

Nottingham University Academy of Science and Technology

# Exclusion Policy

**Responsible officer:** Principal

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Approved by: NUASt Board of Directors

# NOTTINGHAM UNIVERSITY ACADEMY OF SCIENCE AND TECHNOLOGY

## Exclusion Policy

### 1. Introduction

- 1.1 The Nottingham University Academy of Science and Technology (the Academy) will use exclusion as its final sanction in ensuring the good order and discipline it believes is essential for effective learning to take place.
- 1.2 The decision to exclude a student will be taken in the following circumstances:
  - a. In response to a serious breach of the Academy's Student Behaviour Policy
  - b. If allowing the student to remain in the Academy would seriously harm the education or welfare of the student or others in the Academy.
- 1.3 Permanent exclusion may, on rare occasions, be the only possible response to a single incident of extreme misconduct.
- 1.4 In applying this exclusion policy, the Academy will follow current DfE guidance and advice.
- 1.5 The policy and procedures should also be read in conjunction with the following Academy documents:
  - a. Equality Policy
  - b. Student Behaviour Policy.

### 2. Policy Statement

- 2.1 This policy and procedure define the exclusion practices and how they should be managed in the Academy.
- 2.2 Exclusion will be used sparingly in response to serious breaches of Academy policy and discipline. It will normally be used only after other sanctions and sources of support have failed to achieve the desired change in behaviour and attitude.

- 2.3 Permanent exclusion will only be used as a last resort, when all other reasonable steps have been taken and when allowing the child to remain in the Academy would be seriously detrimental to the education and/or welfare of other students and/or staff.
- 2.4 When it is necessary to exclude a student, parents/carers will be contacted by telephone, if possible, at the earliest possible opportunity. The exclusion will always be confirmed by a letter, which will set out the reasons for the exclusion and also inform the parents/carers of their rights to make representations to the Governing Body.
- 2.5 Each incident of exclusion will be recorded in a standard format. This will give:
- a. The name and age of the student
  - b. The cohort of the student
  - c. The gender of the student
  - d. The ethnic group into which the student falls
  - e. The type of exclusion
  - f. In the case of fixed term exclusions, the number of days for which the student will be excluded
  - g. The reasons for the exclusion.

### 3. Equal Opportunities

- 3.1 The Academy is committed to equality of opportunity, and to promoting an ethos of dignity, courtesy and respect throughout the organisation. *For further information, please refer to the Equality Policy.*
- 3.2 Every effort will be made to ensure that a fair and consistent practice, as detailed in this policy and procedure, is carried out.

### 4. Objectives

- 4.1 The Exclusion Policy and procedure underpins the shared commitment of all members of the Academy community to achieve three important objectives:
- a. To ensure the safety and well-being of all members of the Academy community
  - b. To maintain an appropriate educational environment in which all can learn and succeed
  - c. To realise the aim of reducing the need to use exclusion as a sanction.

## 5. Procedures for fixed-term exclusions

- 5.1 The Principal will normally decide if a student is to be excluded for a fixed period. The only exception will be when the Principal is absent from the Academy, when his/her power to exclude for a fixed period will be delegated to the Vice Principal or designate.
- 5.2 The need to exclude will be determined on merit and the particular circumstances will be carefully investigated and considered. The degree of severity of the offence, the frequency of occurrence and the likelihood of recurrence will be taken into account, as will the student's previous record.
- 5.3 If a student is to be excluded for a fixed period for the first time, the length of the fixed-term exclusion will normally be 1-3 Academy days. Longer periods may be used for a more serious offence or for a recurrence of misbehaviour following an earlier fixed-term exclusion. Where the mitigating circumstances outweigh the aggravating circumstances, a Formal Warning may be issued to make it clear that a further occurrence of similar behaviour will result in a fixed period exclusion.
- 5.4 Fixed-term exclusion may be used for a single occurrence of serious misconduct or for persistent misbehaviour.
- 5.5 Fixed-term exclusion will always be considered in the case of verbal abuse towards members of staff and in cases of serious and unprovoked violence towards fellow students or staff. It will also be considered in the cases of bringing dangerous objects or illegal substances onto the Academy premises. Fixed-term exclusion may also be used in cases of serious misbehaviour on the way to and from the Academy, and in the case of behaviour off the Academy premises which has an effect on the education and welfare of students in the Academy. The most serious breaches of Academy expectations in these circumstances may lead to permanent exclusion.
- 5.6 When the Principal has decided that there are adequate grounds for excluding a student, the parents/carers will be informed as soon as possible, by telephone if this is possible, so that arrangements for a meeting to discuss the reasons for the exclusion and plan for reintegration can be arranged. The parent/carer should be given reasonable notice to make appropriate arrangements to have the excluded student at home if necessary. If it is not possible to contact the parents/carers, the letter sent to parents/carers will set out:

