



## AGATE MOMENTUM TRUST EXCLUSION POLICY

*This policy must be read in conjunction with the school behaviour policy.*

<i>Date of Review</i>	<i>January 2022</i>
<i>Date reviewed by Governors /trustees</i>	<i>3rd February 2022</i>

This policy adheres to the DfE statutory guidance on Exclusion from Schools and Academies in England:

<https://www.gov.uk/government/publications/school-exclusion>  
<https://www.gov.uk/school-discipline-exclusions>

### **Statement of Intent**

Agate Momentum Trust Schools are committed to promoting good discipline and maintaining a high-challenge, low-fear environment where children can learn and thrive. Tolerance and mutual respect for the rights of others underpin our behaviour expectations.

Our schools are committed to the Every Child Matters outcomes. We aim to tackle and prevent offensive, disruptive or dangerous behaviour and to provide a caring, friendly and safe environment for all of our pupils so they can learn in a secure and disciplined environment where they are able to achieve their full potential. We also believe that adults should be able to work in a safe and secure environment that enables them to focus upon teaching and learning.

Offensive, dangerous behaviour or behaviour which disrupts learning is unacceptable at our schools and such incidents will be dealt with promptly and effectively. Our schools provide a vast range of support to children who display poor or challenging behaviour.

Decisions to exclude lie solely with the Headteacher, or in his/her absence, the Assistant Headteacher responsible for behaviour. When establishing the facts surrounding an incident which may lead to exclusion, the Headteacher must apply the civil standard of proof "on the balance of probabilities", and not the criminal standard of "beyond reasonable doubt".

## Objectives of this policy

- To reinforce that the focus of our practice is upon inclusion rather than exclusion and that exclusion is only considered once our capacity to support and promote good learning behaviour has been exhausted.
- To acknowledge that challenging behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding and that we will strive to 'never give up' easily on a child.
- To affirm our belief that that we recognise everyone within our school community's have a unique contribution to make to school life and that we will support one another in that.
- To make clear and transparent the process of exclusion so that everyone in our community has a clear understanding about the pathway we will take when other options to support pupils have been exhausted.

## The Decision to Exclude

Exclusions are either **fixed term** (for a set number of days) or **permanent**. The decision to exclude a student will be taken by the Headteacher in the following circumstances:

- In response to a serious breach of the School's Behaviour Policy;
- If allowing the student to remain in School would seriously harm the education or welfare of the pupil or others in the School.
  - If the impact of not excluding the pupil would harm the integrity of the school's behaviour policy.

Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher will ensure appropriate investigations have been carried out, considering all the evidence available. 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's Behaviour Policy: \*

Defiance and/or disrespect

- \* Repeated breaches of the school behaviour policy
- \* Verbal abuse to Staff
- \* Verbal abuse to children
- \* Using racist, homophobic or sexist language
- \* Physical abuse to/attack on Staff
- \* Physical abuse to/attack on another child
- \* Indecent behaviour
- \* Damage to property
- \* Theft
- \* Serious actual or threatened violence against another pupil or a member of staff.

**This is not an exhaustive list** and there may be other situations where the

Headteacher makes the judgment that exclusion is an appropriate sanction. The Headteacher is empowered to make this decision as s/he sees fit, and there is no “tariff” regarding the number of days’ exclusion applied to a particular “offence”.

## **Exclusion Procedure**

Most exclusions are of a fixed term nature. The DfE regulations empower the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year. If 45 days are exceeded, then this becomes a permanent exclusion.

If an external exclusion is deemed appropriate, the headteacher will endeavour to contact parents on the day of the incident. A letter will be issued to the parental home within 24 hours giving details of the reasons for the exclusion, the date the exclusion ends and which explains clearly the parental responsibility that a child is not in a public place during the period of the exclusion. Work will be set for the child whilst the exclusion is in force which should be returned to the school for marking following the period of the exclusion. Wherever it is possible the school will endeavour to obtain a place at Reintegration into Education Team (RIET) for the child to attend during their period. This is a Newham provision specialising in supporting pupils who have been excluded or are in danger of being so. Attendance at RIET also provides the opportunity for pupils to explore the events that led to the exclusion and identify different choices that could have been made.

Parents/carers have a right to make representations to the Governing Body and local authority as directed in the exclusion letter.

A reintegration meeting will be held following the expiry of the fixed term exclusion and this will involve the child, parent/carer, and the headteacher or deputy headteacher. It is school practice to monitor behaviour and work of the child very closely for the period following exclusion. This may mean the use of a report or close support by staff. In the unlikely event that the fixed term exclusion is greater than five days or an accumulation of exclusions exceed five days, schools will make arrangements to provide full time education from the sixth day of any period of fixed term exclusion. This will usually be arranged at Reintegration into Education Team (RIET) for the child to attend during their period. This is a Newham provision specialising in supporting pupils who have been excluded or are in danger of being so. Attendance at RIET also provides the opportunity for pupils to explore the events that led to the exclusion and identify different choices that could have been made.

During the course of a fixed term exclusion, parents/carers are advised that the child is not allowed on the school premises, and that daytime supervision is their responsibility.

## **Permanent Exclusion**

The decision to exclude a child permanently is a very 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 issues 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

- The second is where there has been a very serious breach of the school behaviour policy and this may be a one-off incident.

DfE guidance states that it is for the headteacher to decide whether a pupil’s behaviour warrants permanent exclusion, due to serious or persistent breaches in

the school behaviour policy, or where a pupil's behaviour means that allowing the pupil to remain in school would be detrimental to the education or welfare of the pupil or others in the school.

### **Managed Move**

In cases where the headteacher and parents are in agreement that the progress of the pupil has been unsatisfactory, and the pupil is unable or unwilling to benefit from the educational opportunities being provided, or if parental failure to engage in strategies implemented by the school are resulting in a continual pattern of challenging behaviour or a lack of improvement in behaviour, the headteacher may consult with the Trust and propose a managed move to another school. This is not an exclusion and in such cases the headteacher may assist parents and pupils in avoiding exclusion by placing the pupil in another school.

### **Procedure for appeal**

If parents wish to appeal the decision to exclude, the matter will be referred to the governing body and managed through the school and Trust appeal procedure.