



The Albion Academy Exclusions Policy 2015-2016

Purpose of this Policy

This policy is designed to briefly outline the Academy's approach to exclusions within the statutory framework and guidance (see *Exclusions from maintained schools, Academies and pupil referral units in England – DfE* for a summary) It outlines only where the Academy applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the Academy.

For details on relevant legislation please refer to:

- The Education Act 2002 as amended by the Education Act 2011
- The School Discipline (Pupil exclusions and Reviews) (England) Regulations 2012
- The Education and Inspections Act 2006
- The Education (provisions of Full-Time Education for Excluded Pupils) (England) Regulations 2007

Principles

- 1) Exclusion is a sanction used by the Academy only in cases deemed as serious breaches of the Academy Behaviour Code. The decision to exclude for a fixed term or permanently is taken in response to:
 - A serious breach, or persistent breaches of the Academy's behaviour policy; and/or
 - A situation where allowing the pupil to remain in the Academy would seriously harm the education or welfare of the pupil or others in the Academy

In practice this could mean the decision might be taken in response to situations including but not limited to the following:

- Verbal or physical assault of a student or adult
- Persistent and repetitive disruption of lessons and other students' learning
- Extreme misbehaviour including criminal behaviour which is deemed outside the remit of the normal range of sanctions.

2) A Fixed Term Exclusion from the Academy can only be authorised by the Principal or the Assistant Principal Care, Guidance and Support acting on her behalf. If none are available to authorise the exclusion a decision should be deferred until the opportunity for authorisation is available.

3) In the case of a Permanent Exclusion this can only be authorised by the Principal and must only be done after consulting the Chair of Governors of the intention to impose this sanction, although the final decision rests with the Principal of the Academy.

4) The Academy seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the Academy.

5) The Academy regularly monitors the number of Fixed Term Exclusions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

Notification of an Exclusion

1) Parents will be notified as soon as possible of the decision to exclude a student and the reason for the exclusion. This will be done on the day of the exclusion being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion will be sent to parents the same day.

2) In the case of a Permanent Exclusion parents will be notified by the Principal in a face-to-face meeting.

3) A student who has been excluded will have the reason for his/her exclusion explained to them by a member of staff so that they understand the nature of their misbehaviour.

4) The Chair of Governors, LA Inclusion Officer and relevant Academy staff will be notified of all Fixed Term Exclusions the same day of the production of the exclusion letter, which they will receive a copy of; it will clearly outline the reasons for the exclusion.

Provision of Education for Excluded Pupils:

- 1) The Academy communicates with the LA to ensure provision is made for full time education after the 6th day of an exclusion, in line with statutory obligations.
- 2) Where a pupil has been permanently excluded the LA fulfils its obligation to provide education from the 6th day.
- 3) Prior the 6th day of an exclusion the Academy makes all reasonable steps to set and mark work undertaken by the student at home.
- 4) The Academy expects that pupils do not attend the site during an exclusion and that parents ensure this within all reasonable expectations

Students Returning from a Fixed Term Exclusion

1) All students returning from a Fixed Term Exclusion are required to attend a reintegration meeting, accompanied by a parent. This meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between student, parent and Academy.

2) In some incidents, on the return from a Fixed Term Exclusion students will be required to attend Turnaround within the Academy so that a phased reintegration of the student can take place.

Appeals

All correspondence regarding an exclusion from the Academy will inform parents of their right to appeal to the Governing Body against the decision to exclude and how to go about this.

The Governing Body reviews decisions to exclude automatically if the exclusion is permanent, results in a pupil missing a public exam or results in the number of days of exclusion exceeding 15 in a term.

The Governing body reviews all requests by parents for a review of any decision to exclude within 50 school days, and can direct reinstatement if the period is for greater than 5 or fewer than 15 days in a single term.

If the period of exclusion is for fewer than 5 days then the Governing Body will review the decision but cannot direct reinstatement. This procedure is clearly set out in the statutory guidance.

In the case of a permanently excluded pupil where the governing body has reviewed the decision and not directed reinstatement, parents have the right to appeal to the Salford Academy Trust for an independent review of the decision.

The legal timeframe for such an appeal is within 15 days of notice being given to parents of the Governing Body's decision not to reinstate, or within 15 days of the final determination of a claim of discrimination under the Equality Act 2012 in relation to the exclusion.

Any application for an appeal made outside this timeframe will be rejected.

The SAT will arrange a venue and appoint panel members in accordance with statutory guidance, at their own expense.

Relationship to other Academy policies

The Exclusion Policy should be read in tandem with the Academy's Behaviour Policy, Equality statement and SEN policy, and with all statutory guidance.

Parents have the right to request copies of Academy policies at any time. For any advice on how to proceed under any of the areas of this policy, parents can also contact the Principal's PA.