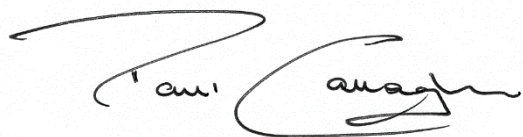




Exclusions Policy

Date approved by Governing Body:	September 2016
Signature of Chair of Governors:	
Next Review Date:	September 2017

CONTENTS

	Page
▪ Rationale	3
▪ Aims	3
▪ Procedures	3
▪ Internal Exclusions	4
▪ Fixed Term Exclusions	5
▪ Permanent Exclusions	5
▪ What Happens	5
▪ Right to Appeal	5
▪ Appendix 1 - Exclusion letter	7

EXCLUSIONS POLICY

Rationale:

Red House Academy is committed to providing optimum learning opportunities for all its students and to supporting this provision through all difficulties experienced by students. Any exclusion in this context is a major decision and must be made within clear parameters.

The aims are to achieve:

- a minimum number of exclusions, whilst safeguarding the well being of all and the education of other students
- understanding by all staff, students, parents and Trust of the Academy commitment to its students and their learning potential
- understanding by all staff and Trust of the process and its seriousness
- agree procedures available to parents and the Trust if necessary

Procedures:

The Academy recognises that certain students, because of unacceptable behaviour, often spend a disproportionate amount of time in discipline, counselling and punishment. These students are worth persevering with and the Academy feels it can help these students if:

- it gets full parental support
- it does not feel that the child is a persistent bully, i.e. other students are not afraid of that individual
- it does not feel that to continue to provide a place for that student significantly damages the learning of others and the well-being of all
- the student does not persist in disruptive behaviour contrary to the Academy's Behaviour Policy

The Academy will make full use of the commitment as outlined in the Home-Academy Agreement and the Positive Behaviour for Learning Policy.

The Academy does not exclude a student unless it is absolutely necessary to do so and if there is felt to be no other viable alternative. This is in response to serious or continuous breaches of the Academy Behaviour Policy; or if allowing the student to stay would harm the education or welfare of other students or staff. The permanent exclusion of students must be the final sanction at the end of a long series of procedures.

All stages of the procedure are documented and parents are always informed of any action taken by the Academy. Continuous misbehaviour will bring the student to the point of exclusion. It should be noted that, in order to progress to this stage, the student must have seriously contravened Academy regulations, either by a one-off exceptional circumstance or by persistent defiant behaviour.

Notwithstanding the procedures laid out above;

1. There will be exceptional circumstances where, in the Principal's judgement, it is appropriate to permanently exclude a child for a first 'one off' offence. These might include:
 - Serious actual or threatened violence against another pupil or member of staff
 - Sexual or racial abuse or assault
 - Supplying or using an illegal drug
 - Carrying an offensive weapon
2. The Academy also reserves the right to permanently exclude a student where families fail to co-operate reasonably with such arrangements (for example preventative PRU placements or Managed Moves).

These procedures are:

- Verbal reminder of rules and expected behaviours by member of staff concerned
- Intervention by member of staff concerned to reinforce basic classroom rules. An appropriate sanction given
- Removal from lesson by ELM Mentor, referral made to Curriculum Leader/Head of Year
- Referral to ELM Group by ELM Mentor following 3 referrals to curriculum leader from same member of staff

NOTE Serious incident could lead to immediate referral to Vice Principal:

- Parental meeting between parent and Home Academy Support Worker to discuss Home/School Agreement. Non compliance will lead to Internal Exclusion
- Further referral to ELM Group could lead to fixed term exclusion **OR** a response to a serious incident
- Non improvement referral to Trust by ELM Group
- Trust to monitor students behaviour over a fixed period
- Permanent exclusion as a final decision by the Principal and the Trust

Types of Exclusions:

- Internal exclusion
- Fixed term exclusion
- Permanent exclusions

Internal exclusion; persistent refusal to follow agreements laid out in Home/Academy Agreement.

The student will be removed from lessons for up to five days. They will follow their timetable, completing work set by subject teachers. This will be supervised by ELM Manager and Assistant Manager in the Bridge Centre. A letter is sent home stating the reasons for the exclusion. Pupil will go on report for the first five days after the internal exclusion.

Fixed Term Exclusion from School

The regulations allow the Principal to exclude a pupil for one or more fixed term periods not exceeding 45 days in any one school year. The Academy is obliged to provide education whilst the student is on roll. In all cases of more than a day's exclusion, work should be set and marked.

When a fixed term exclusion is given the parent is informed by phone and a letter is sent home stating the reason(s) for the exclusion, the period of the exclusion and the date on which the exclusion begins and ends. The letter should also include the date the student is to return to the Academy to meet with the Vice Principals or Assistant Vice Principals KS3/4.

