short Stay School.
 - Where parents dispute the decision of the Governors not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent exclusion, parents can also make a

claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination).

- An independent review panel does not have the power to direct the Governors to reinstate an excluded pupil.

General factors the Academy considers before making a decision to exclude:

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

Before deciding whether to exclude a pupil either permanently or for a fixed period the Headteacher will;

- Ensure appropriate investigations have been carried out,
- Consider all the evidence available to support the allegations taking into account the school policies,
- Allow the student to give her/his version of events,
- Check whether the incident may have been provoked.
- Check that all available support has been provided eg: Pastoral Support Plan, Family Support Plan.

If the Headteacher is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion will be the outcome. Having made the decision and notified the parents the Headteacher then inform the Chair of Governors, the Trust and the Local Authority Exclusions Officer.

Exclusion of CLA (Child Looked After)

In the case of a CLA child the named social worker and Virtual Schools will be informed as soon as possible once the decision has been made to exclude the pupil. The school will make every effort to work with other agencies including the Virtual School to ensure the pupil's needs are met and the pupil is supported.

Record Keeping

Written records are either store securely on the child's file or stored electronically using a secure system which requires password access. Different staff members have different access rights depending on their role and responsibilities in school. In some instances it may be necessary to share the information held about a particular child or incident; if that is the case then parental consent will be obtained. When information is shared it will be done so securely.

Roles/Responsibilities

Headteacher:

- Ensure the policy is implemented consistently and fairly.
- Make the decision to exclude having checked all evidence.
- Communicate promptly with parents, informing them of the decision to exclude immediately by telephone and within 24 hours by letter.
- Send details of the exclusion to the Chair of Governors, the Trust and the LA.
- Delegate responsibility for sending work home/marking of work.
- Monitor the implementation of the policy and regularly report to Governors.

Class teacher:

- Keep appropriate records of incidents that may lead to the decision to exclude.
- Send work home for the duration of the exclusion and mark any work returned.

- Use the time of the exclusion to review provision eg: seating arrangements, differentiation, behaviour support.
- Ensure the child returning from an exclusion is given every opportunity for a fresh start.

Governors:

- Review the policy in the light of monitoring.
- Attend Exclusion hearings as required.

Equality

All children will be treated equally and fairly throughout the implementation of this policy. The Headteacher will monitor incident logs and ensure that any apparent inequality of incidents is entirely attributed to the behaviours of those children eg: if more boys/SEND/minority ethnic group are represented in the records.

Training

Whole staff and individual training needs will be identified through the Academy's self-evaluation process and staff appraisal.

Monitoring

The impact of the policy will be reviewed regularly through careful monitoring of incidents. Termly reports will be made to Governors.

Review

The policy will be reviewed every two years, depending on changes in circumstance or legislation.

Links to Other Policies

- Anti-Bullying Policy
- Safeguarding Policy
- Behaviour Policy

Appendix A

Exclusion Checklist

Question/Evidence	✓ or ✗
Would allowing the pupil to remain in school seriously harm the education or welfare of the pupil or others in the school?	
Is there evidence that the exclusion is in response to a serious breach, or persistent breaches, of the school behaviour policy?	
Does that pupil have a disability?	
Does the pupil hold a statement of SEN?	
Is the pupil a Looked After Child?	
Is the pupil eligible for Free School Meals?	
Has the pupil suffered bereavement, bullying, mental health issues?	
Have referrals been made related to the above?	
<i>Please give details and evidence of early intervention:</i>	
Multi-agency assessment	
Engagement of professionals	
Statement of SEN	
Evidence of early review	
PEP	
IEP	
CAF / Details of Lead Behaviour Professional	
Summary or evidence of repeatedly disobeying academic instruction	
Behaviour Plans	
Evidence of engagement with parent/carer/	
Mentor interventions/evaluations	
Chronology of intervention	
Chronology of fixed term exclusions	
Chronology of Record of Harms	
Risk Management Plan	
Chronology of incidents (include witness statements)	
Relevant Policies including Behaviour Policy and Exclusion Policy	

Prior to an exclusion meeting the Headteacher will need to use the above evidence to put together a written submission. Private and confidential data/information pertaining to the child's family should not be included.