- a. The reasons for the exclusion
  - b. The start date of the exclusion, which should be three days from the date of posting so that there is time for the letter to arrive and for the parents/carers to make arrangements
  - c. The length of the exclusion
  - d. A suggested date and time for parents/carers to meet named staff to discuss the reason for exclusion and plan for reintegration.
- 5.7 All letters must be clear about parents/carers rights to make representations to the Governing Body.
- 5.8 Information regarding the exclusion will be available to the Chairman of the Board of Directors and will be sent to the Local Authority's Exclusions Team, Children's Services.
- 5.9 Representations to the Board of Directors concerning fixed-term exclusions will normally be made in the first instance to the Chairman of the Board. The matter may then be referred to an informal sub-committee of the Board.
- 5.10 Before the student returns to the Academy, there will be a meeting between the parent/carer and a nominated member of staff to discuss the reasons for exclusion and plan for reintegration. The nominated person will ensure that notes of the meeting are taken, and a contract drawn up to support the student in improving behaviour.
- 5.11 The Academy reserves the right to use fixed-term exclusion up to the maximum period allowed in current legislation.
- 5.12 If the exclusion is for 6 days or more, the Principal will ensure that:
- a. There is planned full-time, offsite, educational provision from day 6 of the exclusion
  - b. Work is set and sent home for completion for the first 5 days after which alternative full-time education arrangements will be made.
  - c. Parents/carers are notified of their responsibility to ensure that their child is not found in a public place during Academy hours
  - d. Children's Services are informed of the details of the exclusion and the provision made for the individual.

## 6. Permanent Exclusion

- 6.1 The Principal may decide that a student is to be permanently excluded. If the Principal is temporarily absent from the Academy and an incident occurs in which the appropriate other Senior Leader feels that permanent exclusion may be the appropriate response, the Senior Leader may exclude the student concerned for a fixed-term long enough to allow the Principal to consider the case on his/her return.
- 6.2 Permanent exclusion is seen as a very serious matter and will only be used as a last resort. It is likely to be applied only after all other sanctions, including fixed-term exclusion, have failed to produce the desired response in the student. It may, however, be an appropriate response to a single incident of extreme misconduct, for example, extreme violence towards a fellow student or an assault upon a member of staff.
- 6.3 The Principal will inform the parents/carers of a permanent exclusion immediately by letter and, if possible, by telephone. The letter will state:
  - a. That the student has been permanently excluded
  - b. The reasons for the permanent exclusion
  - c. What provisional educational arrangements are in place
  - d. What relevant sources of free and impartial advice are available
  - e. The right to make representation to the Board of Directors.
- 6.4 A copy of this letter will be sent to:
  - a. The Directors involved in the discipline meeting
  - b. The Local Authority's Exclusions Team, Children's Services.
- 6.5 The Principal will make arrangements for a hearing before the Board of Directors Discipline Committee to take place within fifteen Academy term days of the date of the exclusion. Normally, three members of the Board of Directors will hear the case. No Director who has any prior knowledge of the case will participate in the hearing. Parents/carers will be given at least seven days' notice of a hearing before the Board of Directors Discipline Committee to consider the exclusion. This letter will state:
  - a. Details of previous disciplinary measures leading up to the permanent exclusion, if appropriate
  - b. The parent's/carer's right to examine the student's record
  - c. The purpose of the hearing

- d. That the parents/carers and student should attend and that they may be accompanied by a friend
- e. That if they do not attend the hearing it may proceed in their absence
- f. That if the Board ratify the exclusion, the parents/carers (or student if over 18) have a right of appeal to an Independent Appeals Committee.

