



The Aylesbury Vale Academy

Success Beyond Belief

A Church of England Academy

EXCLUSIONS POLICY

SEPTEMBER 2011

VISION:

That every young person graduates from Aylesbury Vale Academy as citizens of an international community where they have the mobility borne from their outlook, qualifications, skills and experience to be successful.

GUIDING PRINCIPLES: WE ADOPT THE CHRISTIAN VALUES OF:

- Honesty
- Respect
- Compassion
- Love
- Forgiveness
- Self-discipline
- Creativity
- Hope

OBJECTIVES:

1. To ensure the safety and well-being of all members of the Academy community, and to maintain an appropriate educational environment in which all can learn and succeed.
2. To deal with exclusions in a structured way, considering all factors and using exclusion as a last resort.
3. To minimise the need to use exclusion as a sanction.

MONITORING (via Governors' Management Committee):

1. Throughout the academic year the committee will review all permanent exclusions and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term or missing a public examination.
2. The committee will be provided with the findings of any review of this policy.
3. Visit the Academy to follow lines of enquiry as a result of the exclusion (adhering to the protocol for governor visits).

REVIEWING

The Governing Body is responsible for reviewing its policies and the Principal is responsible for reporting on the implementation of the policy.

1. Has the policy been successfully implemented?
2. Has the policy had the intended impact in the Academy and on the young people?
3. Are the current objectives to remain the same and do they support other policies and development priorities?

NOMINATED MEMBER OF STAFF:

HEAD OF COLLEGE

APPENDIX 1

Operating Statement

Exclusion is an extreme sanction and is only administered by the Principal (or in the absence of the Principal, the Vice Principal or any other delegated member of staff in the absence of both, usually the SLT member accountable for behaviour). 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 Academy's Student Behaviour Policy; Behaviour Charter. This list is not exhaustive.

- Physical assault against a pupil includes fighting, violent behaviour, wounding, obstruction and jostling.
- Physical assault against an adult includes Violent behaviour, Wounding, Obstruction and jostling.
- Verbal abuse/threatening behaviour against a pupil or adult includes threatening violence, aggressive behaviour, swearing, homophobic abuse and harassment, verbal intimidation and carrying an offensive weapon.
- All bullying e.g verbal, physical, homophobic bullying and racist bullying.
- Racist abuse includes racist taunting and harassment, derogatory racist statements, swearing that can be attributed to racist characteristics, racist bullying and racist graffiti.
- Sexual misconduct includes sexual abuse, sexual assault, sexual harassment, lewd behaviour, sexual bullying and sexual graffiti.
- Drug & Alcohol related includes possession of illegal drugs, drug dealing, smoking, alcohol abuse and substance abuse.
- Damage includes damage to school or personal property belonging to any member of the school community – vandalism, arson and graffiti.
- Theft includes stealing school property, stealing personal property (pupil or adult), stealing from local shops on a school outing and selling and dealing in stolen property.
- Persistent disruptive behaviour includes challenging behaviour, disobedience and persistent violation of school rules.

- Other incidents which are not covered by the categories above but considered by the Principal to breach the Academy's policies.

APPENDIX 2

Exclusion Procedure

Most exclusions are of a fixed term nature and are of short duration (usually between one and five days).

The DFE regulations allow the Principal to exclude a student for one or more fixed periods not exceeding 45 school days in any one Academy year.

Following exclusion parents are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body and the LA as directed in the letter.

A return to the Academy Reintegration meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Management Team, an LPP Manager and other staff where appropriate.

It is Academy practice to place the student on report to the Head of College usually for one week to monitor behaviour and work on return. If the fixed term exclusion is greater than 15 days or an accumulation of exclusions exceed 15 days, a Pastoral Support Plan will be drawn up. This needs to be agreed with the Academy, student and parents. Time in Retrack is also often used as a means to reintegrate a student who has served an external exclusion.

A fixed term exclusion will usually take the form of an "internal" exclusion, with the student being excluded into the Academy's Retrack or Referral Room (for periods of less than one day). However, in some circumstances, either because of the severity of the incident or because of practical or logistical constraints, the student will be required to remain at home.

During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on the Academy's premises, and that daytime supervision is their responsibility, as parents/guardians.

Permanent Exclusion

The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences 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. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or repeated possession and or use of an illegal drug on Academy premises.

2. The second is 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 a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carry an offensive weapon
- Arson
- 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 well-being of the Academy

This list is not exhaustive.

The Academy will consider police involvement for any of the above offences.

General factors the Academy considers before making a decision to exclude:

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the Academy or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period the Principal will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the Student Behaviour Policy, Equal Opportunity and Race Equality Policies
- Allow the student to give her/his version of events
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment

If the Principal is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion will be the outcome.

Exercise of discretion

In reaching a decision, the Principal will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Principal will consider

- a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Academy's Policies and
- b) the effect that the student remaining in the Academy would have on the education and welfare of other students and staff. In the case of a student found in possession of an offensive weapon, whether there is an intention to use it or not, it is the Academy's usual policy in this particularly serious matter to issue a permanent exclusion.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' Pupil Discipline Committee, when it meets to consider the Principal's decision to exclude. This Committee will require the Principal to explain the reasons for the decision and will look at appropriate evidence, such as the student's Academy record, witness statements and the strategies used by the Academy to support the student prior to exclusion.

Alternatives to Exclusion

Alternative strategies to exclusion are included in the Student Behaviour Policy. The Academy works closely with other secondary schools to undertake managed moves where such a course of action would be of benefit both to the student and the two schools concerned. However, the threat of a permanent exclusion will never be used as the means to coerce parents to move their child to another school.

Lunchtime Exclusion

Students whose behaviour at lunchtime is disruptive may be excluded from the Academy premises for the duration of the lunchtime period. This will be treated as fixed term exclusion and parents will have the same right to gain information and to appeal.

Behaviour Outside the Academy

Students' behaviour outside the Academy on Academy "business" for example school trips and journeys, away school sports fixtures or a work experience placement is subject to the Academy's Student Behaviour Policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in the Academy. For behaviour outside the Academy but not on Academy business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole. If students' behaviour in the immediate vicinity of the Academy or on a journey to and from the Academy is poor and meets the Academy criteria for exclusion then the Principal may decide to exclude.

Drug Related Exclusions

In making a decision on whether or not to exclude for a drug-related offence the Principal will have regard to the Academy's published policy on drugs or any substance deemed to be illegal for that age group such as tobacco/cigarettes, and will also seek advice from the LA's Drugs Education Advisor. In regard to this serious matter, the Academy will normally permanently exclude.