



LONDON SOUTH EAST ACADEMIES TRUST

Exclusions Policy

Responsible post holder	Executive Headteacher
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1. STATEMENT OF INTENT

London South East Academies Trust believe that in order to achieve its vision of success and fulfilment for every pupil and enable effective teaching and learning to take place, good behaviour in all aspects of school life is necessary. The decision to exclude any pupil, therefore, will only be taken where other options have been exhausted or will not reduce the disruption or risk to the rest of the school community at that point.

In exceptional cases, permanent exclusion may be considered where all other avenues for a change of placement or alternative programme have been exhausted and the following two criteria are met:

- In response to serious breaches of the School's Behaviour Policy
- If allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others in the academy.

(DFE guidance states that both have to be proven both to be true).

However, the context of the schools and their role in providing for permanently excluded children and children with EHCPs make it unacceptable in all but the most exceptional of cases for a child to be permanently excluded from any of our schools.

2. ROLES AND RESPONSIBILITIES

The decision to exclude a pupil from the school can and will only be taken by the Head of School/ Headteacher or, in their absence, the Deputy Head of School, to whom he / she has delegated the authority to exclude. No other staff member can make this decision or send a child home without the permission of the Head of School/ Headteacher or his / her delegated deputy. Sending a pupil home without an exclusion where the pupil is not unwell is not an acceptable response to any situation.

3. DECIDING WHETHER TO EXCLUDE A PUPIL

The decision to exclude a pupil is a matter of judgement for the Head of School/ Headteacher, who will consider the likely impact of the misconduct on the life of the school. This may include behaviour on the school premises or during school visits and residential activities that is in breach of the standards of behaviour expected by the school.

Behaviour outside of school will not be sanctioned by a fixed term exclusion as this does not address the behaviour itself which can be better dealt with within the school environment. Although our schools cater primarily for pupils who exhibit behavioural difficulties, this does not mean that the expectations of behaviour are low or that pupils preventing others from learning or staff from effectively carrying out their duties in relation to teaching are acceptable. However, staff will work with pupils to avoid exclusion using internal exclusion or "isolation" as an alternative as well as considering a restorative approach to incidents.

Our schools do not use Permanent Exclusions as this would not be appropriate where the PRU/ Special School provides placements for pupils who are permanently excluded or have EHCP respectively. However, where a pupil has behaved in such a way that their placement is no longer tenable at one of the schools, consideration is then given to implementing an alternative programme to permanent exclusion which may mean education off site or through a combination of virtual learning, home tutoring, alternative provider and 1:1 tuition.

Before reaching a decision to exclude for a fixed period, the Head of School/ Headteacher will:

- consider all relevant facts and such evidence as may be available to support the allegations made, considering the School's Behaviour Policy.
- allow the pupil to give his or her version of events.
- check whether the incident may have been provoked, for example by racial or sexual harassment or any form of bullying but also consider the pupil's response and level of behaviour displayed including harm or risk to others.
- Consider whether a restorative approach may be used to address the issue or whether internal exclusion / "isolation" is appropriate considering the severity of the incident (any deliberate act of violence towards staff or young people will in almost all cases result in a fixed term exclusion).
- keep a written record of the actions taken, including any interview with the pupil. Witness statements must be dated and should be signed, wherever possible.

4. PERMANENT EXCLUSIONS

The London South East Academies Trust will take every step to endeavour that pupils are not permanently excluded and maintain the inclusive ethos and values that it promotes. To prevent permanent exclusions, schools may look for alternative programmes to be put in place for any pupil where their placement is no longer tenable at the school they attend. In the case of pupils with Education Health Care Plans, pupils whose placements are at risk of breaking down will be referred for an emergency review.

In circumstances which would often in a mainstream school result in a permanent exclusion, the Head of School/ Headteacher working with the DCEO may consider it appropriate to exclude a child on a fixed term basis for up to 5 days pending the implementation of an offsite education programme for a period of time (reviewed on a regular basis). Such circumstances might include:

- Where there has been serious actual violence against another pupil or member of staff resulting in police involvement and potential prosecution where bail conditions prevent the pupil having contact with the other young person or staff member.
- Serious sexual misconduct
- Supplying an illegal drug in which case the police and social services will be informed and any substances handed to the police.
- Carrying an offensive weapon with clear evidence of likely harm to another young person or any other member of the school community (threatening behaviour and observed intimidation).
- Any severe form of bullying including racist or homophobic bullying which results in police involvement and potential prosecution.
- Any action resulting in a serious health and safety issue. ^[1]_[SEP]

In cases where a criminal offence has taken place, the police may be informed and where appropriate, the Youth Offending Team, Social Services or any other outside agency involved with the pupil. ^[1]_[SEP]

6. FIXED TERM EXCLUSION

The Headteacher / Head of School may exclude a pupil for up to 45 days in any one academic year. Generally fixed term exclusions will be for one to five days. No exclusion will be given for an unspecified period of time and exclusions will only ever be the decision of the Head of School or Headteacher. NO OTHER MEMBER OF STAFF CAN MAKE THE DECISION TO SEND A CHILD HOME WITHOUT THE PERMISSION OF THE HEAD OF SCHOOL/ HEADTEACHER.

