

CITY ACADEMY NORWICH

Exclusion Policy

Status	Non-Statutory
Authority	Delegated to Headteacher
Version	v3
Policy Owner	Paul Collin, Headteacher
Updated by	Paul Collin, Headteacher
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Agreed by	Paul Collin, Headteacher & Governors
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1. Aim

City Academy Norwich seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline.

Exclusion is a severe sanction and is used by City Academy Norwich only in cases deemed as serious or for persistent breaches of the City Academy Norwich Behaviour Policy.

2. Responsibility for Exclusion

A fixed term exclusion can only be authorised by the Headteacher or the Assistant Vice Principal acting on their behalf. If neither are available to authorise the exclusion, a decision should be deferred until the opportunity for authorisation is available.

In the case of a Permanent Exclusion, this can only be authorised by the Headteacher.

3. Causes for 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 City Academy Norwich Behaviour Policy:

- Actions which put the student or others in danger
- Verbal abuse or social media abuse of staff and others
- Verbal abuse or social media abuse of students
- Physical abuse of/attack on staff
- Physical abuse of/attack on students
- Indecent behaviour directed towards either students or staff
- Damage to property
- Possession of illegal drugs
- Misuse of other substances eg. 'legal highs'
- Theft
- Actual or threatened violence against another student or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug or 'legal high' to City Academy Norwich students on or off-site
- Carrying an offensive or illegal weapon
- Misuse of a mobile 'phone or smart device
- Arson
- Deliberate and or intentional release of the Academy fire alarm system
- Unacceptable behaviour for which City Academy Norwich 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 Headteacher makes the judgment that exclusion is an appropriate sanction.

However, fixed term exclusion will not be used:

- When a student attends City Academy Norwich without proper uniform (unless the student in question refuses to comply with the Academies request to go home and change or wear suitable alternative clothing)
- As a punishment for 'one-off' low-level disruption (this will be dealt with via other sanctions or, in the case of persistent and protracted disruption, permanent exclusion)
- As a means of deterrent

4. Permanent Exclusion

A decision to exclude a student permanently will only be taken:

- In response to a serious breach, or persistent breaches, of the school's Behaviour Policy, or where it is deemed in the best interest of the student
- And, where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school

This may occur in serious 'one-off' incidents eg.

- Actual or threatened violence against another student or a member of staff
- Sexual abuse or assault
- Supplying or using an illegal drug or 'legal high' to City Academy Norwich students on or off-site
- Carrying an offensive or illegal weapon
- Any other situation which the Headteacher feels that permanent exclusion is an appropriate sanction.

Alternatively, a student may be permanently excluded for persistent breaches of the school's Behaviour Policy if, and only if, City Academy Norwich has attempted to support the student to modify their behaviour. Eg. through the establishment of a Pastoral Support Plan. If such support is refused by the student and/or parent/ carer, City Academy Norwich will be deemed to have fulfilled this requirement to offer support.

5. Notification of an Exclusion

Parents/carers 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/carers the same day in a letter from the Headteacher.
- A student who has been excluded will have the reason for his/her exclusion explained to them so that they understand the nature of their misbehaviour.
- Work will be set for the excluded student
- The Chair of Governors will be notified immediately of permanent exclusions.

6. Students returning from fixed term exclusion

All students returning from fixed term exclusion must attend a re-integration meeting, accompanied by a parent / carer. 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/carers and City Academy Norwich.

7. Appeals

All correspondence regarding an exclusion from City Academy Norwich will inform parents/carers of their right to appeal to the Governors against the decision to exclude. This procedure is set out in the statutory guidance:

