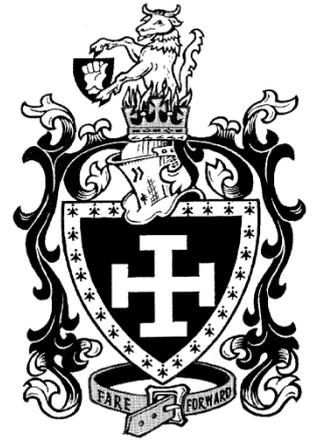


# **Buckler's Mead Academy**



## **Policy Document**

# **EXCLUSION POLICY**

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Author:	Stuart Lambert
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<b><i>Please note: The version of this document contained within the 'Policy Documents' Folder on BMStaff (T:\Admin\Policies and Procedures) is the only version that is maintained.</i></b>	

### **Rationale**

This policy is underpinned by the commitment of all at Buckler's Mead Academy to ensure the safety and well-being of the whole academy community and to maintain an appropriate educational environment in which all can learn and achieve.

### **Introduction**

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

- (a) In response to a serious breach of the Academy's Behaviour for Learning Policy;
- (b) If allowing the student to remain in Academy would seriously harm the education or welfare of the student or others in the Academy.

Exclusion is an extreme sanction and is only used by the Headteacher (or, in the absence of the Headteacher, the Deputy Headteacher, who is acting in that role). Exclusion will be used when there is an immediate threat to the safety of others in the Academy or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher will ensure appropriate investigations have been carried out, considering all the evidence available. If the Headteacher 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.

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 Academy's Behaviour for Learning Policy:

- Verbal abuse to any adult.
- Verbal abuse to student.
- Physical abuse to/attack on any adult.
- Physical abuse to/attack on student.
- Indecent behaviour.
- Damage to property.
- Misuse of illegal drugs or other substances including supplying.
- Theft.
- Serious actual or threatened violence against another student or a member of staff.
- Sexual abuse or assault.
- Carrying an offensive weapon.
- Arson.
- Unacceptable behaviour which has previously been reported and for which Academy sanctions and other interventions have not been successful in modifying the student's behaviour.

This is not an exhaustive list and there may be other situations where the Headteacher 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 two and five days).
- The DfE regulations allow the Headteacher to exclude a student for one or more fixed periods not exceeding 45 academy days in any one academy year.
- Following exclusion parents/carers are contacted immediately where possible. A letter is sent by post giving details of the exclusion and the date the exclusion ends.
- Parents/carers have a right to make representations to the Academy Directors, as directed in the letter.
- 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. In extreme circumstances a Director may be present at the meeting.
- It is academy practice to monitor behaviour and work of the student very closely for the period following exclusion. This may mean the use of a report or close support by staff.

- If the fixed term exclusion is greater than five days or an accumulation of exclusions exceed five days, a Pastoral Support Plan may be drawn up. This needs to be agreed with the Academy, student, parents/carers and any agencies involved.
- 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 academy premises, and that daytime supervision is their responsibility, as parents/carers.

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

According to DfE guidance the academy is obliged to provide full time education from the sixth day of any period of fixed term exclusion of six days or longer.

The academy works in partnership with other local academies and online tutoring if a student is given an exclusion of more than five days in order that appropriate full time education and transport is offered to the parent/carer.

The academy will provide education by working with:

- Other local academies
- Apricot Learning

The academy will liaise with the other school/academy to ensure that the student continues with their programme of study. In most cases the academy will set the work to be completed and ensure that it is completed appropriately.

### **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 would 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 academy 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 an adult.
- Sexual abuse or assault.
- Supplying an illegal drug.
- Carrying an offensive weapon\*.
- Arson.

The Academy 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 Academy.

### **Exercise of discretion**

In reaching a decision, the Headteacher or Deputy Headteacher, will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Headteacher will consider the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Academy's Behaviour Policy and the effect that the student remaining in the Academy 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 a Directors exclusion appeals hearing/meeting, when it meets to consider the Headteacher's decision to exclude.

### **Alternatives to Exclusion**

The Academy works closely with other local secondary schools/academies to undertake managed moves where such a course of action would be of benefit both to the student and the two academies concerned. However, the threat of a permanent exclusion will never be used as the means to persuade parents/carers to move their son/daughter to another academy.

The Internal Exclusion Centre will be used as an alternative to both Fixed Term and Permanent exclusions. The academy uses a policy of internal exclusion for lower levels of unacceptable conduct or for exclusions where we know that being out of the academy is not a punishment for the student. We will also combine internal and external exclusions for more serious breaches of discipline so as to maintain a continuity of education and attendance.

### **Lunchtime Exclusion**

Students whose behaviour at lunchtime is disruptive may be excluded from the academy 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 Academy**

Student' behaviour outside Academy on academy "business" for example educational visits and journeys, away academy sports fixtures or a work experience placement is subject to the Academy's Behaviour for Learning Policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in academy. If student' behaviour in the immediate vicinity of the academy or on a journey to and from academy is inappropriate and meets the academy criteria for exclusion then the Headteacher may decide to exclude.