

## Rainford High

# Exclusion Policy

**Scope of Policy:** This policy applies to all students at Rainford High Technology College.

### Key Requirements/ Legal Duties

This policy responds to the requirements of the Education Act 2002 all academies must have policies on student discipline and exclusion, which must be available to all parents and prospective parents.

The current exclusion policy and guidance is based on *Exclusion from maintained academy's, Academies and pupil referral units in England, September 2017*. This policy should be ratified or updated annually with care taken that it reflects the most recent guidelines.

Parents and carers have the right to appeal against the decision to exclude a student.

### Key Principles

- Students at Rainford High are given the best possible education, whatever their background or ability.
- The Code of Conduct emphasises the students' entitlements and responsibilities.
- Students have the right to expect that their learning should not be disrupted by others.
- Exclusions will normally remain a last resort after a range of measures have been tried to improve the student's behaviour.

### Context

Rainford High tries to provide a safe learning environment in which students can enjoy and achieve. The academy's behaviour management policy emphasises positive strategies and, for the most part, the academy environment is one of cooperation and shared responsibility. However, some incidents of unacceptable behaviour are not

satisfactorily resolved through the normal channels and exclusions have to be considered as a last resort.

## **Exclusions**

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

- a) In response to a serious breach of the Academy's Behaviour for Learning policy and Code of conduct
- b) If allowing the student to remain at the Academy would seriously harm the education or welfare of the student or others in the Academy.

Exclusions whether fixed-term or permanent may be used in response to any of the following, all of which are examples of unacceptable conduct and breach the Behaviour for Learning Policy and Code of Conduct:

- Physical assault against a student
- Physical assault against an adult
- Verbal abuse/threatening behaviour against student
- Verbal abuse/threatening behaviour against an adult
- Bullying
- Racist abuse
- Discrimination or Harassment
- Sexual misconduct
- Drug and alcohol related
- Damage
- Theft
- Persistent disruptive behaviour
- Weapons related

This is not an exhaustive list and there may be other situations where the Principal judges that exclusion is an appropriate sanction.

## **Deep Support**

At Rainford High there will be a range of strategies in place to address unacceptable behaviour that may lead to exclusion. Students will be identified as at risk of exclusion and offered alternative or additional provision to meet their individual needs. These additional measures may include:

- The Academy engaging with parents
- Placement on a daily report
- Detentions or other sanctions
- A change of class or set
- Curriculum alternatives
- Allocation of a key worker from the Inclusion Team
- Consideration by the Inclusion Manager, with colleagues, of possible interventions within academy
- Implementation of an Individual Behaviour Plan or Pastoral Support Plan

- Offer of possible interventions from a range of specialist services
- Referral to other relevant agencies
- **Temporary or part-time placement in a Pupil Referral Unit**
- A managed move to another academy
- Assessment of Special Educational Needs, including possible placement in a special academy

## **Permanent Exclusion**

The decision to exclude students permanently is a serious one and will be taken only:

- a) In response to a serious breach of the Academy's Behaviour policies.
- b) If allowing the student to remain at the Academy would seriously harm the education or welfare of the student, or others, in the Academy.

There are two main types of situation in which permanent exclusion may be considered. The first is where a student exhibits a build-up of disruptive behaviours over time and continues to display persistent and defiant behaviour in spite of sanctions and the use of other strategies. In this respect it is a final, formal step in a concerted process for dealing with the disciplinary offences and adverse behaviours.

In line with the exclusion guidance, the second is in the exceptional set of circumstances where, in the Principal's judgement, it is appropriate to permanently exclude a student for a first or 'one off' offence, regardless of previous disciplinary history. These circumstances may include:

- serious actual or threatened violence against another student or a member of staff
- sexual abuse or assault
- supplying an illegal drug
- carrying an offensive weapon

*"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."* In order to protect the safety of the community, the Academy's usual practice is to permanently exclude in respect to offensive weapon and knife crime.

This list is not exhaustive but serves as an illustration of the severity of the offence. There may be other situations where the Principal judges that permanent exclusion is an appropriate sanction given the extreme nature of the incident.

Where the Academy considers a criminal offence may have taken place, it reserves the right to inform the Police and other agencies as appropriate.

## **Making a decision to exclude**

Before deciding whether to exclude a student, the Principal will:

- Ensure that an appropriate investigation has been carried out
- Consider all the evidence available to support the allegations taking into account the Behaviour for Learning Policy, Code of Conduct, Equality Policy
- Allow the student to give his/her version of events

The Principal has to be satisfied on the balance of probabilities that the student was responsible for the behaviour in question.

### **Exercise of Discretion**

The Principal will always look at the particular circumstances of each case. In considering whether permanent exclusion is the most appropriate sanction, the Principal will consider:

- a) The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Academy's Behaviour for Learning Policy and Code of Conduct.
- b) The effect that the student remaining in the Academy would have on the education and welfare of other members of the Academy community.

Nonetheless, in the case of a student found in possession of an offensive weapon, whether there is an intention to use it or not, it is the Academy's usual policy in this particular serious matter to issue a permanent exclusion.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors Student Discipline Committee, when it meets to consider the Principals decision to exclude. The committee will require the Principal to explain the reasons for the decision and will look at appropriate evidence such as the student's Academy record, witness statements and the strategies used by the Academy to support the student prior to exclusion.

### **Behaviour outside Rainford High**

Students who breach the Academy's Behaviour for Learning Policy and Code of Conduct whilst on Academy 'business' such as trips and journeys, sports fixtures or a work-experience placement will be dealt with in the same manner as if the incident had taken place at the Academy.

For incidents that take place outside the Academy and not on Academy business, this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole. This includes behaviour in the immediate vicinity of the Academy or on a journey to and from the Academy.

## **SEND Students and Exclusions**

When considering whether to exclude a student with SEND, Rainford High pays due regard to Government guidance issued in September 2017 which states that academy should try every practicable means to maintain a student with SEND in academy and should seek local authority and other professional advice as appropriate.

Academies should permanently exclude students with ECHP statements only in exceptional circumstances. The guidance sets out that academies should make every effort to avoid excluding students who are being supported via SEND support, including, where appropriate, by asking a local authority to consider carrying out a statutory assessment. The guidance further states that, where a student with SEND is excluded, the head teacher should work with the local authority to see whether more support can be made available or whether an SEN statement can be changed to name a new academy. If either of those options is available, the head should normally withdraw the exclusion.

### **Roles and Responsibilities**

The Vice Principal (**Student Support**) is responsible for monitoring the implementation of the policy, including recording and analysing the profile of excluded students, in line with the aims of the Equality policy.

The Principal is responsible for ensuring the fair and consistent implementation of the policy and for all decisions on whether or not to exclude a student. The Principal may delegate to other senior leaders the arrangements for the support for students in danger of exclusion and for the reintegration of students returning to academy after a fixed-term exclusion.

The Governing Body is responsible for considering whether or not to reinstate the student to the academy.

### **Monitoring, Evaluation and Review**

The Vice Principal (**Student Support**) will monitor the implementation and effectiveness of this policy, review it annually and report to the Governing Body. The policy will be promoted and implemented throughout the Academy.

### **Related Policies**

Behaviour for Learning including the Code of Conduct

Anti-bullying Policy

Equality Policy

Drugs and Substance Misuse Policy

SEN Policy

Policy to be reviewed: December 2019