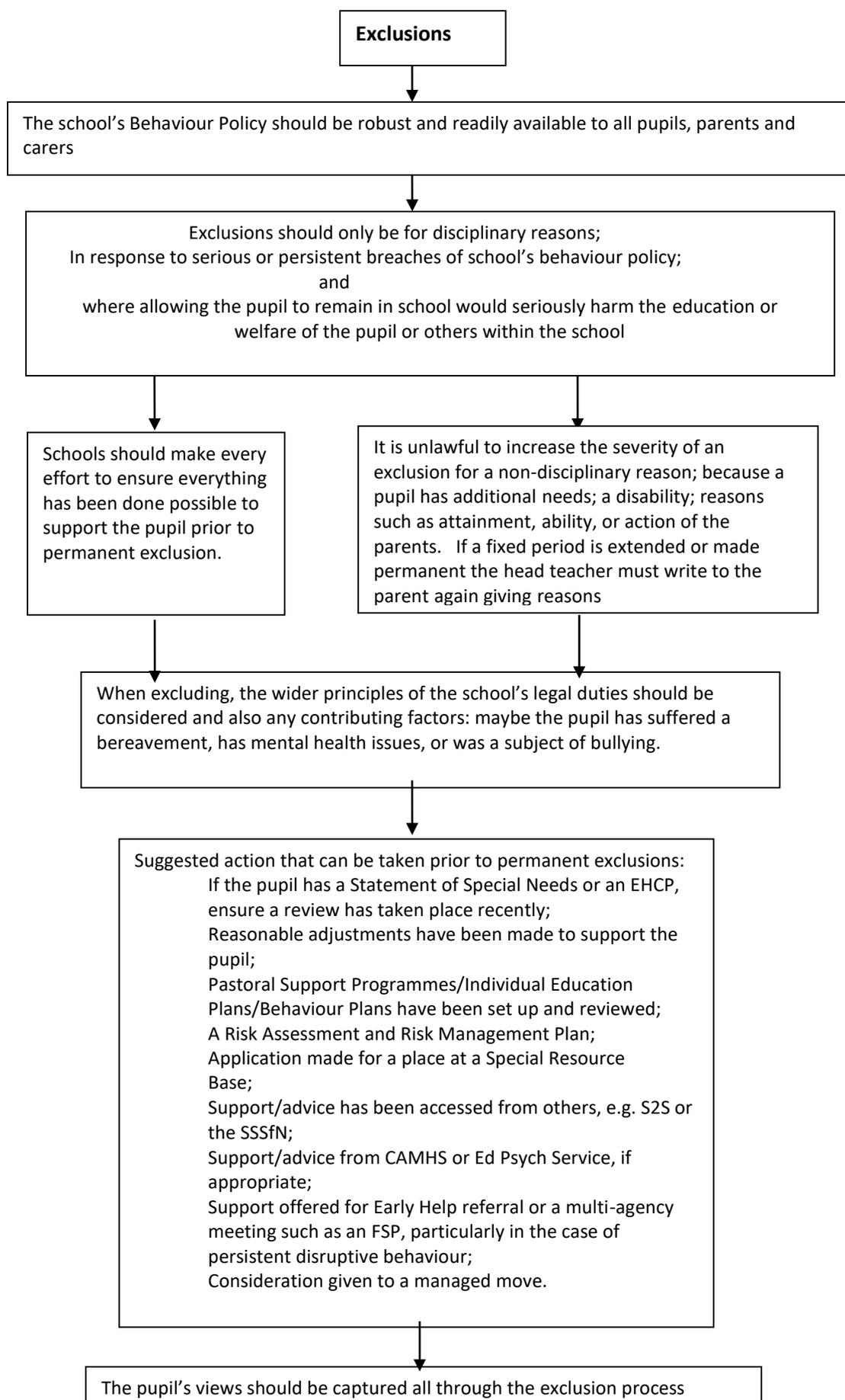
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269681/Exclusion_from_maintained_schools_academies_and_pupil_referral_units.pdf

