

# Exclusion Policy

## for use in



Approved by Essa Academy LGB – 13 June 2017

Approved by Essa Primary Academy LGB- 5 July 2017

Based on Essa Primary Academy's policy- written in January 2014

Updated for the Trust by A MacGowan- February/March 2017.

Date for Review- February 2020

## **Exclusion Policy**

Essa Academy and Essa Primary Academy are part of the Essa Foundation Academies Trust. The Board of Directors has delegated responsibility for establishing, monitoring, and reviewing policies related to the management of pupils/students behaviour to each Local Governing Body (LGB).

This policy should be read in conjunction with each academy's policy and procedures for managing behaviour and the policy for Looked After Children.

The Local Governing Body's designated governor for health and safety should monitor and review the implementation of this policy annually.

### **Vision**

Our vision is to provide our pupils/students with the best opportunity to achieve their potential and develop into independent learners, irrespective of their background, culture, ethnic origin, religion or any other status.

Our academy is an open, friendly learning community where everybody is valued and has a voice. In partnership with all stakeholders we aim to equip our pupils/students to live safe, healthy, fulfilling lives, enabling them to achieve success both today and in the future.

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

- To ensure the safety and well-being of all members of the academy's community and maintain an appropriate education environment in which all can learn and succeed.
- To realise the aim of reducing the need to use exclusion as a sanction.

### **Introduction**

This policy is in line with the guidance issued by the DfE- School Discipline and Exclusions- last updated October 2016.

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

- In response to a serious breach of the academy's Behaviour Policy; and/or
- If allowing the pupil/student to remain in the academy would seriously harm the education or welfare of other persons in the academy, or the pupil/student himself/herself.

Exclusion is an extreme sanction and is only administered by the Principal. Exclusion, whether for a 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 academy's Behaviour Policy:

- Verbal abuse to staff and other adults.
- Verbal abuse to pupils/students.
- Physical abuse to/attack on staff.
- Physical abuse to/attack on pupils/students.
- Indecent behaviour.
- Damage to property.
- Misuse of illegal drugs.
- Misuse of other substances.
- Theft.
- Serious actual or threatened violence against another pupil/student or a member of staff or another adult.
- Sexual abuse or assault.
- Supplying an illegal drug.
- Carrying an offensive weapon.
- Arson.
- Unacceptable behaviour which has previously been reported.
- Other interventions have not been successful in modifying the pupil's/student's behaviour.

This is not an exhaustive list and there may be other situations where the Principal makes the judgement that exclusion is an appropriate sanction. At times the Principal may decide not to use the extreme sanction of exclusion but instead decide that a Pastoral Support Plan should be drawn up to try to avoid the sanction of exclusion in the future. This may be accompanied by an internal exclusion.

### **Exclusion procedure**

Most exclusion is of a fixed term nature and is of short duration (usually between one and three days).

The DfE regulations allow the Principal to exclude a pupil/student for one or more fixed periods not exceeding 45 academy days in any one academy year.

The LGB has established arrangements to review promptly all permanent exclusions from the academy and all fixed term exclusions that would lead to a pupil/student being excluded for more than 15 days in an academy term or missing a public examination.

The LGB has established arrangements to review fixed term exclusions which would lead to a pupil/student being excluded for more than five days but not more than 15 days in an academy term where a parent/carers has expressed a wish to make representations.

Following exclusion parents/carers will be contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion

ends. Parents/carers have a right to make representations to the Local Governing Body and to the Local Authority, as directed in the letter.

A return to the academy meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Management Team and other staff where appropriate. During this meeting a Pastoral Support Plan will be drawn up, which will include a review date.

During the course of a fixed term exclusion where the pupil/student is to be at home, parents/carers should be advised that the pupil/student is not allowed on the academy premises, and that daytime supervision is their responsibility as parents/carers.

Records relating to exclusions must be kept and must be stored confidentially.

### **Permanent Exclusion**

The decision to exclude a pupil/student permanently is a serious one. There are two main types of situation in which 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 that all available strategies have been exhausted and is used as a last resort.

This may include persistent and defiant misbehaviour including bullying (which includes racist or homophobic bullying) or repeated possession and/or use of an illegal drug on academy premises.

The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it is judged appropriate to permanently exclude a pupil/student for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another pupil/student or a member of staff or another adult.
- Sexual abuse or assault.
- Supplying an illegal drug.
- Carrying an offensive weapon (offensive weapons are defined in the Prevention of Crime Act 1993 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").
- Arson.
- Behaviour which poses a significant risk to the pupil's/student's own safety.

The academy will involve the police for any relevant offences. These examples 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.

### **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 academy or the pupil/student concerned. Before deciding whether to exclude a pupil/student either permanently or for a fixed period the Principal will:

- Explore a placement at the PRU to avoid exclusion. The PRU is a provision in the borough for pupils/students displaying challenging behaviour.
- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the academy's Behaviour Policy, LAC Policy, SEND Policy and any other relevant policies.
- Allow the pupil/student to give her/his version of events.
- Explore the wider context, taking into consideration how much the incident may have been provoked (for example by bullying or by racial or sexual harassment).

If the Principal is satisfied that on the balance of probabilities the pupil/student did what he/she is alleged to have done, then exclusion will be the outcome.