

# New Horizon Academy: Exclusion Policy

## Policy Statement

At New Horizon Academy we educate with purpose: to provide our pupils with the tools they need to become independent, achieve economic well-being, contribute to society, and always strive to do their best.

We provide a vibrant environment for the education of children with moderate and severe learning needs who are in the care of New Horizons Care Limited. We will be responsive enough in our teaching approach to consistently meet our pupils needs and prepare them for the ever-changing world.

As a school that accepts pupils who in some instances have been excluded from multiple schools, we understand that for some pupils we present a final opportunity for education. For this reason, we have robust measures in place during the process of referral to ensure that we are the right school for each pupil before they are admitted to the school to reduce the chances of permanent exclusion. We know that most of the pupils who are referred to our school will have had significant gaps in their education, for this reason, we use exclusion, even fixed-term exclusion, as a last resort.

In this policy we will outline the procedures that we will follow should it become necessary to exclude a pupil from New Horizon Academy.

## What is an Exclusion?

Exclusion is a disciplinary sanction and means that a pupil is not allowed on the school premises for the duration of the Exclusion. A pupil may be excluded for one or more fixed periods (up to a maximum of 25 school days in a single academic year), or permanently.

There are two types of Exclusion:

- Fixed-Term Exclusion
- Permanent Exclusion

## Reasons for Exclusion

Although this is not an exhaustive list, the main categories of misconduct which may result in fixed-term or permanent exclusion or removal include:

- supply/possession/use of certain drugs and solvents, or their paraphernalia, or substances intended to resemble them, or alcohol or tobacco whilst on School premises, representing the School, travelling to or from School, on School-organised trips, being associated with the School
- theft, blackmail, physical violence, intimidation, racism or persistent bullying (including cyber-bullying);
- peer on peer abuse;
- misconduct of a sexual nature;
- supply or possession of pornography;
- possession or use of unauthorised firearms or other weapons;
- vandalism or computer hacking;

- persistent attitudes or behaviour which are inconsistent with the school's ethos;
- serious academic malpractice such as plagiarism;
- other serious misconduct, on or off School premises, which affects the welfare of a member or members of the School community or which brings the School into disrepute (single or repeated episodes).

The following very serious offences are likely to lead to permanent exclusion:

- Sexual abuse or assault;
- Serious actual or threatened violence (including bullying) against another pupil or member of staff;
- Involvement in the possession, use or supply of drugs or substances.
- Repeated serious offences such as those outlined under “Reasons for Exclusion” may also lead to permanent exclusion or removal.

### Fixed-Term Exclusion

- DfE guidance says that a pupils may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year). This guidance does not apply to independent schools therefore, for the reasons mentioned above, at our school a pupil may be excluded for one or more fixed periods (up to a maximum of 25 school days in a single academic year)
- Pupils may be excluded for a set number of days at a time (not more that 5), after which the pupil returns to school.
- We will inform the parents/carers explaining the reasons for the exclusion and how long it is to last.
- We will provide resources / activities for the pupil during the exclusion.
- During the exclusion, the pupil must not be in a public place during school hours and the parents are responsible for the whereabouts of the pupil.
- On returning to school, there will be a re-integration meeting, in which all those concerned can discuss the best way forward for the pupil.
- Parents may have a right to challenge the exclusion through written representation to the Governing Body. Parents may also request a meeting with the Governing Body. Members of the Governing Body may then decide whether or not to reinstate a pupil and if the Headteacher’s decision to exclude was justified based on the evidence.

### Permanent Exclusion

- The decision to exclude a pupil 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. This would include persistent and defiant misbehaviour e.g., repeated bullying (which could include racist or homophobic bullying) or repeated possession and or use of an illegal drug on school premises.

