

Exclusion Policy

Introduction

The Dixons Academies Trust is committed to providing optimum learning opportunities for all its students and supporting this provision through all difficulties experienced by students. Any fixed-term or permanent exclusion in this context is a major decision and will be made within clear parameters. All decisions will be lawful, reasonable and fair. The Trust pays due regard to the principle legislation, namely:

- the 2011 Education Act
- the School Discipline Regulations 2012
- the Education and Inspections Act 2006
- the Education Act 1996
- the Education (Provision of Full-Time Education for Excluded Pupils) Regulations 2007, as amended by the Regulations 2014

The academy recognises that certain students, because of unacceptable behaviour, can spend a disproportionate amount of time in discipline, counselling and punishment. These students are worth persevering with, and the academy feels it can support these children if it receives full parental support; does not feel that the child is a persistent bully (i.e. other students and staff are not intimidated by that individual); does not feel that to continue to provide a place for that child significantly damages the learning and well-being of others; and the child does not persist in disruptive behaviour contrary to the academy's Behaviour Policy.

Scope and purpose of this policy

This policy covers all pupils across the Dixons Academies Trust. We are mindful not to discriminate against children on the basis of protected characteristics such as disability. Children with identified special educational needs (SEN) will need more support to meet expectations, although they must not present a health and safety risk to staff or students and must be within the control of the academy. The Principal will pay due regard to the SEND Code of Practice when excluding a child with an identified need.

A pupil may be excluded for one or more fixed-term periods (up to a maximum of 45 school days in a single academic year) or permanently. Pupils can be excluded for full days or parts of a day or from the premises at lunchtime if behaviour at this time is disruptive. Usually the Principal will exclude for five days in the first instance to fully investigate any incident that may lead to permanent exclusion. The academy has the duty to make an arrangement for education if a fixed-term exclusion goes beyond five days.

The purpose of this policy is to provide clarity for all stakeholders.

Roles and responsibilities

The Principal

Only the Principal has the power to exclude a pupil and this is only on disciplinary grounds. When establishing facts, the Principal must apply the civil standard of proof: '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'.

The Principal has the right to direct a child to off-site education. A permanent managed move as a preventative measure or as an alternative to permanent exclusion should involve the agreement of the family. Parents will be informed initially by telephone and, if possible, in a face-to-face meeting. This will be followed up with a letter.

The Principal must notify the Governing Body immediately in the case of a permanent exclusion or where a fixed-term exclusion extends beyond five days. They must also inform the Local Authority of any permanent exclusion.

The Parent / Carer

The parent may write to the Governing Body to ask them to review a fixed-term exclusion, although the Governing Body does not have the power to overturn such a decision if it is less than five days. Parents do have the right to be informed of any fixed-term exclusion and the right to attend a Pupil Disciplinary Committee. A parent may make representation if a fixed-term exclusion is more than five days. The parents have a duty to ensure their children are not in a public place at any time during the school day. Failure to comply with this could lead to a fixed penalty notice or prosecution. In the case of a permanent exclusion, a meeting will be arranged and the parent may arrange representation and / or bring a friend. Parents have the right to apply for a review by an independent review panel within 15 days of the notification.

The Governing Body

In the case of a permanent exclusion, the Trust's Pupil Disciplinary Committee (at least 3 governors, hereafter PDC) must arrange a hearing within 15 days of receiving the notification. The Governing Body must ensure the pupil's name is removed from the school roll once 15 days have passed since the parents have been notified. In the case of an application to an independent review panel, the academy should wait to remove the pupil from the school roll. The Governing Body does not have the right to overturn a Principal's decision to fixed-term exclusion for less than five days. In the case of a fixed-term exclusion of less than five days in a term (two Dixons terms), the PDC may hear a parent's representation but does not have the power to reinstate. In the case of exclusions bringing the total days of a pupil's exclusion to more than 15, or in the case of a fixed-term exclusion of more than five days, the PDC must consider within 50 school days of receiving the notification from the parent. The PDC will set out its decision in writing to the parents.



The Local Authority

In the case of a permanent exclusion, the local authority must arrange suitable full-time education no later than the sixth day of exclusion.

An independent review panel

An independent review panel does not have the power to direct the Governing Body to reinstate an excluded pupil. If they consider the Governing Body's decision is flawed, it can direct the Governing Body to reconsider its decision.

Prevention and procedures

The academy will make full use of the commitment as outlined in the home-school agreement. The academy will not exclude a student unless it is absolutely necessary to do so and if there is felt to be no other viable alternative, such as in response to serious or continuous breaches of the academy discipline policy or if allowing the student to stay would harm the education or welfare of other students or staff.

Other than in the case of serious one-off incidents, the permanent exclusion of students will be the final sanction at the end of a lengthy series of procedures, which may include:

- verbal reprimands and restorative work
- counselling from staff within the academy
- lunchtime or after-school detentions / correction
- report to a specific member of staff
- supported individual study
- a review of the curriculum provision
- removal from class / change to sets and / or classes
- fixed-term exclusions
- Pastoral Support Plans
- My Support Plans
- referral to Child and Adolescent Mental Health Service and SEN specialist providers
- referral to preventative places (e.g. Pupil Referral Unit PRU)
- application of an Educational Support Plan (EHCP)
- work with Families First or Children's Services
- in the case of looked-after children, liaising with the Virtual School Head teacher
- managed moves

Additionally, for some students securing an alternative provision is an option. Both our primary and secondary academies work within South Bradford behavioural collaboratives. In the case of on-going difficulties, the parents will have been involved in meetings with middle and senior leaders, including the Principal or Head of School / Vice Principal.

Parents will be informed as regularly as possible and encouraged to support the academy. If it is felt that the normal disciplinary actions of the academy are having little effect, then the student will move on to the Pastoral Support Plan. This will be specifically designed to counteract those misdemeanours causing the most problems. The academy will offer counselling support to any student seen as at risk of exclusion and, if appropriate, involve relevant external agencies. If there is no improvement, or there are persistent lapses in the student's behaviour, then parents will be called in again. A formal warning should be issued at this stage, and the pupil will be informed that their place at the academy is at risk. If there is no measurable improvement, the pupil will be referred to the Principal for a final warning.

All stages of the procedure are documented, and parents are always informed of any action taken by the academy. Continuous misbehaviour will bring the student to the point of exclusion. It should be noted that, in order to progress to this stage, the student must have seriously contravened academy regulations, either by a one-off exceptional circumstance where either the law is broken or the pupil is 'beyond the control of the school' or by persistent defiant behaviour. In such cases, the Principal may take the decision to exclude the student for a number of days (a fixed-term exclusion). The governors will be informed after five days.

Reintegration

Following any fixed-term exclusion, the academy will take reasonable steps to meet with parents and pupils to ensure there is clarity around the reasons for the action and also to discuss the pupil's reintegration. This meeting will be chaired by the Principal or, in his or her absence, another senior member of staff. At the meeting, the strategy for reintegration and managing the pupil's behaviour will be discussed.



The decision to permanently exclude

There will be exceptional circumstances where, in the Principal's judgement, it is appropriate to permanently exclude a child for a first or 'one-off' offence. Such offences might include:

- serious actual or threatened violence against another pupil or member of staff
- sexual or racial assault
- supplying or using an illegal drug
- carrying an offensive weapon

Review of policy

This policy is reviewed annually by the Trust Board. We will monitor the application and outcomes of this policy to ensure it is working effectively.

