

**EXCLUSION POLICY**

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**Author: A Ives**

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1. **Purpose of this policy**

This policy is designed to briefly outline the academy’s approach to exclusions within the statutory framework as defined in *The Academy Discipline (Student Exclusions and Reviews) (England) Regulations 2012.* It outlines only where the academy applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the academy.

1. **Principles**

Exclusion is a sanction used by the academy only in cases deemed as serious breaches of the Academy Behaviour Policy. A student may be at risk of exclusion from academy for:

- Verbal or physical assault of a student or adult;

- Persistent and repetitive disruption of lessons and other students’ learning;

- Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.

The academy seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the academy.

The academy regularly monitors the number of Fixed Term Exclusions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

This policy operates within the following Exclusion for Maintained Academies and APS in England is statutory guidance relating to:

* The Education Act 2002, as amended by the Education Act 2011;
* The Academy Discipline (Student Exclusions and Reviews) (England) Regulations 2012; The Education and Inspections Act 2006;
* and The Education (Provision of Full-Time Education for Excluded Students) (England) Regulations 2007.

The decision to exclude a student is a very serious one. Only the Principal (or, in the absence of the Principal the most senior teacher who is acting in that role) can exclude a student. The decision to exclude a student will only be taken when all other strategies and support taken to deal with the behaviours and reasons have proven to not improve the student’s behaviour.

The decision to exclude a student will only be taken in a response to serious breaches of the academy’s behaviour policy and if allowing the student to remain in academy would seriously harm the education or welfare of the student or others in the academy. There will however be exceptional circumstances where, in the Principal’s judgement it is appropriate to permanently exclude a child for a first or 'one off' offence.

There are two types of exclusion:

* Fixed Term Exclusions
* Permanent Exclusions
1. **Fixed Term Exclusion from the Academy**

The regulations allow Principals to exclude, for disciplinary reasons, a student for one or more fixed term periods not exceeding 45 days in any one academic year. The academy is obliged to provide education whilst the student is on roll. In all cases of more than a day's exclusion, work will be set and marked.

* Verbal or physical assault of a student or adult
* Persistent and repetitive disruption of lessons and other students’ learning
* Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions

**Exclusion Protocols**

Immediately after the incident:

1. Isolate the student away from others involved in the incident, preferably in the Behaviour Suite or Nurture Room.
2. Notify the Principal and Mrs. Bradshaw, Inclusion and Behaviour Lead.
3. Interview all students and staff involved, using either a written incident forms or written statements. These should be dated and times and completed on the same day or as the incident. There should be an individual record of events from each person witness to the incident.

The following advice is taken from Witness Statements Preparation Guide, European Human Rights Advocacy Centre, 2008. If an adult is writing down the statement of a student, or them to write their own statement, they must avoid using leading questions.

Useful questions might include: - When did the incident take place? - Where was the witness at the time and what was he or she doing? - Who was the witness with and what did the witness see? - What did each person say or do?

Statements should be factual and in the words of the witness: ‘I did this...’, and ‘I saw...’

Statements could also include photos, maps, sketches or diagrams.

1. Corroborate details of the incidents and secure coherent picture.
2. Consult behaviour records/ SIMs to check student behaviour profile and previous exclusions.
3. Principal to review incident details and decide if exclusion is appropriate.
4. Complete exclusion letter.
5. Contact parents to ask for collection of student.
6. Class teacher to provide work for student to complete at home, for exclusions of over one day. This may be sent home or collected later that day.

Following exclusion:

The Principal will immediately, notify parents of the period of an exclusion, the reasons for it, their legal responsibilities during the first five days of their child’s exclusion and follow up in writing with: the reasons for the exclusion; the period of a fixed period exclusion or, the fact that it is permanent; parents’ right to make representations about the exclusion to the governing body and how the student may be involved in this; how any representations should be made to governors, depending on the length of the exclusion. For fixed term exclusions re-integration arrangements will also be outlined.

