



**Bexhill**  
Academy

# EXCLUSION POLICY

Updated: December 2016  
Next Review: December 2017

## **EXCLUSION POLICY**

This policy is underpinned by the Engagement for Learning policy that clearly states the level of sanction applied should students fail to adhere to our high expectations of student behaviour for learning that helps to maximise learning and enable all students to benefit from all the opportunities provided to them.

The policy must also ensure the safety and well-being of all members of the school community.

This policy requires students to make the correct behaviour choices. If school expectations are not being met then a range of sanctions are applied. Students who persistently behave in an inappropriate manner or those who are involved in “one off” incidents may be at risk of exclusion.

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 Schools’ Engagement for Learning policy:-

- Verbal abuse to staff.
- Verbal abuse to pupils
- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs/abuse,
- Possession or supply of illegal substances
- Misuse of other substances
- Theft
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Possession of an offensive weapon\*
- Arson
- Inappropriate use of ICT, including social media and mobile phones. ( see ICT policy)
- Unacceptable behaviour which has previously been reported and for which School 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 Principal makes the judgment that exclusion is an appropriate sanction.

## **EXTERNAL EXCLUSION**

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

- In response to a serious breach of the Engagement for Learning Policy,
- If allowing the pupil to remain in School would seriously harm the education or welfare of the student or others in the School.

Bexhill Academy will ensure that in all cases the decision to exclude is lawful, reasonable and fair. Exclusion is an extreme sanction and is only authorised by the Principal, in the absence of the Principal, the Vice Principal or Assistant Head teacher who is deputising for the Principal may make the decision to exclude a student.

## **EXCLUSION PROCEDURE**

Most exclusions are of a fixed term nature and of short duration (usually between one and three days). This type of exclusion is free standing. It can be used by the Principal as a method of punishment usually used in conjunction with the stages outlined in the Engagement Learning Policy.

The DCSF regulations allow the Principal to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

The Governors have established arrangements to promptly review all permanent exclusions from the School and all fixed term exclusions that would lead to a pupil being excluded for over 15 days in a school term or missing a public examination.

The Governors have established arrangements to review fixed term exclusions which would lead to a student being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.

Following exclusion, parents are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body and the sponsor.

A reintegration meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Leadership Team.

It is school practice to closely monitor the student's behaviour on return to school following fixed term exclusion. This can take a variety of forms including being placed on an SLT report. Where it is deemed appropriate, a Pastoral Support Plan will be drawn up and

agreed with the school, student and parents. Time in either the school's alternative provision at the Skills Centre (Pathways) or in some form of internal exclusion is also often used as a means to reintegrate a pupil who has served an external exclusion.

During the course of fixed term exclusion parents are advised that the student is not allowed on the school premises, and that daytime supervision is their responsibility as parents/guardians. Parents could face a fixed penalty notice if their child is found in a public place during school hours without reasonable justification.

### **PERMANENT EXCLUSION**

The decision to exclude a pupil permanently is a serious one. 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, 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).
2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it is appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include: serious actual or threatened violence against another pupil or a member of staff; sexual abuse or assault; possession or supply of illegal substances; carrying an offensive weapon or Arson.

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

These instances are not exhaustive list but indicate the severity of such offences for which permanent exclusion would be considered.

### **GENERAL FACTORS THE SCHOOL 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 school or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Principal will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the Engagement for Learning and Equality Policies.
- Allow the student to give their version of events

## **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: the gravity of the incident or series of incidents, and whether it constitutes a serious breach of the school's Engagement for Learning Policy and the effect that the pupil remaining in the school would have on the education and welfare of other pupils and staff. 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 school's usual policy in this particularly 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 "Students' Discipline Panel", when it meets to consider the Principal's decision to exclude. This Panel will require the Principal to explain the reasons for the decision and will look at additional appropriate evidence, such as the student's school record, witness statements and the strategies used by the school to support the student prior to exclusion.

## **ALTERNATIVES TO EXCLUSION**

Involvement of outside Agencies.

The School works positively with all external agencies and will seek appropriate support from them to ensure that the needs of all students are met by using the range of external support available.

The school also works closely with the Local Authority, other secondary schools and the Hastings and Rother Behaviour ,attendance partnership to undertake ' managed moves' where such a course of action would be of benefit both to the pupil and the two schools concerned.

Bexhill Academy has signed up to East Sussex Fair Access Protocol which specifically relates to the admissions of vulnerable students.

## **LUNCHTIME EXCLUSION**

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.

## **BEHAVIOUR OUTSIDE SCHOOL**

Students' behaviour outside school, including on the way to and from school, on school "business" for example school trips and journeys, away school sports fixtures or a work experience placement is subject to the school's Engagement for Learning Policy. Poor behaviour in these circumstances will be dealt with as if it had taken place in school. For behaviour outside school 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. If students' behaviour in the immediate vicinity of the school or on a journey to and from school is poor and meets the school criteria for exclusion then the Principal may decide to exclude.