

## Exclusion Policy

### Context

Students at Values Academy exhibit challenging and complex behaviours and these behaviours must be viewed within the context of a school commissioned to provide education for these types of students. Fixed term exclusions should be rare as Values Academy is funded so that the staffing model enables the school to deliver high levels of individual support to students. A decision to exclude a student, either for a fixed period or permanently, is seen as a last resort by Values Academy while always bearing in mind our duty of care to students and staff.

All Values Academy students are vulnerable and have been previously disengaged from learning, therefore any absence from school should be avoided, especially if it is as a consequence of a fixed term exclusion. For many students a fixed term exclusion is not regarded as a sanction and therefore has little impact in terms of improving challenging behaviour. Learning is interrupted and families placed under additional stress as a result of having their child at home. Occasionally there is a short, sharp, shock factor that can have an impact and there are times when it is necessary for the child to be fixed term excluded for safety reasons but these occasions are in the minority.

Values Academy is responsible for communicating to students, parents/carers and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct.

Values Academy will take account of any special educational needs when considering whether or not to exclude a student. The School Principal will ensure that reasonable steps have been taken by the school to respond to a student's disability so the student is not treated less favourably for reasons related to the disability. Reasonable steps will include:

- Differentiation in the school's Behaviour Policy Developing strategies to prevent the student's behaviour
- Requesting external help with the student
- Staff training

Where reasonable adjustments to policies and practices have been made to accommodate a student's needs and to avoid the necessity for exclusion as far as possible, exclusion may be justified if there is a material and substantial reason for it. A specific incident affecting order and discipline in the school may be such a reason.

No exclusion will be initiated without having first exhausted other strategies or, in the case of a serious single incident, a thorough investigation.

## **Reasons for exclusion:**

1. Risk of harm to the education or welfare of the student or others in the school
2. Repeated failure to follow academic instruction
3. Failure to complete a behavioural sanction
4. Repeated and persistent breaches of the school's Behaviour Policy even if the offence that has immediately led to the exclusion would not have normally constituted a serious enough breach on its own, a child can still be excluded if it is part of wider pattern of behaviour.

The decision to fixed term exclude should never be taken lightly and should always happen in a considered way, taking into account all of the relevant information and set against priorities relating to the wellbeing and safety of the student in question, other students and the staff. It is not possible to issue an exhaustive set of guidance on the types of behaviours that can result in a fixed term exclusion happening but within the context of Values Academy the following behaviours are cited as the ones that most result in a fixed term exclusion being issued:

- Intentional physical violence towards a member of staff
- Intentional physical violence towards a student
- Threatening, bullying and intimidating behaviour, including that based on race, religion, gender or sexual orientation, towards staff and/or other students
- Any behaviour that seriously compromises the safety of students and staff

Typically, this will mean that students are not excluded for the following types of behaviours:

- Continuous low/medium level disruption
- Swearing
- Refusal to co-operate
- Damage to property

The caveat to this list is that these behaviours can result in exclusion if they fall into the category of "any behaviour that seriously compromises the safety of students and staff"

Any exclusion will be at the recommendation of the School Principal and the discretion of the Governors.

## **Fixed Term Exclusion**

A fixed term exclusion will be used for the shortest time necessary to secure benefits without adverse educational consequences.

Exclusion for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when the school had already offered and implemented a range of support and management strategies. These could include:

- Discussion with the student
- Mentoring (adult support)
- Discussion with parents/carers
- Setting targets and agreeing an individual action plan
- Checking on any possible provocation

- Mediation
- Counselling
- Internal seclusion was possible
- Multi-agency support

Exclusion will not be used for minor incidents (e.g. lateness, poor academic performance).

School Leaders will always consult with the School Principal before taking the decision to exclude or, in his/her absence, on his/her express direction/delegation to a School Leader of the relevant school.

The School Leader should discuss the matter with another member of the Leadership Team.

Data relating to the number of fixed term exclusions and the reasons thereof should be a standing item for discussion and analysis during SLT meetings. All relevant paperwork should be completed and incidents of fixed term exclusion recorded. The fixed term exclusion letter can be signed by the School Leader in lieu of the School Principal. The Senior Leadership Team and Trustees of the school take a keen interest over this and are informed of all exclusions immediately.