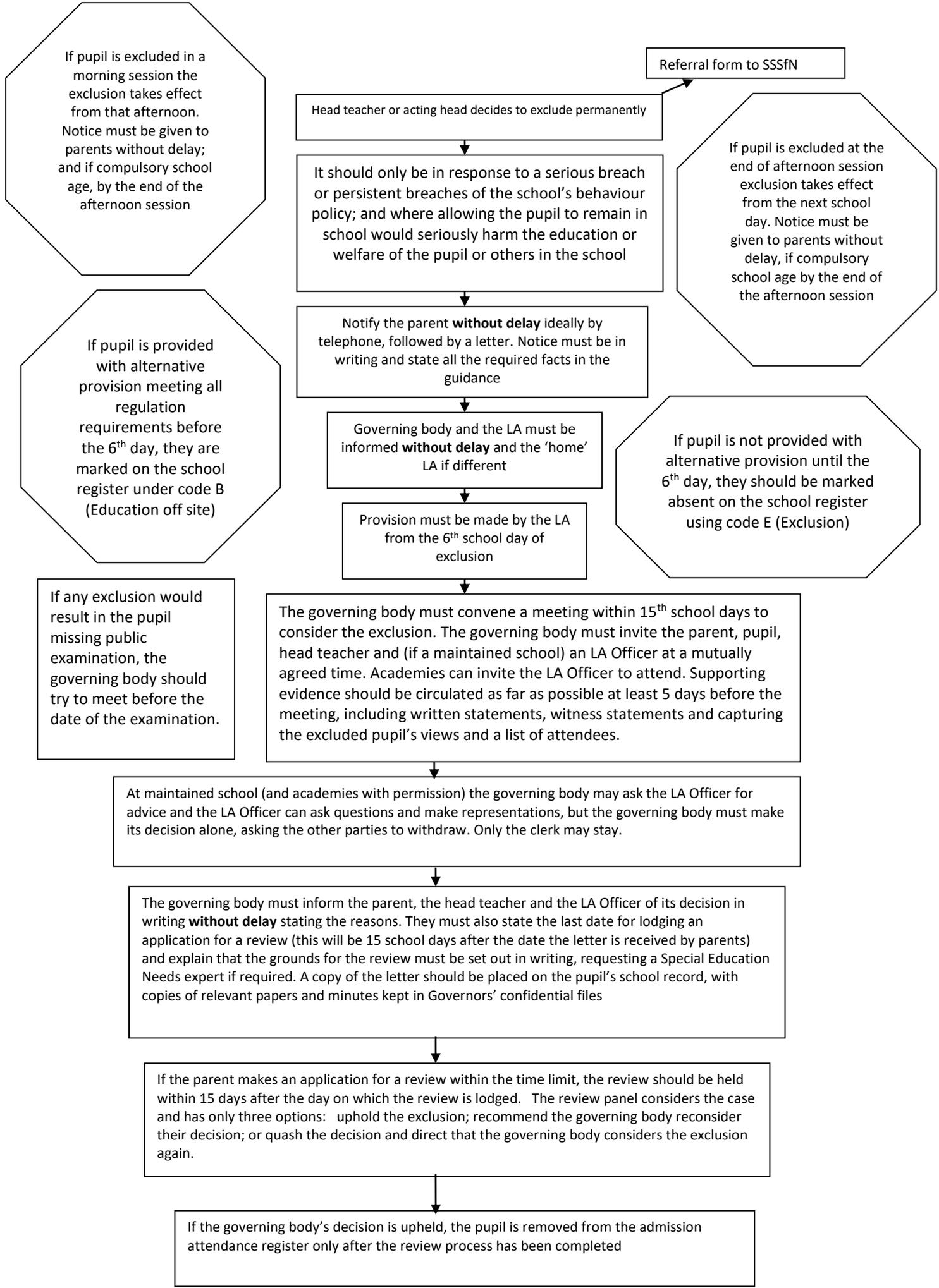
Please note that the governing body cannot overturn the Headteacher's decision in the case of a fixed term exclusion.

8. Monitoring and Review

The Governors and Headteacher will monitor the operation and effectiveness of the City Academy Norwich Exclusion Policy. City Academy Norwich 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.

Annex A – Exclusion Flow chart





Referral form to SSSfN

Head teacher or acting head decides to exclude permanently

It should only be in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school

Notify the parent **without delay** ideally by telephone, followed by a letter. Notice must be in writing and state all the required facts in the guidance

Governing body and the LA must be informed **without delay** and the 'home' LA if different

Provision must be made by the LA from the 6th school day of exclusion

The governing body must convene a meeting within 15th school days to consider the exclusion. The governing body must invite the parent, pupil, head teacher and (if a maintained school) an LA Officer at a mutually agreed time. Academies can invite the LA Officer to attend. Supporting evidence should be circulated as far as possible at least 5 days before the meeting, including written statements, witness statements and capturing the excluded pupil's views and a list of attendees.

