



Exclusions Policy

December 2019

1. Aim

This policy sets out the school's approach to managing exclusions, and should be read alongside the Behaviour for Learning Policy. The aim of this policy is to ensure that the exclusions process is understood by governors, staff, parents and students, and is applied fairly and consistently

2. Legislation and statutory guidance

The school's policy is based on the statutory guidance from the Department for Education: **Exclusion from maintained schools, academies and pupil referral units (PRUs) in England** (last updated September 2017).

It is based on the following legislation, which outline schools' powers to exclude:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

This policy complies with our funding agreement and articles of association as an Academy Trust.

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

3. Definitions

The following definitions are used with regard to exclusions

Exclusion: a student who is excluded from school is prohibited from entering any part of the school site or buildings before, during or after school hours for the duration of the period of the exclusion without the specific consent of the Headteacher

Fixed Term Exclusion: the refusal to admit a student to the school for a specified number of days

Permanent Exclusion: the permanent removal of the student from the school roll.

References in this policy to the Headteacher should be understood as being references to the Deputy Headteacher in the absence of the Headteacher. Similarly, references to the Chair of Governors should be understood as being references to the Vice-Chair of Governors if the Chair of Governors is unobtainable.

References to the 'parent' should be understood as referring to "the parent or guardian of a pupil who is aged under 18, or the pupil if aged over 18".

4. Use of exclusions

Fixed term exclusion may be used as a sanction for serious breaches of the school's expectations of behaviour. The headteacher can exclude for a set number of school days, to a maximum of 45 days in any year. The school must provide excluded students with full-time education from the sixth day of exclusion.

Permanent exclusion will be considered only in response to a serious breach or persistent breaches of the school's expectations and where allowing the student to remain in school would seriously harm the education or welfare of the student or of other students in the school.

For incidents connected with drug misuse, the Department for Education advises that in many cases exclusion will be the appropriate course but leaves it to schools to decide whether or not to exclude permanently. Schools are advised to ensure that the needs of the individuals involved, as well as their peers, are taken into account. The school's attitude towards the association of the school with the misuse of drugs by students is clearly stated in the school's Alcohol and Drugs policy.

The school is aware that the practice of off-rolling is unlawful. Ofsted defines off-rolling as:

"...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil."

5. Roles and responsibilities

a) The headteacher

The Headteacher will take responsibility for all decisions to exclude and will act in accordance with the statutory DfE guidance ***Exclusion from maintained schools, academies and pupil referral units (PRUs) in England***. In particular, the Headteacher will follow the specific requirements in Sections 3 and 4 of the guidance, which sets out the duties of the Headteacher with regard to making a decision to exclude, informing parents, and informing the Governing Board.

In the absence of the headteacher, the responsibility for exclusion and readmission of students passes to one of the Deputy Headteachers, who will ensure that the Headteacher is informed soon as possible.

b) The governing board

The responsibilities of the Governing Board are set out in the statutory DfE guidance ***Exclusion from maintained schools, academies and pupil referral units (PRUs) in England***. In particular, the Governing Board will follow the specific requirements in Sections 5, 6 and 7 of the guidance, which sets out the duties of the Governing Board with regard to arranging education for excluded pupils, consideration of a fixed term or permanent exclusion and the possible reinstatement of an excluded pupil, and the removal of a permanently excluded pupil's name from the register.

Responsibility for the consideration of a fixed term or permanent exclusion, and the possible reinstatement of an excluded pupil is delegated to a disciplinary panel of the Governing Board consisting of at least 3 governors.

6. Independent review

If parents apply for an independent review in line with the process outlined in the statutory guidance, the school will arrange for an independent panel to review the decision of the Governing Board not to reinstate a permanently excluded student. A panel of 3 members will be constituted in line with the statutory guidance. The School may commission an external specialist organisation to run the independent review

The independent panel will whether to uphold the Governing Board's decision, recommend that the Governing Board reconsiders reinstatement, or direct that they reconsider reinstatement if the decision is judged to be flawed.

7. Returning from a fixed-term exclusion

Following a fixed-term exclusion, a readmission meeting will be held involving the student, parents, a member of the Senior Leadership Team and other staff where appropriate. The purpose of this meeting is to formally readmit the student subject to assurances of their future good conduct, to consider any wider concerns, for example in relation to attendance or academic progress, and to discuss any support which may be required to help the student's reintegration or to sustain improved behaviour.

