



MULTI ACADEMY TRUST

THE DOVER FEDERATION FOR THE ARTS

EXCLUSION POLICY

Signed by Mr J Peall, Chairman of the Board of Directors:	
Policy adopted	1 October 2014
Policy reviewed	March 2017
Policy review date:	March 2019

EXCLUSION OF STUDENTS

Introduction

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

- In response to a serious breach of the School/College's Behaviour Policy;
- If allowing the student to remain in School/College would seriously harm the education or welfare of the student or others in the School/College.

Exclusion is an extreme sanction and is only administered by the Principal (or, in the absence of the Principal, the Vice Principal or Assistant Principal acting in that role).

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 School/College's Behaviour Policy:

- Verbal abuse to staff and others
- Verbal abuse to students
- Physical abuse to/attack on staff
- Physical abuse to/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
- Racist or homophobic behaviour
- Unacceptable behaviour which has previously been reported and for which School/College sanctions and other interventions have not been successful in modifying the behaviour of the student.

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

Rationale

This policy deals with the policy and practice which informs the School/College's use of exclusion. It is underpinned by the shared commitment of all members of the School/College community to achieve two important aims:

- The first is to ensure the safety and well-being of all members of the School/College Community and to maintain an appropriate educational environment in which all can aspire and achieve.
- The second is to realise the aim of reducing the need to use exclusion as a sanction.

Exclusion Procedure

Most exclusion is of a fixed term nature and is of short duration (usually between one and five days). The DFE regulations allow the Principal to exclude a student for one or more fixed periods not exceeding 45 School/College days in any one School/College year.

The Board of Directors have established arrangements to review promptly all permanent exclusions from the School/College and all fixed term exclusions that would lead to a student being excluded for over 15 days in a School/College term.

Following exclusion, parents/carers are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends. Parents/Carers have a right to make representations to the Board of Directors and the Local Authority as directed in the letter.

A return to School/College meeting will be held following the expiry of the fixed term exclusion and this will involve the Principal and/or a member of the School/College Leadership team and/or a Director of Year.

It is School/College practice to have a re-admission meeting with the parents/carers, where a Pastoral Support Plan may be drawn up. During the course of a fixed term exclusion the student is not allowed on the School/College premises and their daytime supervision is the sole responsibility of parents/carers. The School/College will provide work for the student to complete at home during this time.

Permanent Exclusion

The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

- 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 or repeated possession and/or use of an illegal drug on School/College premises.
- 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 a 'one off' offence.

These might include:

- Serious actual or threatened violence against another student or a member of staff.
- Sexual abuse or assault.
- Carrying an offensive weapon* (*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.)
- Arson.

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

General Factors the School/College 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/College or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period the School/College will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations taking into account the School/College Behaviour policy.
- 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.

- Ensure that where witness or staff statements are collected, that they are signed, dated and collated.

If the School/College 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.

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/College'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 Board of Directors Panel meeting when it meets to consider the School/College's decision to exclude. This committee will require the Principal to explain the reasons for the decision and will look at appropriate evidence, such as the student's School/College record, witness statements and the strategies used by the School/College to support the student prior to exclusion.

Lunchtime Exclusion

Students whose behaviour at lunchtime is disruptive may be requested to be supervised by parents/carers offsite at lunchtimes.

Behaviour Outside School/College

Students' behaviour outside School/College on School/College 'business' for example, School/College trips and journeys, away School/College sports fixtures or a work experience placement, is subject to the School/College's Behaviour Policy. Poor behaviour in these circumstances will be dealt with as if it had taken place in School/College.

For behaviour outside School/College but not on School/College 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/College or on a journey to and from School/College is poor and meets the School/College criteria for exclusion, then the School/College may decide to exclude.

Drug Related Exclusions

In making a decision on whether or not to exclude for a drug-related offence the School/College will act in accordance with its published policy on drugs and may seek advice from the Drugs Education Advisor. The decision will depend on the precise circumstances of the case and the evidence available. A student's return to school/college may depend on compulsory attendance on the KCA Young Persons' Service DUST programme – www.dust-training.co.uk or equivalent provided by own Pastoral Team.

In some cases fixed term exclusion will be more appropriate than permanent exclusion.

The School/College will make a judgement set against the criteria in the School/College's Drugs Policy.

Further Advice or Guidance:

<http://www.legislation.gov.uk/ukpga/2006/40/section/100>

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269681/Exclusion from maintained schools academies and pupil referral units.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269681/Exclusion_from_maintained_schools_academies_and_pupil_referral_units.pdf)

<http://childlawadvice.org.uk/information-pages/school-exclusion/>