At maintained school (and academies with permission) the governing body may ask the LA Officer for advice and the LA Officer can ask questions and make representations, but the governing body must make its decision alone, asking the other parties to withdraw. Only the clerk may stay.

The governing body must inform the parent, the head teacher and the LA Officer of its decision in writing **without delay** stating the reasons. They must also state the last date for lodging an application for a review (this will be 15 school days after the date the letter is received by parents) and explain that the grounds for the review must be set out in writing, requesting a Special Education Needs expert if required. A copy of the letter should be placed on the pupil's school record, with copies of relevant papers and minutes kept in Governors' confidential files

If the parent makes an application for a review within the time limit, the review should be held within 15 days after the day on which the review is lodged. The review panel considers the case and has only three options: uphold the exclusion; recommend the governing body reconsider their decision; or quash the decision and direct that the governing body considers the exclusion again.

If the governing body's decision is upheld, the pupil is removed from the admission attendance register only after the review process has been completed

If pupil is excluded in a morning session the exclusion takes effect from that afternoon. Notice must be given to parents without delay; and if compulsory school age, by the end of the afternoon session

If pupil is excluded at the end of afternoon session exclusion takes effect from the next school day. Notice must be given to parents without delay, if compulsory school age by the end of the afternoon session

If pupil is provided with alternative provision meeting all regulation requirements before the 6th day, they are marked on the school register under code B (Education off site)

If pupil is not provided with alternative provision until the 6th day, they should be marked absent on the school register using code E (Exclusion)

If any exclusion would result in the pupil missing public examination, the governing body should try to meet before the date of the examination.

Annex B –

Evidence for Permanent exclusion

Letter to parent confirming date and time of Governors Disciplinary Hearing together with;- Agenda with names of Governors and evidence sent to all parties attending the Governors Meeting send to all parents as defined In law	
Copy of letter advising parent/carer of permanent exclusion	
Head teacher/Principal's report giving details of the reason for the permanent exclusion including summary of time at the School/Academy	
Witness Statements if there are any from staff and students re the incident	
Pupil's views - Interview with the pupil and their views	
Record of Intervention strategies and outcomes and impacts	
Individual Education Plan, Pastoral Support Plan, Behaviour Support Plan and details of other agencies that have been involved If more than one incident i.e excluded on persistent disruptive behaviour and their history,	
Behaviour Log including any views of pupil captured if history of persistent disruptive behaviour etc.,	
Previous exclusions including information on fixed term exclusions and letters	
Risk Assessment	
Information on Family Support Plan offered and provided and any other support given	
Time table Attendance Breakdown	
Relevant policy: Behaviour for learning Exclusion Policy SEN Policy	

The definition of parent is laid down in Section 576 of the Education Act 1996 which defines 'parent' as

- all natural parents, whether they are married or not
- any person who, although not a natural parent, has parental responsibility for a child or young person
- any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law).

Annex C

Panel Meeting & Agenda

Meeting to review Permanent exclusion by Governors

When parents were notified about the exclusion was statutory guidance followed including all parents as defined by legislation?	
Did the parents receive contact prior to meeting to arrange a date and time convenient to them?	
Was evidence sent to parents and all others parties at least 5 days prior to the meeting?	
Were parents informed they could be accompanied by a friend and their son or daughter should be encouraged to attend?	
Did the LA and the Governors receive notification of the permanent exclusion with the reasons?	
Is there at least three governors on the committee?	
Was the exclusion the last resort and a serious breach or persistent breaches of the schools behaviour policy and where allowing the pupil to remain in school would seriously harm the education or welfare of themselves or others?	
Does pupil have SEN, and if so were reasonable adjustments made?	
Has everything been done to support the pupil and if the pupil has a statement of EHCP was a review called to see if an alternative placement could be found?	
Did the school in partnership with others consider additional support?	
Are there any contributing factors, e.g. bereavement, has there been mental health issues, bullying, etc.?	
Was the exclusion lawful, reasonable, fair and proportionate?	
Were the pupils views captured?	
Does the exclusion breach the relevant school policy?	