The length of a fixed term exclusion is the decision of the Head of School/ Headteacher based on their professional judgement and the information provided by any staff involved in the incident leading up to this. However, as an indication, the following would be deemed a reasonable but not exhaustive list of behaviours and sanctions:

- Continual and relentless disruption to the smooth running of the school which prevents others from learning
- sustained racial, sexist or homophobic abuse with threatening behaviour.
- deliberate assault on staff and/ or peers which is not within a restraint situation • bringing in banned or illegal items to school and refusing to hand them in to staff
(e.g. drugs, alcohol, weapons).
- Significant damage to or theft of property resulting in police involvement.

Where a child or young person is sent home due to health concerns or failure to take prescribed medication, this is not a fixed term exclusion and should be coded according to the register coding indicated. Reasons here may include not being medicated when medication is prescribed for the child to be able to cope within the school setting, appearing potentially under the influence of an illegal substance or any incident of self-harm or serious risk-taking behaviours.

7. PROCEDURES FOLLOWING A FIXED TERM EXCLUSION

The Head of School/ Headteacher will inform the parent/carer of the period of the exclusion and the reasons for it both on the phone if contact can be made and in writing. During this process the school will ensure that the parent or carer is informed of their duties in the first five days.^[SEP] Where the exclusion is for a period of between one and five days the school will set work and arrange for it to be marked. The letter explaining the reasons for exclusion must be sent out on the first day of exclusion.

Where a pupil is given an exclusion of six days or longer the school must arrange suitable fulltime education from and including the sixth day.^[SEP] During the period of exclusion, the school will consider strategies to address the pupil's problems and identify any support that may be necessary to promote a successful reintegration. This may form the basis of a Personal Timetable (PTT) which can then be reviewed and amended on at least a fortnightly basis as part of the planned return of the pupil to full-time on-site learning.

The parent/carer has the right to make representations about the exclusion to the Discipline Committee of the Governing Body.^[SEP] Should any parent/carer refuse to comply with the terms of an exclusion during the first 5 days the School may notify the Social Care Department and the police if, in the Head's view, the pupil or any person may be at risk as a result of a failure to meet the terms of the exclusion with regards to safeguarding. It is expected that any child excluded for a fixed period remains at home during the school day and is not seen in a public area during this time.

8. REINTEGRATION

A reintegration meeting with parents or carers will be held during or following the expiry of all fixed-term exclusions. The pupils should normally attend all or part of the meeting.

Upon return from fixed-term exclusion a Pastoral Plan may be discussed, agreed and signed by the pupil, parents/carers and the school. This will identify the issues leading to the exclusion and outline a clear set of expectations for a smooth and successful reintegration. A range of additional strategies and resources to support the reintegration process may be identified. Any Pastoral Plan or Personal Timetable (PTT) must be communicated to and sent to the Inclusion Lead at the point of implementation with all review paperwork and timetables emailed to support this.

A fixed term exclusion will not be extended because a meeting with parents/carers cannot be arranged, nor because a parent/carer refuses to sign a Pastoral Plan. In the event that a meeting with parents cannot be arranged, the meeting will still be held with the pupil and an appropriate adult. Reintegration meetings may also take place at the pupil's home if the parent / carer is unable to attend and has a history of non-engagement with education or the school specifically. The school will keep a record if parents or carers fail to attend and any reason given.

9. OTHER CONSIDERATIONS

The Schools will implement its Behaviour Policy with due regard to the implications arising from the Special Educational Needs and Disability Act 2001, the Race Relations (Amendment) Act 2000, the Human Rights Act 1998 and any other relevant legislation including the Equality Act 2010.

Our schools will be sensitive to the needs of children in public care when excludable incidents occur. Professional advice will always be sought and social services will be kept informed at the earliest opportunity.

In all cases, a restorative approach is the preferred option unless there is harm caused to another person through deliberate assault when a fixed term exclusion may be followed by a restorative meeting.

10. ALTERNATIVES TO EXCLUSION

Our schools are committed to using exclusion as a last resort. Alternatives will always be considered and may include:

- restorative justice processes
- isolation
- PTT

No pupil will be excluded for minor incidents e.g. failure to do homework, poor academic performance, lateness or truancy, pregnancy, breaches of the academy uniform rules except where these are ^[L]_[SEP] persistent and/or in open defiance of the rules (this would then be written into the PP and not constitute a FTE), the behaviour of their parents e.g. parents refusal or inability to attend meetings to discuss the behaviour of the pupil. ^[L]_[SEP]

11. PROCEDURES FOR REVIEW AND APPEAL ^[1]_{SEP}

The Trust will make provision for arrangements to review promptly all fixed-term exclusions totalling over 15 days in any term. Where exclusion is more than 5, but not more than 15 days in one term, the Governors will review the exclusion, within the statutory time frame, but only if the parent or carer requests such a meeting.