



THE CONSORTIUM  
ACADEMY TRUST

# Exclusion Policy

The Consortium Academy Trust (TCAT)  
An Exempt Charity Limited by Guarantee  
Company Number 07665828

Status:	Live
Policy Owner (Position)	CEO
Statutory / Recommended	Recommended
Date Adopted	10 December 2018
Review Date	Annual
Advisory Committee	Trust Board
Linked Documents and Policies	Internal Behaviour Documents/Policy

**The Consortium Academy Trust (“the Trust”)** believes that in order to achieve its vision of success and fulfilment for every learner and enable effective teaching and learning to take place, good behaviour in all aspects of Academy life is necessary. The decision to exclude any learner therefore, will only be taken in exceptional circumstances and:

- In response to significant breaches of the Academy's Behaviour For Learning Policy
- If allowing the learner to remain in the Academy would seriously harm the education or welfare of the student or others in the Academy.

In accordance with the Exclusions from maintained school, academies and pupil referral unit in England September 2017.

### **Roles and Responsibilities**

The decision to exclude a learner from the Academy can and will only be taken by the Headteacher or, in their absence a Deputy Headteacher, or a Senior Member of staff to whom the authority to exclude has been delegated.

### **Deciding whether to exclude a learner**

The decision to exclude a learner is a matter of judgement for the Headteacher, who will take into account the likely impact of the misconduct on the life of the Academy. This may include behaviour on the Academy premises, outside the Academy e.g. bus, journey home or during Academy visits and residential activities that is in breach of the standards of behaviour expected by the Academy.

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 Academy Behaviour Policy:

- Actions which put the learner or others in danger
- Verbal abuse of staff and others
- Verbal abuse of learners
- Physical abuse of/attack on staff
- Physical abuse of/attack on learners
- Malicious accusations against members of staff
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Theft
- Serious actual or threatened violence against another learner 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 learner's behaviour
- Persistent refusal to accept Academy sanctions

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that Exclusion is an appropriate sanction.

Before reaching a decision to exclude either permanently or for a fixed period, the Headteacher will:

- consider all relevant facts and such evidence as may be available to support the allegations made, taking into account the Academy's Behaviour For Learning and Equal Opportunities policies.
- make every effort to ensure that the learner makes or dictates a written statement to give their version of events
- check whether the incident may have been provoked, for example by racial or sexual harassment
- (if necessary) consult others, being careful not to involve anyone who may have a role in any statutory review of the decision, for example members of the Governing Body's Discipline Committee
- keep a written record of the actions taken, including any interview with the learner. Witness statements should be dated and should be signed, wherever possible.

Learner behaviour outside the Academy will be dealt with in the same way as behaviour inside the Academy where it is considered that there is a clear link between the inappropriate behaviour outside the Academy harming the education, welfare and discipline among the students as a whole. Inappropriate learner behaviour in the immediate vicinity of the Academy or on the journey to and from the Academy may result in exclusion.

Before permanently excluding a Looked After Child the Headteacher will discuss with the appropriate Local Authority officer the availability of suitable alternative provision elsewhere.

### **Permanent Exclusions**

Permanent exclusions will normally be used only as a last resort when a range of other strategies have been exhausted.

In exceptional circumstances, the Headteacher might consider it appropriate to permanently exclude a child for a first or one-off offence. Such circumstances might include:

- Where there has been serious actual, attempted or threatened violence against another learner or member of staff
- Sexual misconduct
- Misuse of illegal drugs
- Supplying an illegal drug
- Carrying an offensive weapon
- Any severe form of bullying including racist, sexist or homophobic bullying
- Any action resulting in a serious health and safety issue.

In cases where a criminal offence has taken place, the Police may be informed and where appropriate, the Youth Offending Team, Social Services or any other outside agency involved with the learner.

Should the Headteacher decide to permanently exclude a learner, they will inform the child's home Local Authorities Exclusions Officer at the earliest possible opportunity.

### **Fixed-term exclusion**

The Headteacher may exclude a student for up to 45 days in any one school year.

No exclusion will be given for an unspecified period of time.

## **Procedures following a fixed term exclusion**

The Headteacher will inform the Parent/Carer of the period of the exclusion and the reasons for it. During this process the Academy will ensure that the Parent/Carer is informed of their duties in the first five days.

Where the exclusion is for a period of between one and five days the Academy will set work and arrange for it to be marked where practically possible. Where a learner is given an exclusion of six 'school' days or longer the Academy will arrange suitable full-time education from and including the sixth day provided there are no health and safety risks in relation to the physical and emotional well-being of supervising staff. If a Parent/Carer or learner refuses the offer of suitable full time education, the Academy will not offer an alternative unless there are exceptional circumstances.

During the period of exclusion the Academy will consider strategies to address the learner's problems and identify any support that may be necessary to promote a successful reintegration.

The Parent/Carer has the right to make representations about the exclusion to the Discipline Committee of the Governing Body.

Should any Parent/Carer refuse to comply with the terms of an exclusion, the Academy may notify the Social Services Department and the Police if, in the Headteacher's view, the learner or any other person may be at risk as a result of a failure to meet the terms of the exclusion. If the issues cannot be resolved, the Education Welfare Service will be contacted and the advice of the Local Authority Exclusions Officer will be sought.

## **Lunchtime exclusion**

Learners whose behaviour at lunchtime is disruptive may be excluded from the Academy premises for the duration of the lunchtime period. Any lunchtime exclusion will be treated in the same way as any other fixed-term exclusion and Parents/Carers will be informed in the same way. Any learner entitled to a free meal will be offered a packed lunch.

## **Reintegration**

A reintegration meeting with Parents/Carers will be held during or following the expiry of all fixed-term exclusions. The learner should normally attend all or part of the meeting.

A fixed term exclusion will not be extended because a meeting with Parents/Carers cannot be arranged. In the event that a meeting with Parents/Carers cannot be arranged, the meeting will still be held with the learner and an appropriate adult. The Academy will keep a record if Parents/Carers fail to attend and any reason given.

## **Other considerations**

The Academy will implement the Exclusion Policy with due regard to the implications arising from the Special Educational Needs and Disability Act 2001, the Race Relations (Amendment) Act 2000, the Human Rights Act 1998 and any other relevant legislation.

The Trust will be sensitive to the needs of children in public care when excludable incidents occur. Professional advice will always be sought and Social Services will be kept informed at the earliest opportunity.

### **Alternatives to exclusion**

The Trust is committed to using exclusion as a last resort. Alternatives will always be considered and may include:

- restorative justice processes
- isolation in units
- a managed move, in line with the locally agreed protocol.
- alternative provision

No learner will be excluded solely for:

- minor incidents e.g. failure to do homework
- poor academic performance
- lateness or truancy
- pregnancy
- breaches of the Academy uniform rules except where these are persistent and/or in open defiance of the rules
- the behaviour of their Parents/Carers e.g. parents refusal or inability to attend meetings to discuss the behaviour of the learner.

### **Procedures for review and appeal**

The Trust will ensure that provision for arrangements to review promptly all permanent exclusions and all fixed-term exclusions totalling over 15 days in a term, is made. Where exclusion is more than 5, but not more than 15 school days in one term, the Local Governing Board will review the exclusion, within the statutory time frame, but only if the Parent/Carer requests such a meeting.