- 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 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.
  - Supplying an illegal drug.
  - Carrying an offensive weapon\*.
  - Arson.
- The school will consider police involvement for any of the above offences. \* 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 School.
- Permanent exclusion at New Horizon Academy involves returning the pupil to the referring local authority. An assessment of the pupil should be undertaken by the Local Authority, so that a long-term re-integration plan for a new placement can be devised. Because our pupils all have special educational needs and EHC plans, the Local Authority must ensure that an appropriate full-time placement is identified in consultation with the parents, who retain their rights to express a preference for a school that they wish their child to attend, or make representations for a placement in any other school
- For the first five days, the parents are responsible for the pupil's whereabouts and he/she must not be in a public place during school hours.
- For the first five days, we will set activities and provide resources for the pupil
- After 5 days, the local authority will need to make arrangements for a new placement

## Exclusion Procedure

- If the Headteacher decides to exclude a pupil, he/she will: -
  - Ensure that there is sufficient recorded evidence to support the decision
  - Check the behaviour tracking system
  - Look at the evidence that has been gathered and built up and examine incident reports. An incident report needs to have been written each time by staff involved and then passed onto a member of the Senior Leadership Team.
- The Headteacher will then make the decision on whether to exclude or not and the duration of the exclusion as appropriate.
- Information is entered onto an in-house exclusion form by Headteacher and kept on the pupil's file.
- Should a child in care be identified as at risk of exclusion, then contact is made with the local authority Inclusion Officer, social worker and the named contact in the Looked after Children team immediately, to enable early intervention/preventative strategies to be instigated.

- The decision to exclude should be explained to the pupil and the parents/carers. The Headteacher will contact the parents/carers, explain the decision and ask that the child be collected explaining what has happened and review date to be set.
- If an incident occurs mid-day and the school is unable to make contact with the parent/carer, the pupil will remain on site (if safe to do so) until the normal leaving time or until contact is established. Transport will then be arranged to send the pupil home. The pupil will only then be sent home.
- The school will send a letter to the parents confirming the reason for the exclusion, whether it is a permanent or fixed term exclusion, the length of the exclusion and any terms or conditions agreed for the pupil's return.
- In cases of more than a day's exclusion, we will ensure that appropriate work is set and that arrangements are in place for it to be marked.
- The School Administrator will collate all documents relating to the exclusion, i.e., copy of incident reports, copy of the exclusion letter, minutes of the reintegration meeting and file in separate Exclusions folder using a numbering system.
- The Headteacher will email the Safeguarding Governor outlining exclusion details and duration and a plan about how to address the pupil's needs on his/her return
- An exclusion will not be enforced if doing so may put the safety of the pupil at risk. Most exclusions are of a fixed term nature and are of short duration (usually between one and three days). In the unlikely event of an extremely serious or dangerous incident the pupil will be suspended immediately, and the parent or responsible adult contacted immediately.
- Parents/carers have a right to make representations to the Governing Body and the Children's Services Directorate Social Inclusion Officer at the Local Authority if they want to challenge a decision to exclude their child. This information, with contact details, will be in the exclusion letter. Parents/carers will be fully advised on procedure. Please refer to procedure for appeal below
- A reintegration meeting will be held following the expiry of the fixed term exclusion and this will involve the pupil, parent/carer, a member of the Senior Leadership Team, and other staff where appropriate.
- It is school practice to monitor behaviour and work of the pupil very closely for the period following exclusion. This means monitoring of the Behaviour Tracker, Critical Incident Reports, and Pastoral sessions.

### Procedure for Appeal

- If parents/carers wish to appeal against the decision to exclude, the matter will be referred to the Governing Body.
- Two Governors, will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within five days.
- Records relating to the decision to exclude and the parents'/carers' complaint will be copied to all parties not later than two days prior to the hearing.
- In no circumstances however will the school or its staff be required to divulge to parents or others any confidential information on or the identities of pupils or others who have given information which has led to the exclusion or which the Headteacher has acquired during an investigation.

- The parents may be accompanied to the hearing by one other person. This may be a relative, teacher, friend or Parent Support Advisor. Legal representation will not normally be appropriate.
- If possible, the Governors will resolve the parents' complaint without the need for further investigation. Where further investigation is required, Governors will decide how it should be carried out.
- After consideration of all the relevant facts, the Governors will reach a decision on whether to uphold or rescind the exclusion or make other recommendations. This decision will be made within ten days of the hearing.
- Parents/carers will be informed in writing of the Governors decision and the reasons for it. Their decision will be final. The Governors findings and any recommendations will be sent in writing to the parents/carers, Headteacher and all Governors.