

<b>Exclusion of Pupils Policy</b>
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Date Reviewed:	June 2019	Review Date:	June 2021
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**Background**

This policy 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 two important aims:

1. The first is to ensure the safety and well-being of all members of the academy 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.

**Introduction**

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

- a) In response to a serious breach of the academy's Behaviour Policy.
- b) If allowing the pupil to remain in academy would seriously harm the education or welfare of other persons or the pupil himself in the academy.

Exclusion is an extreme sanction and is only administered by the Headteacher. Whether for a fixed term or permanent, exclusion may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the principles that underpin the Academy's *Behaviour Policy*:

**Physical assault against pupil:**

- 1 Fighting
- 2 Violent behaviour
- 3 Wounding
- 4 Obstruction and jostling

**Physical assault against adult:**

- 1 Violent behaviour
- 2 Wounding
- 3 Obstruction and jostling

**Verbal abuse/threatening behaviour against pupil:**

- 1 Threatened violence
- 2 Aggressive behaviour
- 3 Homophobic abuse and harassment
- 4 Verbal intimidation
- 5 Carrying an offensive weapon

**Verbal abuse/threatening behaviour against adult:**

- 1 Threatened violence
- 2 Aggressive behaviour
- 3 Homophobic abuse and harassment
- 4 Verbal intimidation
- 5 Carrying and offensive weapon

**Bullying:**

- 1 Verbal bullying
- 2 Physical bullying
- 3 Homophobic bullying
- 4 Racist bullying

**Racist Abuse:**

- 1 Racist taunting and harassment
- 2 Derogatory racist statements
- 3 Swearing that can be attributed to racist characteristics
- 4 Racist bullying

**Sexual Misconduct:**

- 1 Sexual abuse
- 2 Sexual assault
- 3 Sexual harassment
- 4 Lewd behaviour
- 5 Sexual bullying
- 6 Sexual graffiti

**Drug and alcohol related:**

- 1 Possession of illegal drugs
- 2 Inappropriate use of prescribed drugs
- 3 Drug dealing
- 4 Smoking on the academy site
- 5 Alcohol abuse
- 6 Substance abuse

**Damage**

**Includes damage to academy or personal property belonging to any member or visitor of the academy community:**

- 1 Vandalism
- 2 Arson
- 3 Graffiti

**Theft:**

- 1 Stealing academy property
- 2 Stealing personal property (pupil or adult)
- 3 Stealing from local shops near the academy
- 4 Stealing from local shops on a academy outing
- 5 Selling and dealing in stolen property

**Persistent disruptive behaviour:**

- 1 Challenging behaviour, impacting on the learning of others
- 2 Disobedience
- 3 Persistent violation of academy rules

**Extremism and radicalisation:**

Promoting, disseminating and/or publishing extremist views (including the use of violence) that are contrary to the will and laws of British society.

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

At times the Headteacher will decide not to use the extreme sanction of an exclusion but may decide that a Pastoral Support Plan should be drawn up to try to avoid exclusion as a sanction in the future.

This might be accompanied by an internal exclusion or a fully staffed off-site exclusion with education provided.

### **Exclusion procedure**

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

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

The Advisory Board 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 more than 15 days in a academy term or missing a public examination.

The Advisory Board have established arrangements to review fixed term exclusions, which would lead to a pupil being excluded for more than five days but not more than 15 days in a academy term where a parent/carer has expressed a wish to make representations.

Following exclusion parents/carers are contacted immediately where possible. A letter will be sent by post (recorded delivery) giving details of the exclusion and the date the exclusion ends. Parents/carers have a right to make representations to the Advisory Board and the Local Authority as directed in the letter.

A return to academy meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Academy's Leadership 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 is to be at home, parents/carers are advised that the pupil is not allowed on the academy premises, and that daytime supervision is their responsibility as parents/carers.

Records relating to exclusions will be stored confidentially.

### **Permanent Exclusion**

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

1. 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 would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on academy premises.
2. 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. These might include:
  - 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 (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 child’s own safety
- Extremism and radicalisation
- Deliberate Criminal Damage

The academy may involve the police for any offence detailed above. 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.

**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 concerned as detailed above. 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 pupil’s SEND, this policy and the Academy’s Equalities Policy
- Allow the pupil to give her/his version of events – though this is not always possible if he has to be removed from the site immediately
- 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 Headteacher is satisfied that on the balance of probabilities the pupil did what he is alleged to have done, then exclusion will normally be the outcome.

*This policy is in alignment with the Department for Education “Exclusion from maintained ,academies, academies and pupil referral units in England” Ref: DFE-00184-2017 PDF Last updated 2017.*