



# PARK HALL

A C A D E M Y

Name of Policy	Exclusions Policy
Lead	Mr S Gregory, Deputy Head
Governor Committee	B.S.I.I Committee
Governor approved	Approved
Review Frequency	Annually
Next review	June 2019

## **1. Introduction**

### 1.1

The decision to exclude a student will be taken in the following circumstances: in response to a serious breach of the Academy's Behaviour Policy; if allowing the student to remain in the Academy would seriously harm the education or welfare of the student or others in the Academy.

### 1.2

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Headteacher, the Senior Deputy Headteacher or Deputy Headteacher). 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 Policy:

#### PP (PHYSICAL ASSAULT AGAINST PUPIL)

Includes:

- .. fighting
- .. violent behaviour
- .. wounding
- .. obstruction and jostling

#### PA (PHYSICAL ASSAULT AGAINST ADULT)

Includes:

- .. violent behaviour
- .. wounding
- .. obstruction and jostling

#### VP (VERBAL ABUSE / THREATENING BEHAVIOUR AGAINST PUPIL)

Includes:

- .. threatened violence
- .. aggressive behaviour
- .. swearing
- .. homophobic abuse and harassment
- .. verbal intimidation
- .. carrying an offensive weapon

#### VA (VERBAL ABUSE / THREATENING BEHAVIOUR AGAINST ADULT)

Includes:

- .. threatened violence
- .. aggressive behaviour
- .. swearing
- .. homophobic abuse and harassment
- .. verbal intimidation
- .. carrying an offensive weapon

#### BU (BULLYING)

Includes:

- .. verbal
- .. physical
- .. homophobic bullying
- .. racist bullying

#### RA (RACIST ABUSE)

Includes:

- racist taunting and harassment
- derogatory racist statements
- swearing that can be attributed to racist characteristics
- racist bullying
- racist graffiti

#### SM (SEXUAL MISCONDUCT)

Includes:

- sexual abuse
- sexual assault
- sexual harassment
- lewd behaviour
- sexual bullying
- sexual graffiti

#### DA (DRUG AND ALCOHOL RELATED)

Includes:

- possession of illegal drugs
- inappropriate use of prescribed drugs
- drug dealing
- smoking
- alcohol abuse
- substance abuse

#### DM (DAMAGE)

Includes damage to school or personal property belonging to any member of the school community:

- vandalism
- arson
- graffiti

#### TH (THEFT)

Includes:

- stealing school property
- stealing personal property (pupil or adult)
- stealing from local shops on a school outing
- selling and dealing in stolen property

#### PDB (PERSISTENT DISRUPTIVE BEHAVIOUR)

Includes:

- challenging behaviour
- disobedience
- persistent violation of school rules

#### OT (OTHER)

Includes incidents which are not covered by the categories above, but this category should be used sparingly

### 1.3

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that exclusion is an appropriate sanction.

## **2. Rationale**

### 2.1

This policy is an appendix of the Academy Behaviour Policy and deals with the policy and practice which informs the Academy's use of exclusion. It is underpinned by the shared commitment of all members of the Academy community to achieve two important aims:

- The first is to ensure the safety and well-being of all members of the Academy community, and to maintain an appropriate educational environment in which all can learn and succeed
- The second is to realise the aim of reducing the need to use exclusion as a sanction.

### **3. Exclusion Procedure**

#### 3.1

Most exclusions are of a fixed term nature and are of short duration (usually between one and three 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.

#### 3.2

The Governors have established arrangements to review promptly all permanent exclusions from the Academy and all fixed term exclusions that would lead to a student being excluded for over 15 days in a Academy term or missing a public examination.

#### 3.3

The Governors and SLT have established arrangements to review fixed term exclusions which would lead to a student being excluded for over five days and made arrangements to provide for education on the sixth day.

#### 3.4

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 Governing Body and the LA as directed in the letter.

#### 3.5

A Reintegration Meeting will be held following the expiry of the fixed term exclusion and this will involve a Head of Year and/or a Senior member of staff and other staff where appropriate.

#### 3.6

It is Academy practice to have a Reintegration Meeting with the parents/carers and, where it is deemed necessary; a Pastoral Support Plan will be drawn up. This needs to be agreed with the Academy, student and parents/carers.

#### 3.7

Whenever fixed term exclusion is considered there will always be a consideration of whether "internal" exclusion might be appropriate, with the student being internally excluded and placed in the Internal Exclusion Room which is supervised by Heads of Year and senior staff. However, in some circumstances, either because of the severity of the incident or because of practical or logistical constraints, such exclusion will result in the student being required to remain at home.

#### 3.8

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.

### **4. Permanent Exclusion**

#### 4.1

The decision to exclude a student permanently is a 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 offences 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 including bullying (which would include racist or homophobic bullying) or repeated possession and 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.

*\*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.”*

4.2

The Academy will consider police involvement for any of the above offences. These instances are not exhaustive but are illustrative of the fact that such behaviour seriously affects the discipline and well-being of the Academy.

## **5. General factors the Academy considers before making a decision to exclude**

5.1

Exclusion will not be imposed instantly unless 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 Principal will: Ensure appropriate investigations have been carried out, Consider all the evidence available to support the allegations taking into account the Behaviour Policy and Single Equality Scheme, Allow the student to give her/his version of events, Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

5.2

If the Headteacher, is satisfied that on the balance of probabilities, the student did what he or she is alleged to have done, exclusion may be the outcome.

## **6. Exercise of discretion**

6.1

In reaching a decision, the 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.

6.2

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, the effect that the student remaining in the Academy would have on the education and welfare of other students and staff.

6.3

Nonetheless, in the case of a student found in possession of an offensive weapon, whether there is an intention to use it or not, it is the Academy’s usual policy in this particularly serious matter to issue a permanent exclusion.

6.4

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors’ Pupil Discipline Committee, when it meets to consider the Headteacher’s decision to exclude. This Committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the student’s Academy record, witness statements and the strategies used by the Academy to support the student prior to exclusion.

## **7. Behaviour Outside of the Academy**

7.1

Students’ behaviour outside the Academy on Academy “business” (for example, Academy trips and journeys, away Academy sports fixtures or a work experience placement), is subject to the Academy’s Behaviour Policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in Academy.

7.2

For behaviour outside the Academy but not on Academy business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole. If students’ behaviour in the immediate vicinity of the Academy or on a journey to and from the Academy is poor and meets the Academy criteria for exclusion then the Headteacher may decide to exclude.

## **8. Drug Related Exclusions**

### **8.1**

In making a decision on whether or not to exclude for a drug-related offence, the Headteacher will have regard to the Behaviour Policy and will also seek advice from the LA's Drugs Education Advisor. The decision will depend on the precise circumstances of the case and the evidence available.

### **8.2**

In some cases fixed term exclusion will be more appropriate than permanent exclusion. The Headteacher will make a judgment set against the criteria in the Academy's Drugs Policy.