



orchard
Education

Exclusions Policy

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Context

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

This policy is compliant with Statutory Guidance and Regulations on Exclusion, DfE dated September 2017. (See Appendix One).

Introduction

The Orchard School aspires to be a learning environment in which staff, students and parents work together for the benefit of all parties.

Our aim is to promote fairness and consideration for others and we believe that all students and staff should always be valued and respected, irrespective of their differences in background, abilities and choices. We believe that The Orchard should offer a happy, safe and engaging learning environment, and that those with responsibility for creating and maintaining this need the support of appropriate policies and procedures to do so.

Our Positive Behaviour Policy details a wide range of consequences which may culminate in exclusion. We believe fixed term exclusion to be a powerful and important consequence, but one that should be avoided wherever possible, particularly for those students who are supported by Education and Health Care Plans.

Aims

The aims of this policy are:

- a) to ensure the safety and well-being of all members of our community;
- b) to maintain an appropriate educational environment in which all can learn and succeed;
- c) to reduce the need for exclusion as a sanction;
- d) to clarify key issues around exclusion.
- e) To apply a degree of consistency and fairness wherever possible

Definitions

An exclusion may be one of two types:

1. Fixed-Term Exclusion (when a student is excluded from the school)
2. Permanent Exclusion (where steps are taken to permanently remove the student from the school)

Students with Special Educational Needs

The school will take account of any special educational needs when considering whether or not to exclude a student. We have a legal duty under the Disability Discrimination Act 1995 as amended not to discriminate against disabled students by excluding them from the school for behaviour relating to their disability. The Principal will ensure that reasonable steps have been taken by the school to respond to a student's disability, so the student is treated fairly. 'Reasonable steps' could include:

- a) differentiation in the School's Positive behaviour policy;
- b) developing strategies to prevent the student's negative actions;
- c) requesting external help with the student;
- d) staff training.

Where reasonable adjustments to policies and practices have been made to accommodate a student's needs and to avoid the necessity for exclusion as far as possible, exclusion may be justified if there is a material and substantial reason for it. A specific incident affecting order and discipline in the school may be such a reason.

Rationale

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

- a) If behaviour is consistently and repeatedly disruptive, abusive or threatening to staff or other students;
- b) In response to a serious breach of the school's Positive Behaviour or other Policies.
- c) If allowing the student to remain in the School would seriously harm the education or welfare of the student or others.
- d) A more extensive list of reasons for exclusion is to be found in Appendix Two.

Types of Exclusion

Fixed Term Exclusion

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

The School 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.

Fixed Term up to 5 days

School will take the following actions for exclusions up to 5 days

- The Principal must write immediately giving length and reason for exclusion.
- If there is a meeting, parents have the right to attend.
- Parents have the right to make 'written representations' which must be considered even where there is no requirement for a meeting
- School must take reasonable steps to set and mark work for the first five days of a period of exclusion.
- If exclusions were to last longer than 5 days, school will look too identify suitable alternate tuition for day 6.

Re-admission Meetings and Restorative Re-integration

Following a Fixed Term Exclusion, parents/carers will be invited to attend a return to school meeting. This meeting will discuss the behaviors which brought about the exclusion, school will listen to the pupil's explanation and work towards avoiding any further issues. This will be done in partnership with the student and the parent and will be chaired by the Hub Manager (or nominated deputy)

Prior to the meeting – learners will receive a reflective think sheet (appendix 3) that will need to be completed and brought to the meeting. This sheet will explore the thoughts, feelings and actions that lead the learner to be excluded from school and provide the learner the opportunity to reflect on their actions and the school an opportunity to update any support necessary for the learner.

At the meeting, the learner, parents, and staff will complete a restorative re-integration form, designed to explore the incident(s) that lead to the exclusion (Appendix 4). The actions will be agreed by all parties before a successful reintegration can take place.

Permanent Exclusion

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 the School or to the student. Permanent exclusion is and always will be a last resort for the School when all other options have been explored. This will never be a decision taken lightly and parental engagement in this process will be deemed the highest priority to mitigate and negative implications

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

- a) Appropriate investigations have been carried out.
- b) The student has been allowed to give her/his version of events.

Any decision to permanently exclude a pupil will be at the highest burden of proof, 'beyond reasonable doubt'

- The Head must write immediately explaining that the exclusion is permanent and giving the reason for the exclusion.
- The Head must inform the LA. If the pupil lives outside the local authority in which the school is located, the head teacher must also advise the 'home authority' of the exclusion without delay.
- Parents have the right to make 'written representations' which must be considered.

We will also consider a learner's additional needs in respect of their EHCP.

If at any time a decision is made to exclude a learner, then the school will support alternate placements being found. This may include supporting parent and pupil to look around other provisions.

