



STEINER ACADEMY EXETER: Exclusion POLICY

Context

This policy is to be implemented in conjunction with the Behaviour, Safeguarding, e-Safety, Anti-bullying, Attendance, SEN and other relevant policies.

This policy is compliant with [Statutory guidance and regulations on Exclusion, DfE](#) dated September 2012. (See Appendix One).

Introduction

The Steiner Academy Exeter (SAE) aspires to be a learning community in which staff, pupils and parents work together for the benefit of all. We promote fairness and consideration for others and we believe that all pupils and all staff should be valued and respected at all times, irrespective of their differences in background, abilities and choices. We believe that SAE should offer a safe and engaging learning environment, and that those with responsibility for creating and maintaining this environment need the support of appropriate policies and procedures to do so.

Our Behaviour Policy details a number of sanctions which may culminate in exclusion. We believe exclusion to be a powerful and important sanction, but one that should be avoided wherever possible.

Aims

The aims of this policy are:

- ✦ to ensure the safety and well-being of all members of our community;
- ✦ to maintain an appropriate educational environment in which all can learn and succeed;
- ✦ to reduce the need for exclusion as a sanction;
- ✦ to clarify key issues around exclusion.

Definitions:

An exclusion may be one of three types:

- ✦ Internal Exclusion (when a student is excluded from normal lessons, but remains within the academy)
- ✦ Fixed-Term Exclusion (when a student is excluded from the academy)
- ✦ Permanent Exclusion (where steps are taken to permanently remove the student from the academy)

Recognition and Response

The decision to recommend a student for an *internal exclusion* will be taken at the discretion of the member of staff with pastoral care for the student or students in question and a member of the SMT. Such internal exclusions will be notified to the SMT and reviewed daily. The circumstances will generally involve disruption of learning, lack of respect for self, staff and others or behaviour that is deemed to be unsafe, threatening or otherwise not conducive to a healthy learning environment.

The decision to recommend a student for a *fixed-term or permanent exclusion* will be taken in the following circumstances:

- ✦ If behaviour is consistently and repeatedly disruptive, abusive or threatening to staff or other students;
- ✦ In response to a serious breach of the academy's Behaviour or other Policies.

- ✦ If allowing the student to remain in the academy would seriously harm the education or welfare of the student or others.

✦

A more extensive list of reasons for Exclusion is to be found in Appendix Two.

The Three Types of Exclusion:

Internal Exclusion

An Internal Exclusion will be implemented for a misdemeanour of sufficient seriousness as to warrant a student being removed from lessons, but not so serious as to warrant removal from the academy. As stated above, all efforts will be made to keep the student in the academy in order to support his/her education and it will only be in the most severe circumstances (or a repeat of earlier offences) that will lead to Fixed-Term or Permanent Exclusions.

Fixed Term Exclusion

Students on Fixed Term Exclusion will not be allowed to attend SAE or to be in its vicinity for the term of their exclusion.

SAE will inform parents immediately by phone call when the decision has been taken to exclude a student. This will be followed by a letter in which the terms of the exclusion are set out, together with the time and date of the re-admission meeting (see below). Parents/Carers are also informed that they have a right to make representations to the Principal if they wish to challenge the terms of the exclusion.

`Managed Move` and Permanent Exclusion

A 'Managed Move' may be resorted to in order to avoid the danger of Permanent Exclusion. It may be used as the culmination of behaviour interventions, when no other measures have succeeded or, in exceptional circumstances, for a serious 'one off' incident.

The SAE will work with the regional Fair Access Area Panel in order to participate, when appropriate, in 'managed move' arrangements.

We recognise that a Permanent Exclusion may have a serious impact upon a student's life chances and will only be sought where there is an immediate threat to the safety of others in SAE or to the student concerned.

Before deciding whether to exclude a student either permanently or for a fixed period the Principal will ensure that:

- ✦ Appropriate investigations have been carried out.
- ✦ All evidence available to support the allegations have been collated, taking into account SAE's academy's Behaviour and other relevant Policies.
- ✦ The student has been allowed to give her/his version of events.
- ✦ There is no evidence to indicate that 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, exclusion will be the outcome.

Roles and Responsibilities:

Responsibility for exclusion lies with the Principal, in consultation with SMT and relevant staff.

SAE's governing body will be informed of fixed term and permanent exclusions. Internal exclusions will be recorded in the same way as other Behaviour Policy sanctions.

Appeals Procedure:

All correspondence regarding an exclusion from SAE will inform parents of their right to appeal to the governing body against the decision to exclude. All such appeals should be directed to the (secretary to the trustees).

Where parents dispute the decision of a governing body not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a Fixed Term or Permanent Exclusion, parents can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination).

Whether or not SAE recognises that a student has special educational needs (SEN), all parents have the

right to request the presence of a SEN expert at an independent review panel. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion.

Re-admission Meetings and Re-integration

Following a Fixed Term Exclusion, parents/carers will be invited to attend a re-admission meeting. Under current legislation, parents/carers are expected to attend a reintegration interview following any Fixed Term Exclusion of more than five days.

At the meeting, the student will be set specific goals in order to help him/her avoid the behaviour that led to the exclusion. In addition the returning student will be placed on a two week report to monitor behaviour and work.

If a student has served a Fixed Term Exclusion of greater than five days or an accumulation of exclusions exceed five days, a Pastoral Support Plan will be drawn up in consultation with staff, student and parents/carers.

Appendix One: DfE statutory guidance on Exclusion

New regulations on exclusion came into force in September 2012. The Department for Education (DfE) issued new statutory guidance for academies.

[Statutory guidance and regulations on Exclusion, DfE](http://www.education.gov.uk/academys/pupilsupport/behaviour/Exclusion/g00210521/statutory-guidance-regs-2012)

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The Key explains the new Exclusion regulations in these articles:

[Exclusions: authorisation and procedures](http://www.usethekey.org.uk/pupils-and-parents/behaviour-and-attendance/Exclusions/who-can-authorise-Exclusions-to-change)

<http://www.usethekey.org.uk/pupils-and-parents/behaviour-and-attendance/Exclusions/who-can-authorise-Exclusions-to-change>

[Exclusion process: what changes have been made?](http://www.usethekey.org.uk/administration-and-management/government-policies-and-legislation/government-policies/what-changes-are-being-made-to-the-Exclusion-process)

<http://www.usethekey.org.uk/administration-and-management/government-policies-and-legislation/government-policies/what-changes-are-being-made-to-the-Exclusion-process>

Appendix Two: Reasons for Exclusion.

Exclusion, whether Internal, 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 SAE's Behaviour Policy:

- ⤴ Actions which put the student or others in danger.
- ⤴ Verbal abuse of staff and others
- ⤴ Verbal abuse of students
- ⤴ Physical abuse of/attack on staff
- ⤴ Physical abuse of/attack on students
- ⤴ Indecent behaviour
- ⤴ Damage to property
- ⤴ Misuse of illegal drugs
- ⤴ Misuse of other substances
- ⤴ Theft
- ⤴ 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.
- ⤴ Arson.
- ⤴ 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 Principal makes the judgement that exclusion is an appropriate sanction.

There are two main types of situation in which permanent Exclusion may be considered:

- A final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies (including 'Managed Move', see above). 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 or repeated possession and/or use of an illegal drug on academy premises.
- 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.
 - ⤴ Supplying an illegal drug.
 - ⤴ 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.