



St Edward's
Church of England
Academy

Exclusion Policy

Approved by Governors:

Statutory:

RECOGNISE • **E**NCOURAGE • **S**TRIVE • **P**REPARE • **E**MPATHISE • **C**HRISTIAN • **T**EAMWORK



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The Vision for Education within a Church of England Academy

There are fundamental reasons, rooted in the Bible, which have motivated centuries of Christian involvement in schooling in this country and around the world. The God of all creation is concerned with everything related to education.

There is a fresh articulation of the Church of England's vision for education as we meet the challenges and take the opportunities offered by the present situation. It is not simply for Church schools but, recognising the Church of England's involvement in education over many centuries, seeks to promote educational excellence everywhere, for everyone. In Church schools like St Edward's Church of England Academy, the deeply Christian foundation for this vision will be seen explicitly in teaching and learning both in RE and across the curriculum, and also in the authentically Christian worship and ethos. The Church's vision for education can be expressed and promoted as one of human flourishing that inspires what the school is and does.

The vision is deeply Christian with the promise by Jesus of 'life in all its fullness' at its heart. This vision embraces the spiritual, physical, intellectual, emotional, moral and social development of children and young people. We offer a vision of human flourishing for all, one that embraces excellence and academic rigour, but set them in a wider framework. This is worked out theologically and educationally through four basic elements which permeate our vision for education:

- Wisdom
- Hope
- Community
- Dignity

The vision, in line with the Church of England's role as the established Church, is for the common good of the whole human community and its environment, whether national, regional or local. It is hospitable to diversity, respects freedom of religion and belief, and encourages others to contribute from the depths of their own traditions and understandings. It invites collaboration, alliances, negotiation of differences, and the forming of new settlements in order to serve the flourishing of a healthily plural society and democracy, together with a healthily plural educational system.



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St Edward's Church of England Academy Ethos and Values

St Edward's Church of England Academy's ethos and values, which are based upon the teachings of Jesus Christ, underpin all that it does.

They are encompassed in the word, **RESPECT**.

Each letter within this word holds further meaning and is central to what we believe our Academy and the community it serves stand for:

- **R**ecognise and **E**ncourage everyone's potential, individual skills and talents
- **S**trive to be the best we can be
- **P**repare for the challenges of life
- **E**mpathise, promoting the values of respect, kindness, compassion, fairness, forgiveness, love, honesty and trust
- **C**hristian – a community where we learn from the teachings of Jesus so that we can contribute to the family of St Edward's and beyond
- **T**eamwork – an environment where we work together so we can all achieve our potential

Our ethos and values are instrumental in fulfilling the Academy motto: ***'Learn for Life'***



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At St Edwards Church of England Academy, we aim to promote inclusion for all our pupils and we are committed to the recognition of the equal value of every pupil. It is felt that exclusions of pupils from a school, whether fixed term or permanent, are damaging to the school community. Consequently, this policy is underpinned by the shared commitment of all members of the Academy community to achieve the following two important aims:

1. The first is to ensure the safety and well-being of all members of the Academy and to maintain an appropriate educational environment in which all can learn and succeed.
2. The second is that all academies seek to avoid exclusions unless considered absolutely necessary.

What is this Policy for?

This policy is intended as guidance for all staff and governors and follows the guidance from the DfE 'Exclusion from maintained schools, academies and pupil referral units in England (September 2012)'. This policy should be read in conjunction with the academy's own policies for:

- Teaching and learning
- Special educational needs
- Equal opportunities
- Health and safety
- Behaviour
- Safeguarding

This policy provides all staff with a clear framework to enable the effective handling of pupil exclusion issues and to inform all stakeholders of the procedures.

Who is this policy for?

All staff, governors and parents/carers

Policy Standards

General Principles

1. When would an Exclusion be used?

Exclusion would normally be used:

- For a major first offence, such as serious actual or threatened violence, criminal damage to academy property, sexual abuse or assault, supplying banned substances or carrying an offensive weapon.



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- Where allowing a pupil to remain in the academy would be seriously detrimental to the education of other pupils, to the welfare of other pupils, staff, or of the pupil themselves. More usually it follows a series of breaches of the academy's disciplinary code and after a range of strategies to resolve the pupil's disciplinary problems have been tried and have failed.
- When the behaviour of pupils outside the academy is such that it can be considered as grounds for exclusion

2. Principles of the Exclusions Policy

A fixed term exclusion from the academy can only be authorised by the Principal or the 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 Principal. This decision may not be delegated to anyone else.

Any decision the Principal makes to exclude a pupil must be:

- Lawful
- Rational
- Reasonable
- Fair
- Proportionate.

If the Principal decides to exclude a pupil, they will always ensure that there is sufficient recorded evidence to support the decision. All the evidence must be very carefully assessed and collated. Records will be kept of all exclusion proceedings for any permanent exclusion.

