



Banbury Aspirations Campus EXCLUSIONS POLICY



Wykham Park
Academy
Banbury



FUTURES INSTITUTE
BANBURY

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| Date of last review | June 2021 | Review period | 2 Year |
| Date of next review | June 2023 | Owner | Banbury Aspirations Campus |
| Type of policy | Statutory | Board Approval | LRB |

Exclusions policy

Co-ordinator: Miss Sylvia Thomas – Principal
Start date: June 2021
Review date: June 2023

Ethos

We are an inclusive school community and we believe that every child has the right to come and learn in a safe and caring environment. Equally we believe that every adult who comes to work in our community, or visitor who comes to our site, has the right to expect that they are treated with respect and courtesy at all times and are safe from harm or abuse.

Objectives

This policy has two important objectives:

1. To ensure the safety and well-being of all members of the academy community, and to maintain an appropriate educational environment in which all can learn and succeed;
2. To realise the aim of reducing the need to use exclusion of students as an inevitable action

Exclusion protocols

The following will apply:

- We work within the framework set out in the “Exclusion from maintained schools, academies and pupil referral units in England: Statutory guidance for those with legal responsibilities in relation to exclusion” document which can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf
- Only the Principal (or member of the senior leadership team given delegated responsibility for exclusion) has the power to do so;
- We have a range of actions in our behaviour regulation policy and both fixed term or permanent exclusions are used following exhaustion of the other measures for serious and significant individual breaches of the policy (See **new interim behaviour regulation policy**).
- Following the need to issue a fixed term exclusion every effort will be made to contact parents immediately. If we are unable to contact a parent we will work through the list of emergency contacts to make sure that the student can be collected or go to a family member or family friend safely. A standard letter will be sent by post / email giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations as directed in the letter.

- A return to the academy meeting will be held following the expiry of the fixed term exclusion (or prior to return if necessary) with an appropriate member of staff
- During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on/near the School premises (**see Absconding policy**), and that daytime supervision is their responsibility, as parents/guardians.

Permanent Exclusions

The decision to permanently exclude a student is a very serious one and full consideration is made with respect to the circumstances and context within which the failure to meet the standards of behaviour required on the campus occurs.

Depending on the nature of the offence we may also look at the possibility of a managed move through the IYFAP process to avoid a permanent exclusion.

There are two main types of situation in which permanent exclusion may be considered.

1. 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 and support measures, which have been used without sustained 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).
2. 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.

Serious breaches of the Behaviour regulation policy include:

- use of racist / homophobic language or behaviour
- use of violence towards, or assault of, another member of the school community
- displaying sexually inappropriate behaviour towards another member of the school community
- use of, or being under the influence, of drugs or alcohol whilst on, or in the vicinity of the school site
- supplying drugs on, or in the vicinity, of the school site
- bringing offensive weapons* on to, or in the vicinity of, the school site

** 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 examples are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of those in the academy community

In all of the cases outlined above the school may consider police involvement where deemed appropriate.

There are a range of general factors the academy considers before making a decision to exclude.

Exclusion will not be imposed instantly, unless there is an immediate threat to the safety of others in the academy or the student concerned or the smooth running of the academy. Before deciding whether to exclude a student either permanently (or indeed for a fixed period) the academy will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the Behaviour Regulation Policy and Equality Duty documentation
- Allow the student to give her/his version of events.
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

If the Principal is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, permanent/fixed term exclusion will be the outcome.

Exercise of discretion

In reaching a decision, the Principal 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 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 Regulation Policy, and

b) the effect that the student remaining in the academy could have on the education and welfare of other students and staff.

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 Principal's decision to permanently exclude a student. This 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.

Lunchtime exclusion

Students whose behaviour at lunchtime is disruptive may be excluded from the academy 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.

Behaviour outside school

Students' behaviour outside of the academy on school "business" for example school trips and journeys away, school sports fixtures or a work experience placement is subject to the academy's Behaviour Regulation Policy. Behaviour which breaches the policy in these circumstances will be dealt with as if it had taken place in the academy.

For behaviour outside of the academy but not on school 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. For example, if a fight occurs between two students attending the academy on their way to or from school appropriate action will be taken.

If students' behaviour in the immediate vicinity of the academy or on a journey to and from school is poor and meets the academy's criteria for exclusion then the Principal may decide to exclude.

Behaviour outside school, whether in or out of school uniform, which brings the name of the school into disrepute will be dealt with as though the behaviour had occurred within school.