The academy will:

* Log the exclusion on SIMS and update all behaviour records.
* For fixed term exclusions over 5 days immediately notify the chair of the Governing Body and Tameside LA so that sixth day education can be arranged.
* For permanent exclusions inform Tameside LA and the Enquire Learning Trust.
1. **Student return after fixed term exclusion**

The academy will also work to put in place a programme for the student on his/her return. This will include input from staff at the academy, parents, if appropriate, and any other appropriate bodies e.g. Tameside Student Support Services, Social Care, Attendance Service etc. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency i.e. the incident leads to the discovery that there is a child protection issue, the academy will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following an exclusion, the child will be able to return to academy and that further input will promote in him/her a more positive attitude and a subsequent improvement in behaviour.

All students returning from a Fixed Term Exclusion are required to attend a reintegration meeting, accompanied by a parent. This meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between student, parent and academy.

**Exclusion Review Meeting**

This will take place on the day of the exclusion and include the following staff:

* Principal
* Mrs Bradshaw, Vice-Principal
* SEN Assistant or Pastoral Manager whomever is the named reintegration support

The purpose of this meeting is to:

* Review the exclusion, identifying key escalation points and the level of student need.
* Agree the structure and support needs of the student when they return to academy as the Reintegration Plan. This will be shared with all staff.
* Agree the mechanisms for providing continued education through provision of appropriate work.

**Reintegration Planning Meeting**

The purpose of the reintegration meeting is to assist the reintegration of the student and promote the improvement of his/her behaviour. It provides an opportunity to:

* Emphasise the importance of parents/carers working with the academy to take joint responsibility for their child’s behaviour;
* Discuss how behaviour issues can be addressed;
* Further explore wider issues and any circumstance that may be affecting the child’s behaviour;
* Reach agreement on what measures can be put in place to prevent further misbehaviour, this may include a part-time timetable. The Principal will decide if this is appropriate;
* Outline the consequences of any further misbehaviour
* Explain the reintegration process

This will take place at 8.30 on the day of the student’s return to the academy or a convenient time to the parent/carer prior to re-integration. The meeting will be held by the Principal or a senior leader within the academy.

The parent and the student will both be present for the first part of the meeting so that there is a clear understanding of expectations. After which the student will meet with their named reintegration support and parent/s will remain with the Principal/senior leader.

The joint meeting will include:

* Outline of the behaviour issue that lead to the exclusion
* Re- emphasis of the Linden Road Home Academy Agreement which both the parent and child will be asked to sign.
* Explanation of future consequences.
* Explanation of the reintegration process including the use of the target card and the mechanisms for informing parents of progress.
* Drawing up of a Reintegration Plan.

The child will not be reintegrated until the meeting has taken place.

**Parent and Principal/ SLT meeting.**

This will include further discussion of the surrounding issues and where appropriate involve signposting to support services or raising of a CAF. A Reintegration Plan will be agreed which will include next steps and targets. Whilst we endeavour to involved parents fully in this decision making process the final responsibility lies with the Principal. Where there is disagreement it will be the Principal decision that is final.

**Student and Named Integration Support Meeting.**

* Use keyworker/ nurture suite to encourage students to reflect on their behaviour, questioning and an open conversation to help the student understand potential triggers and make students become part of their own solution. Agree behaviour plan for reintegration into school including monitoring of reintegration and behaviour. Using reparation, as a strategy to help the student move forward.
* Re-engagement of the student with their class charter or behaviour expectations.
* Provide update of what has been happening in class.
* Set up the target card with the student to increase ownership of behaviour.
* The student will input into the Reintegration Plan.
* Clarify review and reporting of progress.

**Monitoring and review of Reintegration Plan**

The minimum review period will be 5 days. Students will be expected to fully meet their targets over this period. These will be reviewed by the named member of staff at lunch time and/or end of the academy day, as appropriate.

When daily targets have been met, parents will receive a text message/phone call of if child is collected from a school a brief conversation to confirm good progress. If targets have not been met then parents will be called to discuss the situation.

On day 5 of reintegration the Reintegration Plan will be reviewed and a phone call home made to confirm if the student is being taken off monitor or to inform parents of continuation of re-integration, targets will be reviewed and revised as necessary.

**Named Reintegration Support Staff**

Mrs. Bell is the named contact for SEN students with learning needs.

