

Brine Leas School
Part of Brine Multi-Academy Trust



EXCLUSION POLICY

RATIONALE

New arrangements for school exclusion came into force in September 2017. Brine Leas School policy works in accordance with these arrangements.

The rules governing exclusions from schools, academies and pupil referral units in England can be found at "<http://www.legislation.gov.uk/ukpga/2002/32/section/52>" s52 Education Act 2002.

This policy demonstrates Brine Leas' commitment and compliance with the rules governing exclusions from schools (September 2017) and should be read in conjunction with the following school policies:

- Anti-bullying Policy
- Drugs Policy
- Home School Agreement
- Home School Partnership Poliy
- Staff Code of Conduct Policy
- Student Behaviour Policy (Positive Schooling Handbook)
- Uniform Policy
- Use of Mobile Phones Policy

Brine Leas School recognises that in order to ensure a positive atmosphere based on a sense of community and shared values it may, on occasions, be necessary to exclude an individual or individuals either for a fixed period, not exceeding forty five days in any one academic year, or, in some circumstances, permanently.

Such exclusions should only be resorted to when the school can demonstrate with adequate evidence that all reasonable steps have been taken and/or that the presence of the students is likely to be severely detrimental to themselves, other students or staff. There may also be occasions when a short-term exclusion is appropriate because of unacceptable behaviour. This will involve a back to school meeting to reintegrate the students and clear targets will be set in a behaviour contract in order to manage their future behaviour.

PURPOSE

1. To maintain an environment where students can develop academically, morally and socially.
2. To maintain the highest standards of behaviour.

3. To protect the well-being of all students and adults within the school.
4. To meet statutory requirements, in particular to confirm with the DFE Exclusion from maintained schools, Academies and pupil referral units in England. September 2017.

GUIDELINES

1. Students demonstrating poor behaviour should move through the hierarchy of sanctions outlined in the policy included within the BLS Student Behaviour Code. However, exclusion will always be considered in the case of students involved in higher level behaviours explained in the Student Behaviour Policy.
2. Only the Head, or a Deputy/Assistant Headteacher in their absence, may exclude.
3. Staff investigating the exclusion must follow the school's procedures as outlined on the internal Exclusion/Alternative Provision Form. A member of the school's SLT must moderate the tariff and reasons before exclusion is recommended to the Head of School (or Deputy Headteacher in their absence).
4. Students and their parents will be given an opportunity to express their view and give their account of an incident.
5. All exclusions must be formally notified in writing to the parents indicating brief details of the offence, the period of exclusion, the right of parents to appeal, details of work set and the date for re-admission. If a permanent exclusion is being considered, this must be stated on the fixed term exclusion letter to parents/carers. The LA and Chair of Governors should be informed of a permanent exclusion within one school day.
6. Parents will be invited into school to discuss with an appropriate member of staff the criteria by which a student may be re-admitted, where possible on the first day the student returns to school. In more severe cases, a Governor, local police or other agencies may also be asked to attend. Back to school meetings will follow a set format (see appendix 1).
7. In all cases parents will be informed of their right to make representations to the Local Governing Board (via the Clerk).
8. Support will be provided for excluded students during exclusion (e.g. by the provision of work and homework as appropriate to the length of the exclusion) and at re-entry to the school. It is the responsibility of parents/carers to return work to school to be marked. For students with special educational needs, this should be matched appropriately to their statement and/or need.
9. In cases of exclusion that are permanent, or result in a student missing a public examination, the Discipline Committee of the Governing Body will meet within 15 school days. Such hearings will follow the procedures recommended in the LA and DFE Guidelines on Student Exclusions.
10. Where a student is given a fixed period of exclusion of a duration of 6 days or longer, the school will arrange suitable full-time educational provision from and including the 6th day of the exclusion.

11. During the initial period of up to 5 school days, the parents/carers of the excluded student must ensure that they are not present in a public place during normal school hours without reasonable justification. This requirement applies whether or not the student is in the company of the parent(s). The LA has the right to issue a penalty notice if a student is seen in a public place during school hours.
12. The Governing Body has indicated that the punishment of permanent exclusion may be applied to the possession or supply of illegal drugs on or outside of the school premises or if a student comes to school under the influence of drugs¹.
13. The Governing Body has the right to direct the Headteacher to reinstate a student that has been permanently excluded.
14. Parents have the right to contest the decision of a Governing Body by contacting an independent review panel through the Brine Leas Academies Trust. When requested by a parent, this panel may need to appoint a Special Educational Needs expert. It is left to the Governing body to decide whether or not they act on the advice of the independent panel.
15. Excluded students should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and ability to understand.