6.6 The procedure followed at the hearing will be as informal as possible. It will normally follow the format set out below:

- a. The committee will meet jointly with the Principal, the Senior Leader with cohort responsibility, the parent(s)/carer(s), the student and an accompanying friend of the parent(s)/carer(s).
- b. The Board will invite the Principal to give his/her reasons for recommending permanent exclusion. The Principal may invite the other Senior Leader to speak.
- c. The parent(s)/carer(s) and Board will be invited to ask questions of the Principal and/or other Senior Leader
- d. The parent(s)/carer(s) will be given the opportunity to explain why they think permanent exclusion is inappropriate
- e. The Principal/Senior Leader and the Board will have an opportunity to ask questions of the parent(s)/carer(s)
- f. The Principal/Senior Leader and the parent(s)/carer(s) and anyone else attending the hearing will be given an opportunity to sum up and to ask further questions of the Board
- g. The Board may wish to ask further questions of either the Principal/Senior Leader or the parent(s)/carer(s) or the student
- h. The Principal/Senior Leader and the parent(s)/carer(s) and student will then withdraw from the meeting and allow the Board to consider the case on their own.

6.7 The Directors will decide to either:

- confirm the permanent exclusion
- order the immediate reinstatement of the student.

6.8 The decision of the Board of Directors Discipline Committee will be communicated to the parent(s)/carer(s) by letter within 24 hours of the meeting. If the Board decided to confirm the permanent exclusion, the letter will inform parents of their right of appeal to an Independent Appeals Committee.

## **7. Alternatives to Exclusion**

7.1 The Academy is committed to exploring as many alternatives to exclusion as possible in order to support students:

## 7.2 **Managed moves/Fair access**

As a possible approach to avoid the risk of further exclusion it is suggested that the Principal may seek to transfer the student with the support of all parties to another educational establishment through the Fair Access Panel or other local agreed policies.

## 7.3 **Students at risk panels**

These panels might also fulfil the function of 'reintegration panels'. Panel members may co-ordinate services for students at risk of being excluded and/or are out of school. It is suggested that these panels might include:

- a. Education welfare officers
- b. Children's Services representatives
- c. Educational psychologists
- d. Staff from PRUs
- e. Admissions, SEN policy staff, and staff with inclusion responsibility
- f. Academy staff, e.g. Principal, pastoral support staff
- g. Community representatives
- h. Representatives of other interest groups, including Academy workforce representatives

7.4 It is acknowledged that having such a broad range of individuals might make a quick response to an exclusion difficult. It is suggested therefore that there might be core panels who make the immediate response and that the wider group monitor and review progress.

7.5 Other possible strategies include:

- a. Personal Support Plans
- b. Restorative justice
- c. Mediation
- d. Internal exclusion.

## **8. Roles and Responsibilities**

8.1 The Principal has the ultimate responsibility for exclusions.

8.2 Data on each incident of exclusion will be available to the Chair of Board and Chair of Discipline Sub-committee.

8.3 Incidents of exclusion will be monitored by the appropriate Senior Leader. Trends' analyses will be completed to inform practice and the development of further strategies.

## 9. Review, Monitoring and Evaluation

9.1 The Board ensures that strategies for avoiding exclusions are an integral part of the Academy Strategic Plan and they will evaluate the effectiveness and success of this policy in the light of the objectives detailed under the heading "Guiding Principles". In order to achieve this objective, the Board will monitor:

- a. Numbers of exclusions per term
- b. Types of exclusions
- c. Cohorts (e.g. ethnic/gender groups).

## 10. References

### Teachernet

[www.teachernet.gov.uk/exclusions](http://www.teachernet.gov.uk/exclusions)

### National Strategies

[www.nationalstrategies.standards.dcsf.gov.uk/behaviourattendanceandseal](http://www.nationalstrategies.standards.dcsf.gov.uk/behaviourattendanceandseal)

**Department for Education:** Exclusion from maintained schools, Academies and pupil referral units in England - a guide for those with legal responsibilities in relation to exclusion.

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