

# **FRIARS MULTI ACADEMY TRUST**

## **EXCLUSION POLICY**

### **NON STATUTORY POLICY**

Reviewed by Chair of LGB:

March 2019

Approved by Chair of LGB:

April 2019

Presented to Friars Governing Body

May 2019

Next review date by Chair of LGB :

February 2022

Policy Created by:

Executive Headteacher

## Glossary

The term '**School**' is used as standard to mean the educational establishment that is adopting this policy.

The term '**Headteacher**' is used to refer to the person with overall day-to-day responsibility of the **School**.

**Directors** are the Trustees of the Board.

**LGB** is the Local Governing Body.

## 1. Aims

The Trust aims to ensure that:

The exclusions process is applied fairly and consistently

The exclusions process is understood by directors, governors, staff, parents and students

Students in the School are safe and happy

Students do not become NEET (not in education, employment or training)

## 2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

Section 52 of the [Education Act 2002](#), as amended by the [Education Act 2011](#)

[The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)

Sections 64-68 of the [School Standards and Framework Act 1998](#)

In addition, the policy is based on:

Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils

Section 579 of the [Education Act 1996](#), which defines 'school day'

The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

This policy complies with our funding agreement and articles of association.

## Friars Academy and Chelveston Road School Specifics

### 3. At risk of exclusion

Students with Educational and Healthcare Plans are particularly vulnerable to failure through exclusion or disaffection. At Friars Academy we strive hard to meet the student's needs and make requests for consideration of alternative provision if needs are not been met. Governor's and staff do their utmost to use internal sanctions and therefore exclusions are only given for very serious breaches of conduct, which almost always relates to violence to students and staff.

It is our duty to maintain a safe, working and learning environment and it is, therefore, sometimes necessary to give fixed term exclusions when students use violence towards staff/students and endanger the Academy environment.

1. Where a student (all Friars students have an EHCP, refer to Academy specification) is deemed to be at risk of permanent exclusion an annual review meeting is called. Those invited are:

- Education Psychologist

- Educational Officer (Special Provision)
- Education Welfare Officer
- Parent/Carer
- Social Worker (if appropriate)
- Key Academy staff
- Other agencies as appropriate

2. If a student has short-term exclusions, which aggregate to more than 5 days within a term, an early review/Pastoral Support Programme will be arranged.

#### **Pastoral Support programme (PSP)**

Pastoral Support programmes are established for students. These are designed as an Academy based student-focused intervention, which brings together those adults who may be able to help individual students improve their behaviour. The PSP is:

- Time limited, with a review date set at the initial meeting
- Identifies precise tasks for each person
- Identifies realistic improvement targets for the student
- Includes parents/carers and the student fully in the process
- Co-ordinated and monitored by a key member of the Academy staff
- Reviewed and monitored as appropriate

#### **4. The decision to exclude**

Only the Headteacher, or acting Headteacher/, can exclude a student from school. A permanent exclusion will be taken as a last resort.

A decision to exclude a student will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the student to remain in school would seriously harm the education or welfare of others

Before deciding whether to exclude a student, either permanently or for a fixed period, the Headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the student to give their version of events
- Consider the special educational needs (SEN)

#### **5. Definition**

For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

## 6. Permanent Exclusion

In the rare instances when permanent exclusion occurs suddenly because of a major incident or gross misconduct, the Headteacher will aim to arrange a statement review within 10 days of the exclusion taking place.

Until the exclusion has been confirmed by the LA the School will provide suitable work.

### **Friars Academy and Chelveston Road School Specifics**

The Academy will also put together a report for the statement review in line with the Code of Practice

At the review, which will normally be in advance of permanent exclusion, consideration will be given to the needs of the student, what may be required to modify behaviour and to retain him/her in the existing Academy.

It will be important, however, to consider options for alternative placements, which might be explored, should existing arrangements break down.

The Headteacher has the power to exclude students. Permanent exclusion by the Headteacher is reviewed by a panel of Governors and the student and their parent/carers are invited to attend to discuss the situation with the governors. The Governor's can uphold the Headteacher's decision or not and an alternative route will be investigated. The student, parent/carers have a right to appeal the School's decision of permanent exclusion to an independent panel.

### **Informing parents/carers**

The Headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the exclusion
- The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the exclusion to the governing board
- Where there is a legal requirement for the governing board to meet to consider the reinstatement of a student, and that parents/carers have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The Headteacher will also notify parents/carers by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

### **Internal Exclusions**

Internal exclusion is a planned strategy in response to an incident involving a level of violence, or threatened violence, to staff, other students or property of the School. The aim is to avoid a formal exclusion with the intention that the consequences of violent behaviour are managed confidently and consistently within the School setting.

An internal exclusion will occur as soon as practical after the incident which may mean the following day, but this is not always the case. An internal exclusion will be for the duration of a session which will include a break time and will be for at least 2 Hours. During this time nothing is earned eg merits. It is essential that these times are managed consistently by staff so students perceive that staff response is firm and not open to negotiation.

The internal exclusion should be carefully planned, considering both location and staffing. An internal exclusion may be managed within the classroom in a designated area. This could be at the back of the class or an area separated by a screen. Where this is not practical the internal exclusion will take place in another designated area that is safe and able to be supervised appropriately.

The students will have a range of tasks to complete which could include:

- A Think Sheet /conversation with staff
- Work to be completed from time missed in class
- Independent subject work

These tasks need some preparation; a classroom file should be available for this material to be accessed efficiently and all staff should be familiar with what is required.

It is important that the student is able to do this work independently to show application and compliance and that this will require minimal supervision and interaction by the on-call staff. There may be a need for regular staff changeover during this period. It is also important that staff manage this time with a serious disposition. The student and the rest of the class need to be aware of the gravity of the situation and those improvements must be made. An internal exclusion is never a “soft option.” It is a planned and considered intervention to avoid a formal exclusion in the same way that class teacher monitors levels of behaviour. Reference to this response is recorded on the School’s behaviour management system. Staff can explain the detail during regular contact with parents/carers. Internal exclusions will be monitored in the same way as incidents in general. Evidence of regular internal exclusions will prompt further dialogue with parents/carers and might **not** necessarily lead to a formal exclusion.

Our aim is to reduce formal exclusions by ensuring more effective responses to inappropriate behaviour in the School. Internal exclusion is an integral part of this process and for this reason must be implemented and maintained across the School.