(see letter Appendix)

Permanent Exclusion from School

The Trust must meet to review the decision of the Principal to permanently exclude a student. The parents will be invited and should attend that meeting. They can make representations on behalf of their child, challenge the Academy's case and ask whatever questions they want. An officer of the Local Authority will also attend this meeting to ensure that correct procedure is adhered to.

What happens to a pupil once they have been permanently excluded?

Once a child has been permanently excluded, he/she remains on the roll of the Academy until any appeal is determined, the time limit for an appeal has expired without an appeal being brought, or the parent has told the Local Authority that no appeal is being brought.

Guidance regarding both permanent and fixed term exclusions is published by the Department for Education and Skills, 'Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units' (dated September 2017). This is the document which Headteachers, Governors and the Local Education Authority use for guidance.

The right to appeal

Once a decision has been made to permanently exclude a student and subsequently this decision is upheld by the Principal and Trust the parent/carer will receive a letter from the LA informing them of its decision stating the reasons.

Parent/Carers have **15 school days** in which to appeal, in writing, from the date they receive the letter telling them of their child's exclusion on which the letter from the LA is received.

A hearing will be set up for the parents/carers with an independent Appeal Panel of three people. The appeal panel must meet no later than the 15th school day after the day on which the appeal was lodged.

You will lose your right to put your case to an independent appeal panel if:

- Your appeal is not received by the expiry date in the letter confirming the decision to uphold the exclusion
- You inform the Local Education Authority in writing that you do not wish to appeal

In cases of permanent exclusion, the student's parents have the right of appeal to the Trust. Such appeals should be made through the Clerk to the Trust (PA to the Principal).

Where the Trust do not direct reinstatement, parents have the right of appeal to an independent appeal panel appointed by the Academy.

The appeal panel's decision is final and binding on the Academy. A parent may seek a judicial review of the panel's decision.

Guidance on Exclusion

As part of the Sunderland Model the Academy will follow the LA Policy regarding its Exclusion Policy, in Year Fair Access Protocol and Managed Moves Protocol.

The Education and Inspections Act 2006 requires all schools to provide full time off-site education for excluded students from the sixth day of any fixed period exclusion.

This new law also makes parents and carers responsible for an excluded student's education during the first five days of every exclusion.

Chief Executives, Governing Bodies, Local Authorities (LA's) and Independent Appeal Panels (IAPs) must by law have regard to this guidance when making decisions on exclusions and administering the exclusion procedure. These procedures apply to the Academy and all students in them, including students who may be below or above compulsory Academy age. They also apply to maintained nursery schools.

The 'guide to the law' sections in this guidance should not be used as a substitute for legislation and legal advice.

- The document also provides statutory guidance to which head teachers, governing boards, local authorities, academy trusts, independent review panel member and special educational needs (SEN) experts must have regard when carrying out their functions in relation to exclusions. Clerks to independent review panels must also be trained to know and understand this guidance.
- The phrase 'must have regard', when used in this context, does not mean that the sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case.
- Where relevant, this document refers to other guidance in areas such as behaviour, SEN and equality, but it is not intended to provide detailed guidance on these issues.
- This document replaces all previous versions.

(Reference Number)

(Address)

(Date)

Dear Parent / Carer,

RE: (Student Name / Date of Birth)

I am writing to inform you of my decision to exclude (student name) for a fixed period of (number of days). This means that (he/she) will not be allowed in school for this period. The exclusion begins/began on (date) and ends on (date).

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude (student name) has not been taken lightly. (Student name) has been excluded for this fixed period because

- (reason for exclusion)

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion from (date) to (date) unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for (student name) to be completed on the days specified in the previous paragraph as school days during the period of (his/her) exclusion when you must ensure that (he/she) is not present in a public place without reasonable justification. (Details of the arrangements for this). Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the governing body. If you wish to make representations please contact the Governor Support Team, Room 1.62, Civic Centre, Sunderland, SR2 7DN, telephone: 561 2626, e-mail: governor@sunderland.gov.uk within 7 days of the date on this letter. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the Special Educational Needs and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9DN.

You also have the right to see a copy of (student's name) school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of (student's name) school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Michelle Burlinson, Inclusion and Access Officer (e-mail: michelle.burlinson@sunderland.gov.uk or telephone: 561 1442) who can provide advice. You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 01206 714 650 or on www.childrenslegalcentre.com The advice line is open from 8 am to 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

(Student's name) exclusion expires on (date) and we expect (student name) to be back in school on (date) at (time).

Yours sincerely
Mrs Joan Kennedy
Principal

cc Chair of Governors
Specialist Minuting Team - Sunderland City Council, Civic Centre, Sunderland
SR2 7DN
The Attendance/Exclusion Team - Sandhill Centre, Grindon Lane, Sunderland,
SR3 4EN
Michelle Burlinson – Sandhill Centre