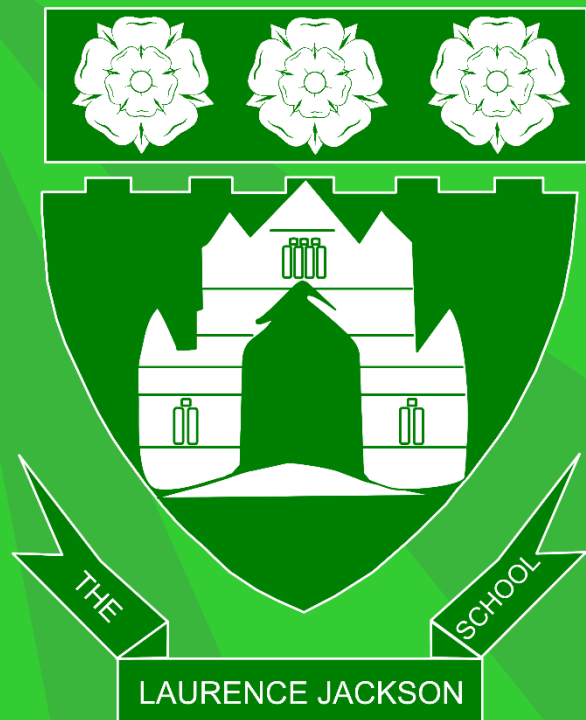


EXCLUSION POLICY



Author	Statutory changes	Doc version	Date
Catherine Jukes	N/A	Version 1	September 2020

This policy should be read/considered in conjunction with Laurence Jackson School's Behaviour & Conduct Policy and Drugs Policy.

At Laurence Jackson School, we are committed to providing the best educational experience we can for all of our students, which includes maintaining a disciplined learning environment.

We have established a range of focused strategies to encourage students to develop mature and responsible behaviour allowing them to achieve their personal best. These strategies are detailed in section 9 of our Behaviour & Conduct Policy, are used alongside our rewards system (section 8 of the same Policy) and are applied in a consistent manner by our staff.

However, if the strategies mentioned above fail to modify a student's behaviour or a serious incident warrants it, exclusion will be considered.

1. Internal Exclusion

- 1.1) Internal Exclusion is the first tier of exclusion we use at Laurence Jackson School. This sanction will be considered when all other strategies available to the school have been implemented but have been unsuccessful in modifying the behaviour of the student or in response to a first offence of a more serious nature.

2. Fixed Term Exclusion

- 2.1) More serious breaches of the school's Behaviour & Conduct policy may result in a student receiving a fixed term exclusion (FTE). This would also be used if a student refuses to meet expectations whilst internally excluded or in Reflection.
- The decision to exclude a student must be lawful, reasonable and fair. Laurence Jackson School will give particular consideration to vulnerable students before a fixed term exclusion is given.
 - Only the Headteacher can exclude and it must be on the grounds of discipline. A student can be excluded for up to 45 days within an academic year.
 - All children have the right to an education and Laurence Jackson School will take reasonable steps to set work and mark work for the first 5 days of an exclusion period.
 - Alternative provision for education must be made by the sixth day (known as Sixth day provision). This will be provided in consultation with parents/carers, SLT and the appropriate provider.
 - Following an exclusion, the parent/carer will be required to attend a reintegration meeting where a plan for reducing the likelihood of further FTE will be discussed.
 - Further guidance can be found at <https://www.gov.uk/government/publications/school-exclusion>.
- 2.2) Where a student repeats behaviour which has already led to an FTE, further exclusions will be issued using a stepped approach, for example; a student receives a 1 day FTE for defiance and refusal, if this behaviour is repeated they will be issued with a 2 day FTE and so on up to a maximum of a 5 day FTE.

- 2.3) If a student is excluded for more than 15 days within a school term, the student and parents/carers will be invited to attend a Governors' Disciplinary Committee, where the student's future at the school will be discussed.