Mrs Cooper is the named contact for students she directly supports and all other students.

Where a student works with both staff then named contact will be established with regards strength of relationship with the student.

1. **Permanent Exclusion from the Academy**

The decision to exclude a student permanently will only be taken:

* in response to serious or persistent breaches of our Behaviour Policy;
* and where allowing the student to remain in academy would seriously harm the education or welfare of the student or others in the academy.

Permanent exclusion will occur in the following events;

* actual or threatened violence against another student or member of staff
* sexual abuse or assault
* supplying an illegal drug
* carrying an offensive weapon.

The academy Governors must meet to review the decision of the Principal to permanently exclude a student. The parents will be invited and should attend that meeting, they can also be accompanied. They can make representations on behalf of their child, challenge the academy's case and ask whatever questions they want. Parents of students who have been permanently excluded from Academies can request an officer from the local authority to attend the meeting.

**What happens to a student once they have been permanently excluded?**

Once a child has been permanently excluded, they will remain on the roll of the academy until any review is determined, the time limit for a review has expired without a review being brought, or the parent has told the Local Authority that no review is being brought.

Guidance regarding both permanent and fixed term exclusions is published by the Department for Education ['Exclusion from maintained academys, Academies and student referral units in England'](https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00042-2012) (date of issue September 2012). This is the document which Principals, Governors and the Local Education Authority use for guidance.

**Reviewing the decision**

Once a decision has been made to permanently exclude a student and subsequently this decision is upheld by the Governor's Discipline Committee the parent/carer will receive a letter from the governors informing them of its decision stating the reasons.

Parents/Carers have **15 academy days**in which to ask an independent review panel to review the decision.  You should apply for a review, in writing, within 15 academy days from the date you receive the decision letter from the governing body.

A meeting will be set up for you with with an independent review panel of three or five people. The review panel must meet no later than the 15th academy day after the day on which the request was lodged.

Parents can request that an SEN (special educational needs) expert attends the panel.  The review panel must seek and have regard to the SEN expert's view of how SEN might be relevant to the student's exclusion.

You will lose your right to put your case to an independent review panel if :

* your request for a review is not received by the expiry date in the letter confirming the decision to uphold the exclusion
* you inform the Local Authority in writing that you do not wish to request a review

If you have any queries about the exclusion /review process, please telephone the Tameside academy Organisation Unit on 0161 342 3226 .

1. **SEND**

The Principal and governing body fully takes into account their statutory duties including the SEND Code of Practice when administering the exclusion process.

Reasonable adjustments will be made to provision so as to support the behaviour needs of SEND children where behaviour is directly linked to SEND needs and this is documented in Educational Psychology or other specialist advice.

We will as far as possible avoid permanently excluding any student with an Education, Health and Care Plan (EHCP)or statement of SEND who is at serious risk of disaffection or exclusion, an interim or early review should be called. It will then be possible to consider the student’s changing needs and recommend amendments to the statement, as an alternative to the student being excluded.

1. **Health and Safety at Work**

Linden Road Academy defines violence as; the threat or fear of violence, verbal abuse, racial, homophobic and sexual harassment, in addition to a physical attack by a person or animal on an individual and or their property as a direct result of the employee’s work.

The Management of Health and Safety at Work Regulations 1999 require Principal and Managers to identify hazards in the workplace and assess potential risks. Principals and Managers must therefore identify the risk of violence to staff through the risk assessment process and take appropriate action to reduce the risks involved. They must also be able to take appropriate action to deal with the consequences of any violent incident. As such where a student is deemed to be at risk of exclusion due to levels of violence the appropriate action as described above will be instigated. To aid this, all incidents of violence that takes place on the premises will be recorded on the school’s proforma, which is in line with the best health and safety practice.

**Related Policy and Guidance**

Behaviour Policy 2015.

SEND Policy 2015.

Anti-Bullying Policy.

Attendance Policy.

Government statutory guidance on exclusions [http://www.education.gov.uk/academys/studentsupport/behaviour/exclusion/g00210521/st atutory-guidance-regs-2012](http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion/g00210521/st%20atutory-guidance-regs-2012)



