

Exclusion Policy

This policy has been approved by Directors and the Operations Board

Date Policy Initiated: **September 2016**

Date Policy was renewed: June 2020

Date of next renewal: June 2021.....

Exclusion Policy

Skills for life Trust aims to promote positive behaviour throughout the Academies to ensure that the welfare of its students and staff is maintained in a happy and safe environment that enables outstanding teaching and learning and high standards of attainment;

Principles

When considering Exclusion, Skills for Life Trust aims to:

- Comply with the requirements of the statutory framework as defined in The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.
- Follow the DfE guidance on exclusion set out in “Exclusion from maintained schools, Academies and pupil referral units in England 2012”.
- Promote the principles of British Values as the basis of right behaviour and the need for consequences for unacceptable behaviour.
- Ensure Equality of Opportunity for all students;
- Ensure that our students develop ‘skills for Life’ that will help them when they leave the Academies.

Procedures

Reasons for Exclusion

Exclusion may be considered in response to any of, but not exclusive to, the following, all of which constitute breaches of the Academies Behaviour Policy

- Verbal abuse towards a member of staff or student
- Physical abuse to/attack a member of staff or student
- Sexually abusive, indecent, racist or homophobic language and/or behaviour
- Damage to Property
- Possession or misuse of drugs and paraphernalia including supply
- Theft
- Actual or threatened violence towards a student or a member of staff
- Carrying an offensive weapon
- Arson
- Persistent disruption to teaching and learning
- Persistent failure to follow instructions
- Bringing the Academy into disrepute
- Persistent failure to adhere to the rules of the Academy
- Behaviour outside the Academy such that it can be considered as grounds for exclusion

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that exclusion is an appropriate sanction. Exclusions can be either fixed term or permanent. A decision to exclude a student permanently will only be taken in response to a serious breach, or persistent breaches, of the school's behaviour policy; and where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

The Decision to Exclude

Where an incident occurs which may result in one or more exclusions, an investigation will be carried out by the Pastoral Team. This investigation will seek to ascertain the facts of the incident and may include

statements from staff or students involved and from any witnesses as well as other supporting evidence including CCTV footage, screenshots, photographs etc. Any student directly involved in the incident should be given the opportunity to give their version of events. Where a student is too distressed or agitated to write a statement, arrangements will be made to obtain their version of events once they have calmed.

The findings of the investigation, including details of any mitigating circumstances such as where it comes to light that a student has suffered bereavement, has mental health issues or has been subject to bullying, will be taken to the Headteacher and a final decision regarding an exclusion will be made. The Headteacher will also take into account whether a student comes from a vulnerable group such as EAL, CLA, SEN etc.

When establishing the facts in relation to an exclusion decision the Headteacher will apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'. The exclusion should be lawful, rational, reasonable, fair and proportionate.

Skills for Life Trust recognises that disruptive behaviour can be an indication of unmet needs and is therefore committed to identifying any causal factors and to putting in place early intervention to reduce the need for subsequent exclusions. Such intervention may include multi-agency assessment and support. Where a student has received multiple exclusions or is approaching the legal limit of 45 school days of fixed period exclusion in an academic year, the Headteacher will consider whether exclusion is providing an effective sanction and may look to alternative strategies.

In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion. The Headteacher may also withdraw an exclusion that has not been reviewed by the Governing Body.

Notification of Exclusion

Where an exclusion has been issued, the Headteacher will:

- Inform the Student's Parent/Carer of the exclusion by the end of the same day. Ideally this will be done by telephone, but where this is not possible this will be done by text message, email, or by a letter sent home with the student. The Parent/Carer will be informed of the duration of the exclusion and advised that it is their responsibility to ensure that their son/daughter is not present in a public place during school hours without reasonable justification, and that parents may be given a fixed penalty notice or prosecuted if they fail to do so.
- Write to the parent/carer detailing the reasons for the exclusion, the period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent, the parents' right to make representations about the exclusion to the governing body and how any representations should be made; and where there is a legal requirement for the governing body to consider the exclusion, that they have a right to attend this meeting.
- The letter will also give details of any 6th day provision. Where this has not been confirmed, details should be communicated to the parent/carers more than 48 hours before the provision is due to commence.
- The Chair of Governors and Local authority should be informed of the reason for and duration of a permanent exclusion, any exclusion longer than 5 days, or where the exclusion will result in the student missing a public examination.

Provision of Work and 6th Day Provision

Skills for Life Trust recognises that all children have a right to an education and as such will take reasonable steps to set and mark work for pupils during the first five school days of an exclusion, and arrange alternative provision from the sixth day. Where the student is a CLA, alternative provision will

be arranged from the first day of the exclusion.

Governors' consideration of an Exclusion

A panel of at least three governors must convene within 15 days to consider the reinstatement of an excluded student where:

- ✓ The exclusion is permanent;
- ✓ The exclusion a fixed term exclusion that brings the student's total number of days of exclusion to more than 15 in a term;
- ✓ The exclusion would result in a pupil missing a public examination
- ✓ A hearing is requested by the student's parent/carer for an exclusion of more than 5 days.

The hearing will be conducted in line with the guidance laid down in the DfE document "Exclusion from maintained schools, Academies and pupil referral units in England 2017".

Return to School

Prior to their return from exclusion, a meeting will be arranged between the student, the student's parent/carer and a member of the Pastoral Team and or Leadership Group. This meeting will reflect upon the reason for the exclusion and seek to put in place strategies or intervention that will support the student upon their return. This may include a flexi timetable or staggered integration. A PSP (pastoral support plan) will be put in place or reviewed for a child who has had an exclusion.

Appendix A – COVID-19 Update

New regulations (released 29/5/2020) change some of the procedures that must be followed in relation to an exclusion, to give greater flexibility to schools, parents and local authorities during the coronavirus (COVID-19) outbreak.

Please see the updated guidance by following this link:

<https://www.gov.uk/government/publications/school-exclusion/changes-to-the-school-exclusion-process-during-the-coronavirus-outbreak>

In accordance with our updated behavior policy, students can additionally be excluded from school if they breach the schools behavior policy with regard to:

- Spitting
- Demonstrating aggressive behaviour during the pandemic when schools are running a phased return
- Taking part in any form of online bullying within the Microsoft teams remote learning platform
- Breaching the Health and safety procedures laid down by The Skills for Life Trust for the protection of staff, students and visitors during the COVID-19 Pandemic.

Any student who breaches the updated behaviour policy that is a child of a key worker, or falls into a vulnerable category the school will take reasonable steps to provide other facilities for the student to take part in their learning. Where the risk to the school and staff is greater than the risk to the student being kept at home, the school reserves the right to request that the period of exclusion is carried out at home, supervised by a parent or authorised family member.