3. Permanent Exclusion

- 3.1) Permanent Exclusion will only be used in the most extreme cases where all other options have been considered. All evidence will be presented to a Panel of Governors prior to the exclusion meeting. The decision will be forwarded to the Local Authority (LA) and parents/carers will have the opportunity to appeal. The LA will be responsible for providing alternative education should a Permanent Exclusion be upheld.
- 3.2) In line with the Academy Trust's Articles of Association and Schemes of Delegation, the decision to exclude will only be made by the Headteacher and/or the Executive Principal. A decision to exclude a student permanently should only be taken: in response to serious or persistent breaches of the Academy's Policy; and where allowing the student to remain in the school would seriously harm the education or welfare of the student or others in the school.
- 3.3) Incidents which may result in Permanent Exclusion include;
- Persistently poor and disruptive behaviour.
 - Acts of aggression/violence (actual or threatened) toward another student or a member of staff.
 - Criminal activity (including but not limited to, possession, consumption and/or supplying illegal drugs, sexual abuses/assault) damage to school property or behaviour which could place students/staff/or members of the public's health and safety at risk of significant harm (this would include the deliberate false activation of a fire alarm or carrying an offensive weapon).
- 3.4) Please note that this is not an exhaustive list, however, for any student found intentionally carrying out any of the above, permanent exclusion will be considered.
- 3.5) The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.
- a. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying), persistent and serious disruption of teaching and learning across the school or repeated possession and/or use of an illegal drug on Academy premises.
- b. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a student for a first or 'one off' offence. These might include:
- Serious actual or threatened violence against another student or a member of staff.
 - Sexual abuse or assault.
 - Supplying an illegal drug (on or off the premises).
 - Possession or use of an illegal drug (see Drug Related Exclusions).
 - Carrying an offensive weapon.
 - Arson.

The school will consider police involvement for any of the above offences.

- 3.6) Offensive weapons are defined in the Prevention of Crime Act 1953 as “any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him.

**Please note: any person found in possession of an illegal weapon (e.g. knife) must be reported to the Police.*

- 3.7) The Headteacher and authorised staff have the statutory power to search students without consent when they have reasonable grounds for suspecting that serious harm will be caused to a person if the search is not conducted immediately. This extends to instances where a member of staff has lawful control or charge of a student. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well-being of the school community.

- 3.8) Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher/Executive Principal will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations, taking into account any appropriate school policies.
- Allow the student to give her/his version of events. Please note, these views may be taken retrospectively.
- Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment.

- 3.9) Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the student concerned.

- 3.10) If the Headteacher is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion will be the outcome.

4. Exercise of discretion

- 4.1) In reaching a decision, the Headteacher will always look at each case on its own merits. Whilst it is important to ensure that decisions are both fair and consistent, it is also true that the circumstances of each case will be different and therefore it will inevitably be the case that students will receive different sanctions and differing exclusions for what may seem to be similar offences.

- 4.2) In considering whether permanent exclusion is the most appropriate sanction, the Headteacher will consider:

- The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School’s Behaviour Policy and
- The effect that the student remaining in the Academy/School would have on the education and welfare of other students and staff.

- 4.3) In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors’ Review Panel, when it meets to consider the Headteacher’s decision to exclude. This Panel will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the student’s record, witness statements and the strategies used by the school to support the student prior to exclusion.

5. Alternatives to Exclusion

- 5.1) The school will work closely with its regional LAs and other Secondary Schools to undertake a managed move where such a course of action would be of benefit to the student.

6. Alternative Education Base

- 6.1) A small number of students who experience long-term problems with behaviour for learning in the wider school and classroom settings, may be educated on a short-term basis in our Alternative Education Base, known as *Resolution*. This facility will offer an alternative to permanent exclusion. Parents and carers are fully involved with the decision to support their child by inclusion in this facility and will be required to attend an entry and exit meeting with 6 weekly reviews.
- 6.2) The Headteacher may also consider accessing a place for the student at off-site Alternative Provision, as an alternative to permanent exclusion, if this is deemed appropriate.

7. Lunchtime Exclusion

- 7.1) Students whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. This will be treated as fixed term exclusion and parents will have the same right to gain information and to appeal.

8. Behaviour Outside of School

- 8.1) Students' behaviour outside school, whilst on school business, for example trips and journeys or a work experience placement, will be subject to the school's Behaviour Policy. Poor behaviour in these circumstances will be dealt with as if it had taken place in the school.
- 8.2) For behaviour outside school that is not deemed to be school business but may affect the reputation of the school in the local community, this Policy will still take effect if there is a clear link between that behaviour and maintaining good behaviour and discipline amongst the student body as a whole. If students' behaviour in the immediate vicinity of the school or on a journey to or from school is poor and meets the school criteria for exclusion, then the Headteacher may decide to exclude.

9. Drug Related Exclusions

- 9.1) In deciding whether or not to exclude for a drug-related offence, the Headteacher will have regard to the school's published policy on drugs and may also seek advice from the police. The decision will depend on the precise circumstances of the case and the evidence available. In some cases, fixed term exclusion will be more appropriate than permanent exclusion. The Headteacher will make a judgement set against the criteria in the school's Drugs Policy.

10. Governors

- 10.1) The governing board emphasises that violence or threatening behaviour will not be tolerated in any circumstances.