### **Length of Fixed Term Exclusion:**

If a student is sent home during the day this must count as day one of the exclusion. The aim must be for the student to return to school as soon as possible and so, three days would be the maximum recommended for any serious incident with the majority being two days including the day of the incident if the student was sent home. If the parent/carer cannot bring the student into school for a reintegration meeting, the exclusion must not be extended. Efforts must be made to discuss the exclusion in another way e.g. by telephone, email or in writing.

### **Single Incident**

Fixed term exclusion may be used in response to a serious breach of school rules and policies or a disciplinary offence. In such cases the School Principal will investigate the incident thoroughly, usually via the Senior Leadership Team, and will consider all evidence to support the allegation, taking account of the school's policies. The student will be encouraged, and if necessary, be supported by familiar staff or parents/carers, to give his/her version of events. A member of the Senior Leadership Team will check to find out whether the incident may have been provoked, for example by bullying or harassment. If necessary the School Principal will consult a member of the Board of Trustees; but not a Trustee who may have a role in reviewing the School Principal's decision.

### **Permanent Exclusion**

The decision to exclude a student permanently is a very 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 issues 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 could include persistent and defiant misbehaviour e.g. repeated bullying (which could include racist or homophobic bullying) or repeated possession and or use of an illegal drug on school premises.

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
- Possession or use of an illegal drug on the school premises
- Carrying an offensive weapon
- Persistent bullying
- Racial harassment
- Persistent disruptive behaviour
- Arson

### **Exercise of discretion**

In reaching a decision, the School Principal / Responsible Person will always look at each case on its own merits. The gravity of the incident or series of incidents will be considered, and whether it constitutes a serious breach of the school's Behaviour Policy, the effect that the student remaining in the school, would have on the education and welfare of other students and staff. In line with its statutory duty, these same tests of appropriateness will form the basis of the deliberations at any appeals hearing/meeting, when it meets to consider the decision to exclude.

### **Scenarios:**

- A student plans to attack a member of staff and does so. This would fall under the category of intentional physical violence and therefore would warrant consideration of a fixed term exclusion.
- A student becomes very upset and needs to be restrained. During the hold she flails her arms and a member of staff is hit in the face. This does not come under the category of intentional physical violence and in all probability would not warrant a fixed term exclusion.
- A student attempts to leave a classroom after an argument. The teacher blocks his exit and the student pushes him out of the way hurting the teacher's shoulder in the process. This would not warrant a fixed term exclusion as the teacher was not exercising good judgement or following positive behaviour management strategies. The most appropriate action would have been to allow the student to leave the room, alert other staff and monitor the student until he had calmed down.
- A student issues threats to another student. Previous attempts to work with her to stop this behaviour have been unsuccessful and the victim is fearful. A fixed term exclusion may be necessary to enable the situation to be dealt with so that students are kept safe.
- A student loses his temper and destroys a display in the corridor. This would not usually warrant a fixed term exclusion.
- A student loses her temper and smashes a window in her classroom. She picks up shards of glass and threatens to harm herself and others. This may warrant a fixed term exclusion so that plans can be made to keep everyone safe.

## **The decision to exclude: Procedure**

If the School Principal decides to exclude a student he/she will:-

- Ensure that there is sufficient recorded evidence to support the decision
- Check the blue books for the mentors' comments
- Look at the evidence that has been gathered and built up and examine incident reports. An incident report needs to have been written each time by staff involved and then passed onto a member of the Senior Leadership Team.

The School Principal is to make the decision on whether to exclude or not and duration of the exclusion as appropriate.

Information is entered onto an in-house exclusion form by School Leader and kept on the student's file.

Should a child in care be identified as at risk of exclusion, then contact is made with the local authority Inclusion Officer, social worker and the named contact in the Looked after Children team immediately, to enable early intervention/preventative strategies to be instigated.

## **Explaining the decision to the student**

Contact the parents/carers, explain the decision and ask that the child be collected explaining what has happened and review date to be set

If an incident occurs mid-day and the school is unable to make contact with the parent/carer, the student will remain on site (if safe to do so) until the normal leaving time or until contact is established. Transport will then be arranged to send the student home. The student will only then be sent home.