When considering exclusion, the Principal will take into account:

- Possible short-term, mitigating circumstances such as bereavement, mental health issues etc.
- Whether the pupil comes into a category that is known to be a particularly vulnerable group (e.g. pupils with SEN, FSM pupils; looked after children; certain ethnic groups; traveller children) and whether all preventative strategies have been fully utilised.
- Whether a pupil has already had a number of fixed term exclusions which appear to be ineffective.

An exclusion will not be enforced if doing so may put the safety of the pupil at risk.

Exclusion will never be used informally or unofficially. This is against the law. We will take care to ensure that a decision to exclude does not involve any kind of discrimination as defined by the Equality Act 2010.



3. Notification of an Exclusion

Parents/Carers will be notified as soon as possible of the decision to exclude a pupil 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.

In the case of a permanent exclusion, parents/carers will be notified by the Principal.

A pupil who has been excluded will have the reason for his/her exclusion explained to them by a member of staff, in a way that allows them to understand the nature of their misbehaviour and the reason for the exclusion.

The academy will also work to put in place a programme for the pupil on his/her return. This will include input from staff at the academy, parents/carers, if appropriate, and any other appropriate bodies e.g. CAMHs, social care. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency i.e. the incident leads to the discovery that there is a child protection issue, the academy will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following an exclusion, the pupil will be able to return to academy and that further input will promote in him/her a more positive attitude and a subsequent improvement in behaviour.

Relevant academy staff will be notified of all fixed term exclusions the same day of the production of the exclusion letter, which they will receive a copy of; it will clearly outline the reasons for the exclusion.

In cases of more than a day's exclusion, the academy will ensure that appropriate work is set and that arrangements are in place for it to be marked

It is the academy's duty to arrange education from the sixth day of a fixed period exclusion, this would be triggered by consecutive fixed period exclusions totalling more than five days. The Principal must by law inform the parents/carers without delay of the start date, times and venue of the provision. This must be done no later than 48 hours before the alternative provision is to start.



4. Action Following an Exclusion

Following any exclusion of whatever type or duration, the Principal will:

- Inform the parents/carers of the period and nature of the exclusion, clearly outlining the reason for the exclusion. Parents/carers should always be advised about rights of representation about the exclusion to the local governing body and how these representations may be made.
- This information will be put in writing and will be sent either by e-mail, by text, by delivering a letter directly to the parents/carers, leaving it at their last known address or by posting it to their last known address. The information can also legally be sent home with the excluded pupil, but the academy will always send a duplicate copy by a reliable alternative method. The information provided to parents/carers will be clear and free of unnecessary jargon.
- Where the excluded pupil is of compulsory school age, the school will also notify parents/carers without delay, and at the latest by the end of the afternoon session, that for the first five days of an exclusion they are legally required to ensure that their child is not in a public place during school hours without reasonable justification and that they may be given a fixed penalty notice if they fail to do so.
- If a fixed term exclusion has been extended or converted to a permanent exclusion, parents/carers must be informed. In such cases, the Principal must write again to the parents/carers explaining the reasons for the change and providing any additional information required.
- All pupils returning from a fixed term exclusion are required to attend a reintegration 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 pupil, parent/carer and academy.

5. Informing other Agencies/Bodies

For any exclusion of more than five days, be it in a single block of days, an accumulation of short exclusions of more than five days in any one term, or a permanent exclusion, the Principal will also:

- Notify the governing body, giving the same details



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- For a permanent exclusion, the Principal must inform the 'local authority' of the exclusion without delay.

6. The Role of the Local Governing Body

The governing body for the academy will be fully informed and involved with these procedures. The Principal will inform the governing body and LA within one school day of any permanent exclusions, exclusions longer than five school days or more than 10 lunchtimes in a term, and those which will result in a pupil missing a public examination.

7. Procedure for Appeal

The governing body has a duty to consider the representations of the parents/carers about an exclusion.

All correspondence regarding an exclusion from the academy will inform parents of their right to appeal to the governing body against the decision to exclude. This procedure is clearly set out in the statutory guidance. The person who should be contacted to initiate an appeal is the Principal's Personal Assistant.

The governing body must consider the reinstatement of an excluded pupil within 15 working days of receiving the notice of the exclusion if the exclusion is permanent if it is a fixed term exclusion which would bring the pupils total number of school days of exclusion to more than 15 in one term, or it would result in a pupil missing a public examination. The local governing body must also consider the reinstatement of an excluded pupil within 50 school days of receiving notification of the exclusion if a pupil would be excluded for more than 5 school days, but not more than 15 in one term.

In view of their consideration, the governing body can uphold an exclusion or direct reinstatement of the pupil immediately or on a particular date.

8. Independent Review Panel

The academy will advise parents/carers that they can request a review of the decision by the governor's committee to uphold a permanent exclusion.

The academy is responsible for managing and training independent panels concerning cases of permanent exclusion. An independent panel can uphold an exclusion but cannot overturn the decision of a governors' committee. The panel can recommend that the local governing body reconsiders its decision, taking account of the findings of the panel. If the panel has grounds for believing that the governors' decision was flawed, they can direct the governing body to reconsider their decision.