Other considerations that could be considered:

- Was support offered via an Early Help referral or a multi-agency meeting such as a FSP?
- Is the pupil a Looked after child? If so, were all reasonable steps carried out to avoid a permanent exclusion?
- Did the school use document support plans, such as a Pastoral Support Programme, Individual Education Plan or a Behaviour Support Plan?
- Have these been regularly reviewed, involving parents were possible?
- A Risk Assessment and Risk Management Plan?
- Application for a place at a Specialist Resource Base?
- Has support/advice been accessed from others, e.g. S2S or the SSSfN?
- Has support/advice been sought from CAMHS or Ed Psych Service, if appropriate?
- Was consideration given to a managed move?

The definition of parent is laid down in Section 576 of the Education Act 1996 which defines 'parent' as

- all natural parents, whether they are married or not

- any person who, although not a natural parent, has parental responsibility for a child or young person
- any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law).

Annex D

Panel meeting agenda overview

The Governing Body to consider the permanent/fixed term exclusion of **[Pupil's name]** will be held on **[Date of the Meeting and Time]** and **[Venue]** The Governing Body to consider the permanent/fixed term exclusion of **[Pupil's name]** will be held on **[Date of the Meeting and Time]** and **[Venue]** please also include Governors Names

Agenda

- 1. Welcome and introductions**
- 2. Explanation of procedure**
- 3. The School's/Academy's case – evidence for exclusion**
- 4. Questions to the school – Parties rights of question the School/Academy**
- 5. The Parent/Pupil's Case**
- 6. Questions to the Parent/Pupil – Parties rights to question Parents/Pupil**
- 7. Questions/Representations from LA**
- 8. Closing – Checking all parties have had a chance to say what they wanted to say**
- 9. Explanation of how and when parties will be notified of the decision**
- 10. Parent/Carer/Pupil, School, Local Authority leaves the room.**

Support Summary and Impact

Pupil at risk of permanent exclusion

This form is for a pupil who is at imminent risk of permanent exclusion for persistent disruptive behaviour

Name of Student:	Class/Tutor group
CIC (Child in Care) - Yes/No	SEND My Plan / My Plan+ Statement/EHCP N/A Details -
Date Information is requested:	
Section 1 to be completed by Pastoral Lead and returned to Headteacher by:	

Current government exclusion guidance states that any decision to exclude, ‘**must be lawful** (with respect to the legislation relating directly to exclusions and a school’s wider legal duties, including the European Convention of Human Rights); **rational; reasonable; fair; and proportionate**’.

A decision to exclude a pupil permanently should usually be final step in a process for dealing with disciplinary offences - an acknowledgement by the school that it has exhausted all available strategies for dealing with the pupil and should normally be used as a last resort.

As a school, we will have to demonstrate that we are already using a range of strategies to support this student.

Your account below will help me decide what needs to happen next. In the event of a Permanent Exclusion, this form will be included in the evidence presented to parents/carers, relevant external agencies, Local Authority representatives and Governors.

Section 1 - To be completed by Pastoral Lead /Tutor or Senior Leader

INTERVENTIONS TO DATE	Detail	Impact – Level of Success
My Plan including reviews i.e. evidence that the school has identified need, set targeted outcomes, implemented appropriate strategies/provisions and reviewed progress		
My Assessment resulting in a My Plan+ and reviews i.e. evidence that the school has carried out a holistic assessment of the pupil’s needs, set targeted outcomes, implemented appropriate strategies/provisions and reviewed progress		
Outside agency support e.g. CYPSS YSS Locality Team		
EHCP/Statement of SEND – early review		
Alternative Provision		
Pastoral Support Plan		
Other e.g. Managed Move		
Completed by: Name: _____ Role: _____		

Support Summary and Impact

Pupil at risk of permanent exclusion

This form is for a pupil who is at imminent risk of permanent exclusion for persistent disruptive behaviour

Name of Student:		Class/Tutor group
CIC (Child in Care) - Yes/No	SEND My Plan / My Plan+ Statement/EHCP N/A	Details -
Date Information is requested:		
Section 2 to be completed by Tutor/Subject Teachers and returned to Headteacher by		

Current government exclusion guidance states that any decision to exclude, ‘must be **lawful** (with respect to the legislation relating directly to exclusions and a school’s wider legal duties, including the European Convention of Human Rights); **rational; reasonable; fair; and proportionate**’.

