



EBORA ACADEMY TRUST

Policy Number

17NS

Non Statutory Exclusion Policy

Signed: _____

Peter D. Acanto

Dated:

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Review Date:

April 2020

Review Period: Annually

1. Introduction;

Ebor Academy Trust and its member academies are committed to valuing diversity and to equality of opportunity. We aim to create and promote an environment in which pupils, parents/carers and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities.

Ebor Academy Trust, its member academies and local governing bodies recognise that it is unlawful to take into account anyone's gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation.

We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each child is an individual and has a unique contribution to make to school life and we want to support them to achieve this. It is our belief that we always seek to understand what are the underlying causes to the behaviour and recognise that it is often the case that behaviour is a form of communication and we need to look for what are sometimes hidden messages within that.

A decision to exclude a pupil, either for a fixed period or permanently is seen as a last resort. The physical and emotional health of our children and staff is our primary concern, and we therefore accept that there will be occasions and situations whereby exclusion may be a necessary course of action. Where possible we will look to use other strategies but where this is not possible or where other strategies have been exhausted then we will look to implement our exclusion policy.

In the event of exclusion the school will always seek to work in partnership with the parents or carers of the child. It is understood that this will be an emotive issue but it is also an expectation that the school and home will work sensitively and positively in partnership to strive to achieve the best possible outcome for the child. The school will work transparently to ensure that the parents receive effective and timely communication.

2. Related Policies

Ebor Academy Trust and its member academies are responsible for communicating to pupils, 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.

These are:

Behaviour and Discipline Policy;
Anti-Bullying Policy;
Physical Intervention Policy.

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

3. Reasons for exclusion;

- Persistent disruptive behaviour.
- Physical harm against an adult.
- Physical harm against a pupil.
- Verbal abuse or threatening behaviour against an adult.
- Verbal abuse or threatening behaviour against a pupil.
- Damage to property.
- Bullying
- Total defiance (cumulative)
- Extreme, threatening behaviour to another pupil / adult

Any temporary fixed-term exclusion will be at the discretion of the Headteacher. Usually in consultation with other members of the senior leadership team (particularly if they were involved in investigating the incident). Consultation with the local Governing Body will be as and when deemed appropriate. Any pupil that has been excluded for more than five days per term must be flagged up with the executive hub lead. If that pupil is subject to further exclusion (more than five days) this must be a decision made in partnership with the executive hub lead. A pupil may be excluded for one or more fixed periods, up to a maximum of 45 school days in a single academic year.

4. Types of Exclusion

4.1 Temporary fixed-term exclusion

A temporary exclusion should be for the shortest time necessary. Ofsted evidence suggests that 1-3 days is usually enough to secure benefits without adverse educational consequences.

4.2 Persistent or cumulative problems

Exclusion for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when the academy had already offered and implemented a range of support and behaviour management strategies. These strategies are outlined in the Behaviour Policy.

4.3 Single incident

Temporary fixed-term exclusion may be used in response to a serious breach of the academy's rules and policies. In such cases the Headteacher of the respective academy will investigate the incident thoroughly and consider all evidence to support the allegation, taking into account the school's behaviour and conduct policy. The pupil will be encouraged to give his/her version of events and potentially any other witnesses to the incident will also be spoken with. Following a thorough investigation a decision will be made as to what level of exclusion may be required (in terms of number of days)

4.4 Permanent exclusion

A permanent exclusion is a very serious decision and the Headteacher will consult with the wider senior leadership team and executive hub lead before making such a decision. The local governing body will be informed of any potential permanent exclusion.

As with a temporary fixed-term exclusion, it will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of academy rules and policies or a disciplinary offence such as:

- Serious actual or threatened violence against another pupil or a member of staff;
- Failure to follow school rules – defiance
- Possession or use of an illegal drug on school premises;
- Persistent bullying;
- Persistent racial harassment;
- Peer on peer abuse;

5. The decision to exclude

If the Head teacher decides to exclude a pupil he/she will:

Ensure that there is sufficient recorded evidence to support the decision; explain the decision to the pupil; contact the parents/carers, explain the decision and ask that the child be collected; send a letter to the parents/carers confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion; the length of the exclusion and any terms or conditions agreed for the pupil'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;

Plan how to address the pupil's needs and integration back into their class on his/her return;

Plan and carry out a reintegration meeting with parents/carers and pupil on his/her return.

6. Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents/carers will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the academy may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from the academy. In more severe circumstances the academy may contact Social care and/or the Police to safely take the pupil off site.

7. Behaviour Outside the Academy

Pupils' behaviour outside the academy on academy business e.g. on trips, at sports fixtures, is subject to the academy's behaviour policy. Unacceptable behaviour in such circumstances will be dealt with in accordance with the school's behaviour policy and thus be subject to any potential consequences or next steps.

8. Pupils with Special Educational Needs and Disabled Pupils

The academy must take account of any special educational needs when considering whether or not to exclude a pupil.

We have a legal duty under the Disability Discrimination Act 2005 as amended not to discriminate against disabled pupils by excluding them from the academy for behaviour related to their disability. The Headteacher should ensure that reasonable steps have been taken by the academy to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability. This being said if the incident is serious enough to warrant an exclusion this will still be the course of action that the school takes. Where possible and appropriate support services will be engaged in order to support a successful reintegration.

9. Marking Attendance Registers following Exclusion

When a pupil is excluded temporarily, he/she should be marked as absent using Code E.

10. Managed Move

In cases where the Headteacher and parents/carers agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parent has treated Ebor Academy Trust, a member academy or a member of staff unreasonably the Headteacher may require the parents/carers to remove the pupil at the end of a term. This is not exclusion and in such cases the Headteacher may assist the parents/carers in placing the pupil in another school/academy.

11. Removal from the Academy for Other Reasons

The Headteacher may send a pupil home, after consultation with that pupil's parents/carer and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time.

12. Procedure for Appeal

If parents/carers wish to appeal the decision to exclude, the matter will be referred to the local Governing Body of the academy to which the incident relates and will be handled through Ebor Academy Trust appeal procedure.

(Signed) _____ Dated _____

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