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The academy must ensure that all panel members and clerk have received training within the two years prior to the date of the review.

The academy will follow the guidance as set out in the DfE statutory guidance September 2012 on the members and role of the independent review panel.

9. Pupil disciplinary committee

Where there are instances of repeated inappropriate behaviour which leads to further fixed term exclusions and / or a pupil is at risk of a permanent exclusion, parents / carers and the pupil will be invited to attend a meeting with staff and governors to further discuss what needs to be done to try to support and /or modify the behaviour of the pupil.



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APPENDIX A

Sample Template Letter for a Fixed Term Exclusion

Dear **Name of parent / carer**,

I am writing to inform you of my decision to exclude **name of pupil** for a fixed period of **number of day(s)**. This means that **s/he** will not be allowed in school for this period. The exclusion starts on **date** and ends on **date**. **Name of pupil** will return to school on date and time.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **name of pupil** has not been taken lightly. **Name of pupil** has been excluded for this fixed period because of **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 **start date to end date**, unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. It will be for you to show reasonable justification.

You have the right to make representations about this exclusion to the governing body. If you wish to make representations please contact Mrs Morris-Fear on 01538 714759 at the school, as soon as possible. Whilst the governing body is not required to meet and 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.

At the meeting you have the right to be accompanied by a friend or representative. Taking into account your child's age and understanding, she may also attend the meeting to speak on her own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate her views by other means.

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 First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals> Making a claim would not affect your right to make representations to the governing body/PRU management committee.



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You have the right to see and have a copy of your child's school record. I will be happy to supply you with a copy if you request it but due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy. There may be a charge for photocopying.

For your information the following sources of advice are available to you.

- District Inclusion Officer
Lisa Wood,
District Inclusion Officer – (Newcastle and Moorlands District)
Special Educational Needs and Inclusion Services (SENIS)
The Riverway Centre,
Riverway,
Stafford.
ST16 3TH
Email lisa.wood@entrust-ed.co.uk
Office tel: 01785 278810
- Deborah Wright
Senior Administrative Officer – Exclusions
Special Educational Needs and Inclusion Services (SENIS)
The Riverway Centre,
Riverway,
Stafford.
ST16 3TH
Email: Deborah.wright@entrust-ed.co.uk
Tel: 01785 278810
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to



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sfps@staffordshire.gov.uk or visit the website for more information
www.staffordshire.gov.uk/sfps

- Statutory guidance on exclusion can be found here:
<https://www.gov.uk/government/publications/school-exclusion>

Name of pupil's exclusion expires on **date** and we expect **name of pupil** to be back in school at **time and date** to meet with **name of member of staff**.

Yours sincerely

Mr. T. Hutchinson
Principal



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APPENDIX B

Sample Template Letter for a Permanent Exclusion

Dear **[Name of Parent/Carer]**

Name of pupil (d.o.b.)

I regret to inform you of my decision to permanently exclude **name of pupil** with effect from **date**. This means that **name of pupil** will not be allowed in school unless he is reinstated by the governing body or by the recommendation of a review panel.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude **name of pupil** has not been taken lightly. **Name of pupil** has been excluded because of **reason(s)**

You have a duty to ensure that your child is not present in a public place in school hours during the first five school days of this exclusion; **start date to end date**, unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. It will be for you to show that there is reasonable justification.

Alternative arrangements for **name of pupil's** education to continue will be made. For the first five school days of the exclusion we will set work for **name of pupil** and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards - i.e. from **date** the local authority, Staffordshire County Council will provide suitable full-time education.

You have the right to make representations about this decision to the governing body and ask them to reinstate your child. As this is a permanent exclusion the governing body must meet to consider it. The governing body have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may ask for the decision to be reviewed by an Independent Review Panel. The latest date by which the governing body must meet is **date**. If you wish to make representations to the governing body, please contact Mrs Morris-Fear on 01538 714759 as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting.



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At the meeting you have the right to be accompanied by a friend or representative. Taking into account your child's age and understanding, he may also attend the meeting to speak on his own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate his views by other means.

Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform Mrs Sharon Morris-Fear if it would be helpful for you to have an interpreter present at the meeting.

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 First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals> Making a claim would not affect your right to make representations to the governing body/PRU management committee.

You have the right to see and have a copy of your child's school record. I will be happy to supply you with a copy if you request it but due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy. There may be a charge for photocopying.

For your information the following sources of advice are available to you.

- District Inclusion Officer
Lisa Wood,
District Inclusion Officer – (Newcastle and Moorlands District)
Families First, Targeted Services
Families First at Faraday Road,
Stafford.
ST16 3NQ
Email lisa.wood1@staffordshire.gov.uk
Office tel: 01785 278810
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>



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- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps

Statutory guidance on exclusion can be found here:

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Yours sincerely

Mr. T. Hutchinson
Principal

cc. Clerk to Governors
District Inclusion Officer
Child's school file