It is usual that exclusion will occur on the following grounds:

1. In response to a one-off misbehaviour which is so serious that it cannot be adequately dealt with by allowing the student to continue to attend school.
2. An act of violence (verbal or physical) or threatening/intimidating behaviour involving another student or member of staff.
3. A criminal or serious act which requires investigation.
4. A series of behavioural problems which culminates in the decision to exclude a child because they are beyond the reasonable control of the school.
5. Possession or supply of illegal drugs on or outside of the school premises; or if a student comes onto the premises under the influence of drugs..

N.B. As not every eventuality can be foreseen, this is not an exhaustive list and Brine Leas School reserves the right to exclude for reasons deemed appropriate.

Duration of Exclusions

1. The Headteacher may exclude a student for one or more fixed periods, not exceeding a total of 45 days in any one school year.
2. If a student is excluded for lunchtimes only, each lunchtime counts as half a day (one session).

¹ For the purpose of this policy, the term 'Drugs' includes alcohol and any other prohibited substances.

3. The Headteacher must notify Governors in order to convene an Appeal Meeting if the decision is taken to exclude a student for more than 15 days.

N.B. Local Authorities need to oversee adjustments to a school budget where a school does not reinstate following a direction by a panel to reconsider its decision to permanently exclude. This is payment towards the cost of alternative provision.

Compiled by: L Darling	Date: 1 st May 2019
Approved by Governors: May 2018 (Students' Committee)	Date of Review: May 2022
Compiled by: L Darling	Date: 5 th February 2018

Return to School Meeting

Meeting Format

1. Clarify reason for FTE (see reasons for exclusion section below - highlighted in yellow).
2. Ask if the student can guarantee that they will **try** their best not to repeat this behaviour in the future.
3. Agree a behaviour contract that parents/carer, the student and the school signs (see below in pink).
4. Ask if there is any other support that the student/parents/carer require from the school.
5. Ask if there is any information that the school don't already know about the student (eg. SEND, PLAC, LAC).
6. If the meeting runs into a lesson, put the student in the LEC and then allow them to start afresh for the next lesson. Don't return a student part way through a lesson.
7. Give EFR all notes/paperwork from the meeting. This will be attached to the exclusion form and copied onto Bromcom/Cpoms and emailed to progress manager as appropriate.

Brine Leas School recognises that in order to ensure a positive atmosphere based on a sense of community and shared values it may, on occasions, be necessary to exclude an individual or individuals for a fixed period.

PURPOSE (*highlight all that apply*)

1. To maintain an environment where students can develop academically, morally and socially.
2. To maintain the highest standards of behaviour.
3. To protect the well-being of all students and adults within the school.

Reasons for an exclusion:

It is usual that exclusion will occur on the following grounds:

1. In response to a one-off misbehaviour which is so serious that it cannot be adequately dealt with by allowing the student to continue to attend school.
2. An unprovoked act of violence (verbal or physical) involving another student or member of staff.
3. A criminal or serious act which requires investigation.

4. A series of behavioural problems which culminates in the decision to exclude a child because he or she is beyond the control of the school.
5. Possession or supply of illegal drugs on school premises; or if a student comes onto the premises under the influence of drugs or alcohol.

N.B. As not every eventuality can be foreseen, this is not an exhaustive list and Brine Leas School reserves the right to exclude for reasons deemed appropriate.

Behaviour contract for [Name of Student]:

1. Not to bring any prohibited item onto school premises.
2. Not to bring any item (prohibited or otherwise) onto school site with the intention of using it as protection or to injure/harm another member of the school community.
3. To report worries about the intimidating/threatening/unkind behaviour of other students to Progress manager or any other member of staff straight away
4. To remove herself from worrying situations and go to the LEC straight away, using the release me card.

Signature of Student.....

Signature of parent/carer.....

Signature on behalf of school.....

Date.....

NOTES FROM/FOR MEETING: