

# Reach Academy Trust

## Exclusions Policy 2021-22

*Exclusion occurs when a student's behaviour results in their removal from lessons in school for a designated period. Exclusions may be fixed term or, in exceptional circumstances, permanent. The Academy follows the updated DfE Guidance on Exclusions. A full copy of this guidance is available on the DfE government website. The Academy will only levy exclusions when absolutely necessary. However, we will never shirk from taking appropriate action when necessary. There will be a reintegration meeting with the student and their parents after every fixed-term exclusion.*

Approved by:	Executive Headteacher	Date: 14th March 2022
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# 1. Policy statement

This policy should be read and implemented in conjunction with the Behaviour Policy.

Exclusion occurs when a student's behaviour results in their removal from lessons in school for a designated period. Exclusions may be fixed term or, in exceptional circumstances, permanent. The Academy follows the updated DfE Guidance on Exclusions. A full copy of this guidance is available on the DfE government website. The Academy will only levy exclusions when absolutely necessary. However, we will never shirk from taking appropriate action when necessary. There will be a reintegration meeting with the student and their parents/ carers after every fixed-term exclusion. Following all exclusions the pupil will also receive coaching aimed at preventing repeat exclusions.

In rare cases, the Academy may have to consider permanent exclusion. Sometimes this will be for a 'one-off' serious incident and sometimes it will be for persistent disruptive behaviour. However, for students known to be at risk of permanent exclusion, a range of measures may be implemented as appropriate:

- agreeing an individual behaviour plan with parents;
- assessment of social, emotional and learning needs;
- alternative curriculum options (e.g. part-time / college provision);
- allocation of a learning/careers mentor;
- attendance at a Pupil Referral Unit (PRU) or Interim Education Centre (IEC);
- managed move to another Academy; and
- intensive coaching between the pupil and a member of staff

# 2. Exclusion Procedures

The procedures that will be followed in these situations are as follows (these are set out in greater detail in the DfE Guidance):

Fixed term exclusion (up to 45 days per academic year or 15 days within a term):

- a) The Executive Headteacher delegates responsibility to the Primary/Secondary Headteacher to make the decision. All decisions made are lawful, reasonable, proportionate and procedurally fair. When establishing the facts in relation to an exclusion, the Academy 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';
- b) Students are excluded by the Primary/Secondary Headteacher for breaches of the Code of Conduct;
- c) Telephone contact is made with the parents immediately;
- d) A letter is sent to the parents with an explanation of their rights, including their right of appeal, with a copy to the Chair of the Governing Body;
- e) Teaching staff must provide work for the student for the first 5 days of the exclusion;
- f) Where the student has SEND needs, the SENDCo will be made aware and ensure their needs are met, communicate with the relevant stakeholders and convene relevant reviews as appropriate;
- g) The Academy must comply with required levels of student supervision;
- h) The parents and student must attend a formal reintegration meeting, where completed work must be presented and will be checked, alongside a reflective conversation held with the Headteacher or their designee.;
- i) The Academy will follow at all times the guidance issued by the Secretary of State; and
- j) The Local Authority is informed of any exclusion, and informed within 24 hours if there is a request for provision from Day 6. All LAC children are entitled to provision from Day 1, and the school will make this request on behalf of the parent/guardian.

Permanent exclusion:

- a) The Executive Headteacher makes the decision;
- b) A letter is sent to parents with an explanation of their rights, with a copy to the Chair of the Governing Body;
- c) Teaching staff must provide work for the excluded student until any appeals have been heard and a final decision is reached unless the child is in alternative local authority provision;
- d) A Governing Body hearing will be convened to deliberate upon the exclusion within 15 days of the exclusion; and

- e) The parents / carers will have ultimate recourse to an independent appeal panel hearing.

#### Fixed-Term Exclusion

Fixed-term exclusion involves the student being kept at home. Excluded students will receive work to complete. The offences listed below, although not an exhaustive list, will normally lead to fixed-term exclusion. In some circumstances they may lead to a permanent exclusion.

- Physical assault towards another student or adult;
- Verbal abuse/threatening behaviour towards another student or member of staff;
- Bullying;
- Wilful and repeated transgression of protective measures in place to protect public health;
- Sexual misconduct;
- Racist abuse;
- Abuse against sexual orientation and gender identity;
- Abuse relating to disability;
- Property damage;
- Drug/alcohol abuse or possession of drugs/alcohol;
- Disruptive or non-compliant behaviour;
- Theft;
- Use or threat of use of a weapon or prohibited item;
- Inappropriate use of social media or online technology;
- The use of, possession of or supply of any illicit substances or materials (including pornography);
- Leaving the school site without permission;
- Behaviour outside of school.
- Carrying on their person or bringing onto school site an item which could cause harm;
- Arson;
- Extortion.
- Serious and persistent refusal to follow the Academy rules and expectations.

If a student commits an offence that calls for fixed-term exclusion, they are subject to the following:

- If necessary, the student is immediately removed from class and/or the Academy;
- The incident is investigated thoroughly, with written statements taken;
- The student is entitled to respond to the charges against him or her;
- The Executive Headteacher delegates to the Primary/Secondary Headteacher. They or their designee addresses the conduct and assigns an appropriate consequence;
- The parent/guardian is notified by the Executive Headteacher or their designee;
- The student leaves site with an appropriate adult if during the school day or as normal if outside of the core school hours;
- A parent or guardian will be required to meet with the Executive Headteacher who may delegate to the Primary/Secondary Headteacher or their designee regarding the offense prior to a student's return to Academy;
- The parent needs to follow all guidelines surrounding a student who has been excluded and where they should be during Academy hours;
- If a student is receiving provision by the Local Authority, we will call daily to ensure attendance; and
- The Executive Headteacher delegates to the Primary/Secondary Headteacher to ensure that the excluded students receive a letter detailing the exclusion and work on the first day of the exclusion.

#### Permanent exclusion

These offences, although not an exhaustive list, may lead to a permanent exclusion:

- Physical assault towards another student or adult;
- Verbal abuse/threatening behaviour towards another student or member of staff;
- Bullying;
- Wilful and repeated transgression of protective measures in place to protect public health;
- Sexual misconduct;
- Racist abuse;
- Abuse against sexual orientation and gender identity;

- Abuse relating to disability;
- Property damage;
- Drug/alcohol abuse or possession of drugs/alcohol;
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- Leaving the school site without permission;
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- Carrying on their person or bringing onto school site an item which could cause harm;
- Arson;
- Extortion;
- Serious and persistent refusal to follow the Academy rules and expectations.

#### Off-rolling

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as, "the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil." We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

### 3. Monitoring, evaluation and review

This policy will be promoted and implemented throughout the Academy. This policy is monitored on a day-to-day basis by the Executive Headteacher delegates to the Primary/Secondary Headteacher Primary/Secondary responsibility and the senior leadership team, who report to governors about the effectiveness of the policy on request.

This Exclusions Policy is the governors' responsibility and they review its effectiveness annually. They do this by examining the school's incident log, and by discussion with the Executive Headteacher who may delegate to the Primary/Secondary Headteacher. Governors analyse information with regard to gender, age and ethnic background of all children involved in exclusion incidents.

### 4. Equality Impact Statement

We will do all we can to ensure that this policy does not discriminate, directly or indirectly. We shall do this through regular monitoring and evaluation of our policies. On review we shall assess and consult relevant stakeholders on the likely impact of our policies on the promotion of race equality, equality for disabled persons, gender equality and community cohesion using an appropriate Equality Impact Assessment. The policy may be amended as a result of this assessment.

## 5. Appendix - Rights to Appeal letter for Families

### Reach Academy Feltham

#### Exclusion from school

#### Review by governing bodies : A guide for parents and carers

1. The government requires us to formally tell you when the principal/head teacher of an academy has decided to exclude your child. The attached letter does this.
2. It is important for you to know that exclusion can only be for a breach of the academy behaviour policy, and may be for a fixed term period or permanent. The letter tells you what type of exclusion has been imposed and its length.
3. You may seek advice about the exclusion by contacting Reach Academy Feltham, the local authority where you live and also by seeking advice from an independent source. The letter which accompanies this note tells you who you can get in touch with.
4. You have a right to make representations to the governing body of the academy about this exclusion. When and how this will happen will depend on the type of exclusion and the period of time involved.
5. 3 members of the governing body are **required to review** all exclusions which are permanent, those that amount to your child being excluded for more than 15 days in one term and those that mean your child will (as a result of the exclusion) miss a public examination or National Curriculum Test (NCT).

6. You will be invited by Reach Academy Feltham to attend review meetings which should normally take place (depending on the availability of governors) within 15 days if the exclusion of your child is in one of the following categories :
- **permanent exclusion**
  - Where your child will **miss a public exam or NCT because of the exclusion**. Although 15 days is set as a desirable time, the governing body should as far as is reasonably practical meet to consider the exclusion before the date of the examination or test. If this is not practical, the Chair of the governing body can in these circumstances make a decision without other governors being involved.
  - a fixed term exclusion that will take your child's total days of exclusion **above 15 days in one term**.
7. Where a fixed term exclusion is for a period of more **than 5 schools days but not more than 15 days in a single term**, the governing body, if requested by you to do so, must consider the reinstatement of your child within 50 school days of receiving notice of the exclusion.
8. Where your child has received a fixed term exclusion that does **not** bring his/her exclusions to **more than 5 days in one term**, the governing body must consider your representations, but it cannot direct reinstatement and **is not required to arrange a meeting with you**. **All lawful exclusions of this length have to be completed and the governing body cannot direct that a pupil returns to school at an earlier date**. However, if governors disagree with the Principal's decision a note to this effect can be placed on a pupil's school record.
9. You are entitled to invite a representative of the local authority to attend a meeting of an Academy's governing body as an observer. However the local authority representative can only make representations with the governing body's consent.

***If you have difficulty in understanding this note, please contact Reach Academy Feltham on the number quoted in the attached letter which notifies you of the exclusion.***