



THE ACADEMY OF
ST NICHOLAS

Exclusion Policy

Review Period:	Annually
Person Responsible For Policy:	Headteacher
Governing Committee:	LAC
Date of Governing Committee Approval:	May 2024
Date for Review:	May 2025

The Academy of St Nicholas is committed to being a fully accessible and inclusive organisation, welcoming and respecting the diversity of its student, staff, community and visitors to the academy.

Rationale

This policy is underpinned by the commitment of all at The Academy of St Nicholas to ensure the safety and well-being of the whole academy community and to maintain an appropriate educational environment in which all can learn and achieve.

We have an overall aim of reducing the need to use exclusion as a sanction.

Introduction

The decision to exclude a student will be taken by the Headteacher in the following circumstances:-

- (a) In response to a serious breach of the academy's Behaviour Policy;
- (b) If allowing the student to remain in the academy would seriously harm the education or welfare of the student or others in the academy.

Exclusion is an extreme sanction and is only used by the Headteacher (or, in the absence of the Headteacher, the Deputy Headteacher who is acting in that role).

Exclusion will be used when there is an immediate threat to the safety of others in the academy or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher will ensure appropriate investigations have been carried out, considering all the evidence available.

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the academy's Behaviour Policy:

- Verbal abuse to staff and others
- Verbal abuse to students
- Physical abuse to/attack on staff
- Physical abuse to/attack on students
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs or other substances, including supplying
- Theft
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Carrying an offensive weapon
- Arson
- Bringing the name, or image, of the Academy into disrepute in any format (including online)
- Unacceptable behaviour which has previously been reported and for which academy sanctions and other interventions have not been successful in modifying the student's behaviour

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that exclusion is an appropriate sanction.

Exclusion procedure

- Most exclusions are of a fixed term nature and are of short duration (usually between one and five days).
- The DFE regulations allow the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year.
- Following exclusion, parents/carers are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends.
- Parents/carers have a right to make representations to the Governing Body

- A 'return from suspension' meeting will be held following the expiry of the fixed term exclusion and this will involve the student, parent/carer, a member of the pastoral team, and other staff where appropriate.
- It is academy practice to monitor the behaviour and work of the student very closely for the period following exclusion. This may mean the use of a report or close support by staff.
- If the fixed term exclusion is greater than five days or an accumulation of exclusions exceeds five days, a pastoral support plan may be drawn up. This needs to be agreed with the academy, student, parents/carers and any agencies involved.
- During the course of a fixed term exclusion where the student is to be at home, parents/carers are advised that the student is not allowed on the academy premises, and that daytime supervision is their responsibility, as parents/carers.

Fixed term exclusions over five days

According to DFE guidance the academy is obliged to provide full time education from the sixth day of any period of fixed term exclusion of six days or longer.

The academy will consult with the LA officers for any exclusion of more than five days in order that appropriate full-time education and transport is arranged.

The academy will provide education by working with:

Pupil Referral Unit

The Local Authority

The academy will liaise with the outside education provider to ensure that the student continues with his/her programme of study. In most cases, when appropriate, the academy will set the work to be completed and ensure that it is completed appropriately.

Permanent Exclusion

The decision to exclude a student permanently is a very serious one. There are two main types of situation in which permanent exclusion may be considered.

The first is a final, formal step in a concerted process for dealing with disciplinary issues 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 e.g. repeated bullying (which could include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.

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

Possession of or Supplying an illegal substances

Carrying an offensive weapon*

Arson

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

** 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."*

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 academy.

Exercise of discretion

In reaching a decision, the Headteacher or Deputy Headteacher will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate. 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 academy's Behaviour Policy and the effect that the student remaining in the academy would have on the education and welfare of other students and staff.

In line with its statutory duty, these same tests of appropriateness will form the basis of the deliberations at a governors' exclusion appeals hearing/meeting, when it meets to consider the Headteacher's decision to exclude.

Alternatives to Exclusion

The academy works closely with other local secondary schools to undertake managed moves where such a course of action would be of benefit both to the student and the two academies/schools concerned.

Behaviour Outside the Academy

Students' behaviour outside the academy on "academy business", for example educational visits and journeys, away sports fixtures or a work experience placement is subject to the academy's Behaviour Policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in the academy. If students' behaviour in the immediate vicinity of the academy or on a journey to and from the academy is inappropriate and meets the academy's criteria for exclusion then the Headteacher may decide to exclude.

Monitoring and review

The policy will be reviewed every three years unless an incident occurs which suggests a review is needed