



## Exclusion Policy

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## Exclusions

### 1. Policy

- 1.1 Mossbourne Community Academy is committed to inclusion. However the Governing Body recognises that from time to time situations may arise when the Principal may feel that exclusion is an appropriate response to a situation, or action, on the part of as student.
- 1.2 The decision to exclude any student will always be lawful, reasonable and fair.

### 2. Scope

- 2.1 This Policy covers all students of Mossbourne Community Academy including the Sixth Form.

### 3. Key Principles

- 3.1 The decision to exclude a student may be taken in the following circumstances:
- In response to a serious or persistent breaches of the Academy Behaviour Policy;
  - If allowing the student to remain in the Academy would prejudice the education or welfare of the student, fellow students, or staff in the Academy.
- 3.2 Exclusion is an extreme sanction and is only available to be administered by The Principal (or in his absence, the Acting Principal). Exclusion is not an appropriate sanction for minor incidents but may be used for:-
- Verbal abuse to staff and others;
  - Verbal abuse to student;
  - Physical abuse to, or attacks on, staff;
  - Physical abuse to, or attacks on, a fellow student;
  - Indecent behaviour;
  - Damage to property;
  - Misuse/trading of illegal drugs;
  - Misuse/trading of other substances;
  - Theft;
  - Unacceptable behaviour which has previously been reported, and for which the Academy sanctions and other interventions have not been successful in modifying the student's behaviour;
  - Behaviour which threatens the smooth running of the Academy
  - A refusal to follow the instruction of a member of staff;

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- Being in possession of illegal substances in Academy uniform or on the Academy site;
- Bringing weapons (or an item for which the intended purpose is that of a weapon) of any description into the Academy.

The list above is neither exhaustive nor is it prescriptive. Each student's behaviour will be judged individually and the context will always be taken into account.

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

### 3.4 Sixth Form

- The Clive Bourne Sixth Form provides all students with exceptional standards of academic and pastoral support. The structure of support reflects the rigorous systems adopted at Mossbourne Community Academy and support is available from a wide range of sources including, for example, Subject Teachers, HoLAs, the Form Tutor, Head of Year and Learning Mentors
- Students of our Sixth Form have selected to attend The Clive Bourne Sixth Form and due to the voluntary nature of their attendance at The Clive Bourne Sixth Form we have higher expectations regarding the standards we expect of them regarding their behaviour, conduct around the Academy and commitment to study. Staff expectations of Sixth Form students reflect the fact that as the oldest students at the Academy, they adopt an increasing level of maturity and are expected to behave as role models for younger year groups.
- The exclusion policy, as applied to Sixth Form students, adheres to the Mossbourne Academy Exclusion Policy. This addition to the policy extends to cover other aspects of conduct to reflect the increased expectations for Sixth Form students associated with academic progress, behaviour both in and outside the Academy and a commitment to study.

3.5 DfE Regulations allow the Principal to exclude a student for one or more fixed periods, not exceeding 45 Academy days, in any one Academic year.

3.6 The Governors have established arrangements to review promptly all permanent exclusions from the Academy and all fixed term exclusions that would lead to a pupil being excluded for over 15 days in a term or missing a public examination. Governors will decide whether or not to reinstate the student (permanent exclusion) or whether the Principal's decision to exclude (fixed term) was justified.

## 4. Procedures

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## 4.1 Fixed Term Exclusion

- The Governors have established arrangements to review fixed term exclusions, for students on roll, which would lead to a student being excluded for over five days but not over 15 days in a term where a parent has expressed a wish to make representations.
- Following exclusion, parents are contacted immediately, where possible.
- A letter is sent with the pupil, where possible, and by post giving details of the exclusion and the date the exclusion ends.
- Parents have a right to make representations to the Governing Body, as directed in the letter.
- A reinstatement meeting will be held following the expiry of the fixed term exclusion.
- It is the Academy's practice to place the student in the Learning Support Unit upon return from exclusion in order that reintegration is closely monitored.
- A Behaviour Support Plan may be considered as a support strategy to help students modify the behaviour which had led to fixed term exclusions and the targets will be agreed with the Academy, student and parents.

## 4.2 Permanent Exclusion

- The decision to exclude a student permanently is a serious one. It will usually be the formal step in a process for dealing with disciplinary offences subsequent to a wide range of other strategies, which have been used without success. It is an acknowledgement that the incident is a single episode whereby a serious breach of the Academy Behaviour Policy has occurred, and/or all available strategies have been exhausted and/or the permanent exclusion is a last resort.
- Permanent Exclusion might follow (for example) persistent and defiant misbehaviour including harassment (which would include bullying).
- Permanent Exclusion is the probable result of the possession and/or use of an illegal drug or a weapon on Academy premises, in line with the Academy's behaviour Policy.
- There are exceptional circumstances where it is appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:-
  - Serious actual or threatened violence against another pupil or a member of staff;
  - Sexual abuse or assault;
  - Possessing or supplying an illegal drug either in Academy uniform or on the Academy site;
  - Carrying an offensive weapon or item which could be construed as a weapon and is carried for such a purpose;
  - Using an item as a weapon;

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- Arson
- The Academy may consider police involvement for any of the above offences.
- 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 including the health and safety of all staff and fellow students.

**4.3 Factors to be Considered Before Exclusion**

- Exclusion will not be imposed in the heat of the moment unless there is an immediate threat to the safety of others in the Academy or the pupil concerned. Before deciding whether to exclude a pupil 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 Academy’s Behaviour and Equal Opportunity policies and plans;
  - If appropriate, allow the student to give his / her version of events – though the Academy recognises that it may not always be appropriate;
  - Check whether the incident may have been produced for example by harassment (this includes bullying, racial or sexual) and
  - Consult with others, if necessary.
- If the Principal is satisfied that *on the balance of probabilities* that the pupil did what he or she is alleged to have done, Exclusion or Permanent Exclusion will be the outcome.

**4.4 Alternatives to Exclusion**

- The Academy does use alternative strategies to exclusion and these are included in the Behaviour Policy.

**4.5 Behaviour Outside The Academy**

- Examples of when the Academy has the same expectations of student behaviour as when they are on the premises include when students are on Academy business including:
  - Away on Academy trips;
  - Academy sports fixtures;
  - Work experience placements;
  - When a pupil is wearing the Academy uniform.

The above list is not exhaustive.

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- Bad behaviour on such occasions will be dealt with as if it had taken place in the Academy.
- For behaviour outside the Academy, when the student is not on Academy business, the Principal will exclude a pupil if there is a clear link between behaviour and the maintenance of good behaviour and discipline among the student body as a whole. If the student's behaviour in the immediate vicinity of the Academy or on a journey to and from the Academy is poor and meets the criteria for exclusion then the Principal may decide to exclude, especially where it brings the Academy's reputation into disrepute.

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