Stepping Stones offer

In certain circumstances the school may nominate a student to attend the schools 'Stepping Stones' provision which can be any of the other 2 schools. This provisional offer is provided as a pre cursor to any exclusion and offers intense support in an environment where the learners behaviour will not impact other learners negatively. Any move to another centre will be fully reviewed on a weekly basis to try and provide as much support as possible.

For learners who engage positively with the 'Stepping Stones offer' there will be opportunities to reintegrate into the main school sites.

Roles and Responsibilities

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

Appeals Procedure

Where parents dispute the decision not to reinstate a permanently excluded student, they can ask for this decision to be reviewed by an independent review panel. (Orchard Management Committee & Directors)

What is the independent review panel?

Where parents dispute the decision of the school not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel. An independent review panel does not have the power to direct the school to reinstate an excluded pupil. However, where a panel decides that the school's decision is flawed, it can advise the school to reconsider its decision.

The Independent Review Panel is made up of the schools Management committee and an Independent 3rd party Head Teacher or Deputy.

Appendix 1: DfE statutory guidance on Exclusion

New regulations on exclusion came into force in September 2017. The Department for Education (DfE) issued new statutory guidance for academies.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/630073/Exclusion_from_maintained_schools_academies_and_student_referral_units_guidance.pdf

Further useful links

Departmental Advice on Alternative Provision:

<https://www.gov.uk/government/publications/education-for-children-with-health-needs-who-cannot-attend-school>

Departmental Advice on Behaviour and Mental Health:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416786/Mental_Health_and_Behaviour_-_Information_and_Tools_for_Schools_240515.pdf

Children with Special Educational Needs and Disabilities:

<https://www.gov.uk/children-with-special-educational-needs/overview>

Departmental Advice on attendance:

<https://www.gov.uk/government/publications/school-attendance>

Appendix 2: 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 School's Positive 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 school consequences 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.

A permanent Exclusion may be considered when:

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 member of staff.
- Sexual abuse or assault.
- Supplying an illegal drug.
- Carrying an offensive weapon*
- Arson

The School 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 wellbeing of the school.

Appendix 3

Orchard Reflective Think Sheet

CPoms Incident Number: _____

Cpoms incident date: _____

What happened? (Circle all the correct pictures)



was not following instructions



Talking



wasn't on task



was disrespectful/silly



had a negative attitude



distracted others



wasn't ready/late



made a mess



was dangerous



Bullying



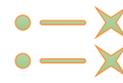
was aggressive



was violent



damaged property



persistent negative



was inappropriate



other

Want to tell us more?

How were you feeling? (Circle the correct feelings)



bored / impatient



silly / giddy



angry



frustrated



sad



confused



troubled / a lot on my mind



embarrassed



guilty



tired



anxious



stressed



jealous



hungry



scared



other

What were you thinking?

Orchard Reflective Think Sheet

Who else has been affected?

How might they be feeling? (Circle the correct feelings)



bored / impatient



silly / giddy



angry



frustrated



sad



confused



troubled / a lot on my mind



embarrassed



guilty



tired



anxious



stressed



jealous



hungry



scared



other

What could be done differently? How can we repair the damage?

Appendix 4



Restorative Reintegration Meeting:

“Individually we can make a difference, together we can make a positive change”.

NAME:	Previous Fixed Term exclusions:	Current Fixed Term Exclusion:
CLASS:		

Previous Actions Taken (If applicable): *If the child has had previous Fixed term exclusions then what strategies/adaptations have been implemented to prevent a further exclusion?*

What happened? *A summary of actions which led to the exclusion and reference to the positive behaviour management policy. Could detail here the impact their actions had on other individuals.*

Learner:

Staff:

How were you feeling at the time? *A summary of thoughts of feelings of both staff and learners involved in the incident.*

Learner:

Staff:

Who has been affected? *A summary of thoughts of feelings of both staff and learners involved in the incident.*

Learner:

What have we learnt and what can we change? *This needs to take account of knowledge each of the parties have gained from the previous sections, so they understand how their actions have affected others. It is an opportunity to identify triggers/hotspots so changes can be made to prevent similar behaviours reoccurring.*

Learner:

Staff:

How can we fix it? *The response to this should form part of the learners’ emotional support plan and agreed targets, so both pupil and staff know how to support achievement of successful outcomes.*

Pupil:

Staff:

Parent View/Comments:

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Date of next review meeting (If applicable) :
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Is an AAA or a Positive Handling Plan now needed?
--

Has the learners Emotional support plan been updated and communicated?

Signed (learner)	Signed (parent/carer)	Signed (Staff)

This policy will be reviewed annually by SMT/SLT member or area specific school advisory panel member .

	Initial	Review 1	Review 2	Review 3
Signed	P. Macleod	Pete MacLeod	Pete MacLeod	L.Griffen
Position	Director	Director	Director	Welfare & Transitions Manager
Date	03/09/18	12.08.19	18.08.20	01/09/21