- Send a letter to the parents confirming the reason for the exclusion, whether it is a permanent or fixed term exclusion, the length of the exclusion and any terms or conditions agreed for the student's return.
- In cases of more than a day's exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked.
- Administrative Assistant to collate all documents relating to the exclusion, i.e copy of incident reports, copy of the exclusion letter, minutes of the reintegration meeting and file in separate Exclusions folder using a numbering system.
- School Leader to record exclusions in the exclusions book
- Email to be sent to Chief Executive and Safeguarding Trustee outlining exclusion details and duration.
- Plan how to address the student's needs on his/her return  
Plan a meeting with parents/carers and student on his/her return
- or, in his/her absence, on his/her express direction/delegation to a School Leader

An exclusion will not be enforced if doing so may put the safety of the student at risk.

- Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).
- DfE regulations allow the school to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year.
- In the unlikely event of an extremely serious or dangerous incident the student will be suspended immediately and the parent or responsible adult contacted immediately.
- Parents/carers have a right to make representations to the Trustees and the Children's Services Directorate Social Inclusion Officer at the Local Authority. This

information, with contact details, will be in the letter. Parents/carers will be fully advised on procedure. Please refer to procedure for appeal below

- A reintegration meeting will be held following the expiry of the fixed term exclusion and this will involve the student, parent/carer, a member of the Senior Leadership Team, and other staff where appropriate.
- It is school practice to monitor behaviour and work of the student very closely for the period following exclusion. This means monitoring of Colour Feedback, Critical Incident Reports, and Personal Development sessions.
- During the course of a fixed term exclusion where the student is to be at home, parents/carers are advised that the student is not allowed on the school premises, and that daytime supervision is their responsibility, as parents/carers. Work will be provided and marked by the school.
- The person authorising the exclusion will ensure that all appropriate paperwork is completed, and the Exclusion Log Book maintained

### **Fixed term exclusions over five days**

- School is obliged to provide full time education for the student from the sixth day of any period of fixed term exclusion of six days or longer. Various options depending on the particular needs of the student, will be explored
- The school will consult with the Local Authority officers for any exclusion of more than five days in order to investigate appropriate full time education and transport for the student.
- The school will work in partnership with the Local Authority, and any other organisations involved with the student.

### **LAC Exclusion**

Values Academy will take all reasonable steps to ensure that exclusion is rarely used for Looked after Children and is always only as a last resort, after all other avenues have been explored. In any exclusion the School Principal will have regard to the statutory guidance on exclusions published by the DfE in June 2012.

Values Academy ensures that arrangements are made for first day provision for any excluded Looked after Children as there would be for any student after day 6 of exclusion. The Academy will organise a PEP meeting as part of the re-admission process if appropriate. We ensure that should a child in care be identified as at risk of exclusion, then contact is made with the local authority Inclusion Officer, social worker and the named contact in the Looked after Children team immediately, to enable early intervention/preventative strategies to be instigated.

### **Behaviour outside School**

Students' behaviour outside school on school trips and sporting events is subject to the school's Behaviour Policy. Poor behaviour in such circumstances will be dealt with as if it had taken place in school.

### **Marking Attendance Registers following Exclusion**

When a student is excluded temporarily, he/she will be marked using Code E.

## **Procedure for Appeal**

If parents/carers wish to appeal against the decision to exclude, the matter will be referred to the Board of Trustees. Two trustees, who were not involved in the initial decision to exclude, will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within five days.

Records relating to the decision to exclude and the parents'/carers' complaint will be copied to all parties not later than two days prior to the hearing. In no circumstances however will the school or its staff be required to divulge to parents or others any confidential information on or the identities of students or others who have given information which has led to the exclusion or which the School Principal has acquired during an investigation.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher, friend or Parent Support Advisor. Legal representation will not normally be appropriate. If possible, the Trustees will resolve the parents' complaint without the need for further investigation. Where further investigation is required, Trustees will decide how it should be carried out. After consideration of all the facts considered to be relevant, the trustees will reach a decision on whether to uphold or rescind the exclusion or make other recommendations. This decision will be made within ten days of the hearing.

Parents/carers will be informed in writing of the Board of Trustees decision and the reasons for it. Their decision will be final. The Trustees findings and any recommendations will be sent in writing to the parents/carers, School Principal and all Trustees.

**Review Date: September 2021**