A decision to exclude a pupil permanently should usually be final step in a process for dealing with disciplinary offences - an acknowledgement by the school that it has exhausted all available strategies for dealing with the pupil and should normally be used as a last resort.

As a school, we will have to demonstrate that we are already using a range of strategies to support this pupil.

Your account below will help me decide what needs to happen next. In the event of a Permanent Exclusion, this form will be included in the evidence presented to parents/carers, relevant external agencies, Local Authority representatives and Governors.

Section 2 -To be completed by Subject Teachers/Tutor

SUPPORT TO DATE	Detail	Impact on student’s behaviour
Classroom strategies		
Direct support		
Other		
Completed by: Name: _____ Role: _____		

Pupil at risk of permanent exclusion

When considering whether to exclude, the headteacher should give a pupil the opportunity to share their views.

As the headteacher, I need to know whether there is anything that hasn't already been mentioned at school that will help me come to the right decision.

Name:

Date of birth:

Name of adult helping to complete this form (if appropriate):

Is there anything currently happening at school that might in some way explain your behaviour?

Has anything happened at school in the past that I need to take into consideration?

Is there anything currently happening at home or outside school that might in some way explain your behaviour?

Has anything happened at home or outside school in the past that I need to take into consideration?

Date completed:

Headteacher guide to exclusion paperwork for Governor Disciplinary Meetings (GDM)

This guide has been drawn up by Strategic Leads (EP&I) to help the headteacher organise their contribution to the paperwork compiled by the clerk to governors' disciplinary meetings for an exclusion hearing.

We recommend that the paperwork comprises the following:

- A cover sheet - name of the school, child, date of birth and date of the governors' disciplinary meeting
- A contents page - Sections A- E below
- Page numbers to help governors and other meeting attendees navigate the pack during the meeting. These can be handwritten onto the paperwork when the pack is complete.

Exclusion for a 'one off' offence

What to include	What to leave out
Section A – exclusion notification	
<ul style="list-style-type: none"> • Copy of the relevant exclusion letter sent to parents • If the headteacher issued a short, fixed period exclusion in the first instance in order to investigate an incident, both letters should be included 	<ul style="list-style-type: none"> • Any other exclusion letters
Section B – evidence relating to the incident	
<ul style="list-style-type: none"> • Witness statements including a statement by the pupil being excluded. The headteacher should also complete a contemporaneous statement if they were involved in the incident. If witness statements have been anonymised, originals need to be made available at the GDM if required by governors. • Good witness statements: <ul style="list-style-type: none"> ○ Are signed and dated. ○ Are completed before the decision to exclude if possible. If written statements are completed after the date of the permanent exclusion, the head should include notes of verbal statements obtained as part of the evidence collection. ○ Generally, provide the evidence that led to the decision to exclude. The headteacher should address any inconsistencies as part of the statement to governors at the GDM. • Evidence of the excluded pupil's view/opinion taken before the decision to permanently exclude. 	<ul style="list-style-type: none"> • Behaviour logs or statements relating to academic attainment or behaviour other than the incident that led to the exclusion
Section C – school support	
<ul style="list-style-type: none"> • Evidence of the school following the Graduated Pathway e.g. My Plan/My Plan + • Consideration and identification of possible SEND in consultation with the SENDCO – needs identified should be incorporated into pupils current My Plan/My Plan + • Where there is a EHCP/Statement of SEN, evidence of an early review. This review should take place before the GDM. 	
Section D – parent submission	
<ul style="list-style-type: none"> • This will include any paperwork sent to the clerk by the parents. 	<ul style="list-style-type: none"> • Any school view or comment about the parents' involvement in the child's education
Section E Appendices	
<p>The school Behaviour Policy and any other relevant school policy</p> <ul style="list-style-type: none"> • The headteacher can decide to include only the relevant section of the policies to manage printing costs. It will help to have a brief note explaining how the school ensures all parents know how to access school policies, including revisions. 	

