**APPENDIX 1: EXCLUSION POLICY**

Southmoor Academy Trust is committed to being a fully accessible and inclusive organisation, welcoming and respecting the diversity of its students, staff, community and visitors to the academies.

**Rationale**

This policy is underpinned by the commitment of all at Southmoor Academy Trust to ensure the safety and well-being of the whole school community and to maintain an appropriate educational environment in which all can learn and achieve. We have an overall aim of reducing the need to use exclusion as a sanction.

**Introduction**

The decision to exclude a student will be taken by the Principal / Head of School in the following circumstances:

(a) In response to a serious breach of the Trust’s Behaviour Management Policy;

(b) If allowing the pupil to remain in the Academy would seriously harm the education or welfare of the pupil or others in the Academy.

Exclusion is an extreme sanction and is only used by the Principal / Head of School (or, in the absence of the Principal / Head of School, the Vice Principal / Assistant Principal who is acting in that role).

Exclusion will be used when there is an immediate threat to the safety of others in the Trust or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period, the Principal / Head of School will ensure appropriate investigations have been carried out, considering all the evidence available.

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 Trust’s Behaviour Management Policy:

* Verbal abuse to staff and others;
* Verbal abuse to pupil(s);
* Physical abuse to/attack on staff;
* Physical abuse to/attack on pupil;
* Indecent behaviour;
* Damage to property ;
* Misuse of illegal drugs or other substances including supplying;
* Theft;
* Serious actual or threatened violence against another pupil or a member of staff;
* Sexual abuse or assault;
* Carrying an offensive weapon;
* Arson;
* Unacceptable behaviour which has previously been reported and for which the Trust’s sanctions and other interventions have not been successful in modifying the pupil’s behaviour;
* Unacceptable/anti social behaviour outside of school can also be considered.

This is not an exhaustive list and there may be other situations where the Principal / Head of School 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 one

and five days);

* The DOE regulations allow the Principal / Head of School to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one single academic year;
* Following exclusion, parents/carers are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends;
* Parents/carers have a right to make representations to the Local Governing Body of the Academy, as directed in the letter;
* A ‘return to school’ 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, Pastoral Manager and other staff where appropriate;
* It is Trust 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 behaviour 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 pupil is to be at home, parents/carers are advised that the student is not allowed near or on the school premises, and that daytime supervision is their responsibility, as parents/carers.

**Fixed term exclusions over five days**

According to DOE guidance, the Academy Trust is obliged to provide full time education from the sixth day of any period of fixed term exclusion of six days or longer. The Trust will consult with the LA officers for any exclusion of more than five days in order that appropriate full time education and transport is arranged.

The Trust will provide education by working with:

* A Pupil Referral Unit;
* The Local Authority.

The Trust will liaise with the outside education provider to ensure that the student continues with their programme of study. In most cases the Trust 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 a member of staff;
* Sexual abuse or assault;
* Supplying an illegal drug;
* Carrying an offensive weapon;
* Arson.

The Trust will consider police involvement for any of the above offences.

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 Trust community.

**Exercise of discretion**

In reaching a decision, the Principal / Head of School 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 Principal / Head of School will consider the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Trust’s Behaviour Policy and the effect that the pupil remaining in the Academy would have on the education and welfare of other pupils and staff.

In line with its statutory duty, these same tests of appropriateness will form the basis of the deliberations at a Governors Exclusion Meeting, when it meets to consider the Principal / Head of School’s decision to exclude.

**Alternatives to Exclusion**

The Trust works closely with other local secondary schools to undertake managed moves where such a course of action would be of benefit both to the pupil and the two schools / 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 school.

**Lunchtime Exclusion**

Pupils 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 School**

Pupil behaviour outside the Academy (e.g. educational visits and journeys, away school sports fixtures or a work experience placement) is subject to the Trust’s Behaviour Management Policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in school. If pupil behaviour in the immediate vicinity of the Academy or on a journey to and from the Academy is inappropriate and meets the school criteria for exclusion then the Principal / Head of School may decide to exclude.

**Drug Related Exclusions**

In making a decision on whether or not to exclude for a drug-related offence, the Principal / Head of School will have regard to the Trust’s published policy on drugs and will also seek advice from the Police.

For further guidance please see DoE publication Exclusions from Maintained Schools, Academies and Pupil Referral units in England.