An Daras
Multi Academy Trust

Exclusion Policy

An Daras Multi Academy Trust

The An Daras Multi Academy Trust (ADMAT) Company

An Exempt Charity Limited by Guarantee

Company Number/08156955

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Recommended	
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Advisory Committee	ADMAT TLA Committee Local Governing Bodies
Linked Documents and Policies	ADMAT Anti Bullying Policy Inclusion Policy SEND Policy Behaviour Policy Accessibility Plan

An Daras Multi Academy Trust
Exclusions Policy

St Stephens Community Academy

Rationale

The aim of this policy is to ensure the safety and well-being of all members of the school community and to maintain an appropriate educational environment in which all can learn and succeed.

Introduction

In most cases exclusion from school will be a last resort after a range of measures have been tried to improve the pupil's behaviour.

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

a) In response to a serious breach of the school's Behaviour Policy;

b) If allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Exclusion is an extreme sanction and is only administered by the Head teacher/Head of School (or, in the absence of the Head, the Assistant Head of School 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 school's Behaviour Policy:

- Verbal abuse to staff and others
- Verbal abuse to students
- Physical abuse to/attack on staff
- Physical abuse to/attack on students
- Indecent behaviour
- Damage to property
- Theft
- Serious actual or threatened violence against another student 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 School sanctions and other interventions have not been successful in modifying the student's behaviour

This is not an exhaustive list (see additional DfE List of Reasons for Exclusion document)and there may be other situations where the Head teacher/Head of School makes the judgment that exclusion is an appropriate sanction.

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 Head teacher/Head of School to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year.

The Local Governors have established arrangements to review promptly all permanent exclusions from the school and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term or missing a public examination. (In relation to procedural matters pertaining to the composition and operation of the Local Governors' Pupil Discipline Committee, the Local Governing Body and the Multi Academy Trust has agreed to adopt the procedural guidelines prepared by Cornwall Council)

The Local 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 by post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Local Governing Body and the Multi Academy trust.

A "return to school" meeting will be held following the expiry of the fixed term exclusion and this will involve the Head teacher/Head of School and other staff where appropriate.

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

Permanent Exclusion

The decision to exclude a student 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).
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 student for a first or 'one off' offence. These might include:

    - Serious actual or threatened violence against another student or a member of staff
    - Sexual abuse or assault
    - Supplying an illegal drug
    - Carrying an offensive weapon *
    - Arson

The school will consider police involvement for any of the above offences.

*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.”

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 school.

General factors the school 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 student either permanently or for a fixed period the Head will:
- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the Pupil Behaviour Policy, Equal Opportunities Policy.
- Allow the student to give her/his version of events.
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

If the Head teacher/Head of School 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.

Exercise of Discretion

In reaching a decision, the Head teacher/Head of School will always look at each case on its own merits.

In considering whether permanent exclusion is the most appropriate sanction, the Head teacher/Head of School will consider;

1. The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the school’s Behaviour Policy and;
2. The effect that the student remaining in the school would have on the education and welfare of other students and staff.

Nonetheless, in the case of a student found in possession of an offensive weapon, whether there is an intention to use it or not, it is the school’s usual policy in this particularly serious matter to issue a permanent exclusion.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Local Governors’ Pupil Discipline Committee, when it meets to consider the Head teacher’s/Head of School’s decision to exclude.

This Committee will require the Head teacher/Head of School to explain the reasons for the decision and will look at appropriate evidence, such as the student’s school record, witness statements and the strategies used by the School to support the student prior to exclusion.

Alternatives to Exclusion

The school works closely with the Local Authority and other primary schools to undertake managed moves where such a course of action would be of benefit both to the student and the two schools concerned. However, the threat of a permanent exclusion will never be used as the means to coerce parents to move their child to another school.

Lunchtime Exclusion

Students whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. This will be treated as fixed term exclusion and parents will have the same right to gain information and to appeal.

Behaviour Outside School

Students' behaviour outside school on school "business" for example school trips and journeys, away school sports fixtures or a work experience placement is subject to the school's Behaviour Policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in school. For behaviour outside school but not on school business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole. If students' behaviour in the immediate vicinity of the school or on a journey to and from school is poor and meets the school criteria for exclusion then the Head teacher/Head of School may decide to exclude.

Attached Documents

1. DfE List of Reasons for Exclusions
2. Cornwall LA Guidance on Exclusions Leaflet

Further Useful information and Links

- Parent Partnership Service - 01736 751921
- Children's Legal Centre- 0845 345 4345 or 0808 802 0008
- Advisory Centre for Education (ACE) Ltd - 0300 0115 142

Policy agreed – Spring Term 2017

Next Review – Spring Term 2019