Exclusion for persistent disruptive behaviour

Any decision to exclude, must be lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties) rational; reasonable; fair; and proportionate - Exclusion from maintained schools, academies and pupil referral units in England September 2017

What to include	What to leave out
Section A – exclusion notification	
<ul style="list-style-type: none"> • Copy of the most recent exclusion letter sent to parents • Copy of all exclusion letters from the current school relating to behaviour that led to this exclusion 	<ul style="list-style-type: none"> • Any information on file relating to exclusions from previous schools
Section B – evidence of persistent disruptive behaviour	
<ul style="list-style-type: none"> • Behaviour logs • Electronic monitoring reports • Witness statements from pupils and staff relating to any 'trigger' incident 	<ul style="list-style-type: none"> • Evidence of academic attainment levels
Section C – school support	
<p>Any action taken to support the child's behaviour prior to the exclusion. The pre – exclusion checklist is designed to help headteachers ensure all possible support had been provided</p> <ul style="list-style-type: none"> • MP / MP+ or equivalent. <ul style="list-style-type: none"> ○ Samples of outcome setting and support strategies identified. ○ Evidence of review of strategies. ○ Evidence of referrals/involvement of outside agencies to support child's behaviour. • PSP or equivalent including review paperwork • Managed Move paperwork. <ul style="list-style-type: none"> ○ Original agreement and review paperwork • EHCP/ SEND Statement review. This review should be scheduled before the GDM if possible. <p>Details of any alternatives to permanent exclusion considered</p> <ul style="list-style-type: none"> ○ List of any alternatives considered and reasons judged not to be appropriate e.g. Managed Move, long fixed period exclusion, use of alternative provision ○ Notes of any discussion / emails relating to alternatives considered /explored <ul style="list-style-type: none"> • Evidence of the excluded pupil's view/opinion taken before the decision to permanently exclude. 	<ul style="list-style-type: none"> • Early Help assessment following Graduated Pathway. • Copies of every individual target card/MP/MP+ or equivalent. It is sufficient to provide a sample noting what that sample represents.
Section D – parent submission	
<ul style="list-style-type: none"> • This will include any paperwork sent to the clerk by the parents. 	<ul style="list-style-type: none"> • Any school opinion or comment about the parents' involvement in the child's education
Section E Appendices	
<p>The school Behaviour Policy and any other relevant school policy</p> <ul style="list-style-type: none"> • The headteacher can decide to include only the relevant section of the policies e.g. drug and alcohol abuse section of a behaviour policy to manage printing and copying costs • It will help to have a brief note explaining how the school ensures all parents know how to access school policies, including revisions 	

Head teacher Summary Report for Disciplinary Meeting

Date

Re:

Further to my witness statement written on (date) 2017/18, I wish to present the following:

The reasons for my decision to permanently exclude NAME were based upon the safety and well-being of all pupils, staff and NAME.

In reaching my decision I was informed not only by the current Government Exclusions Guidance but also the Exclusion evidence pack that provides additional advice to head teachers and governors – specifically

A decision to exclude a pupil permanently should only be taken:

- *in response to serious or persistent breaches of the school's behaviour policy; and*
- *where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.*

The particular circumstances around this exclusion are as follows:

Brief factual summary of persistent disruptive or aggressive behaviours

The impact of NAME's behaviour was:

-
-
-

The DfE guidance (September 2017) states that any decision to exclude must be lawful, rational, reasonable, fair and proportionate

HT should briefly explain how the exclusion was:

Lawful

Legally sound – exclusion procedures followed including informing parents, witness statements as well as any broader legal considerations, Child Protection, SEN Code of Practice, Equalities Act etc.

Rational

Time taken to consider the evidence and advice sought from any relevant professionals

Reasonable

Based on expectations or demands within the realms of what is possible and achievable for that child

Fair

That any extenuating circumstances were considered as well as any differences in response to other child in the same or similar situation - not biased

Proportionate

Why a permanent rather than a fixed period exclusion was appropriate.

As well as the guidance issued by government, the following school policies apply:

Our behaviour policy states:

-
-
-

Our CPSHE policy states:

-
-
-

Our Home School Agreement Policy:

-
-
-

SEN/Anti bullying/Physical intervention/drugs etc.

I am satisfied that in this case I had not alternative to permanent exclusion and ask the governors to uphold my decision.

