



Manchester Communication Primary Academy

EXCLUSION

Policy 2020 - 21

Approval History

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Purpose

The purpose of this policy is to outline the academy's approach to the consistent use of inclusive practice as an alternative to exclusion, wherever possible.

Consequences which children are given as an alternative to exclusion are referred to in this policy as being 'exclusion level', this is because they are viewed with the same level of severity and reported to governors.

This policy sets out when an 'exclusion-level' consequence is applied, what alternatives to exclusion are used and the process which is followed.

Although there will still be instances when a fixed-term exclusion is the most appropriate course of action, the application of this policy seeks to significantly reduce their usage whilst consistently upholding high expectations of behaviour.

The purpose of an inclusive consequence is to ensure that children are safe and supported to reflect and improve their behaviour, continuing learning as soon as possible. This will take place in school, but out of class, so that there is no negative impact on the learning of others.

As the academy's nurturing provision develops both in class and through specialised support, it is anticipated that the number of 'exclusion level consequences' applied will continue to reduce.

This policy also details when and how external fixed-term, and permanent exclusions are applied, if deemed necessary; in-line with the legal framework surrounding this. Guidance on this can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

The power to exclude is the headteacher's only, in their absence, this may be devolved to another appropriate member of the senior leadership team such as the deputy headteacher. Where possible, this should be in consultation with the headteacher.

Outline

We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.

Preventing Exclusions

The academy aims to avoid the use of any exclusion so far as possible. We therefore seek to support children to improve their behaviour in the following ways:

- Additional TA support
- SEMH interventions
- Nurture groups
- Parent access to parent training courses
- Supported play times
- EP assessment and EHCP application
- Internal alternative provision (taught out of class)
- Temporary timetable reduction if appropriate
- Managed move to a partner school
- Access to external alternative provision

Behaviours which Incur Exclusion-level Consequences

These behaviours are those which would warrant a red card in the academy's behaviour policy. The following list is demonstrative and comprehensive but is not intended to be exhaustive:

- Assault on staff (outside of positive handling context).
- Verbal abuse towards staff.
- Proven bullying.
- Proven use of racist/homophobic language.
- Absconding from lesson, compromising safety.
- Fighting/assault on peer.
- Defiance which compromises the safety of others.
- Disruption to learning, which has not improved despite consistent application of the academy's behaviour management policy (warning, focus point, stop & think and time out, yellow & reflection).
- Sexualised behaviour.
- Bringing alcohol, weapons or drugs on site.

In the instance of any of the above, the child should be referred to the headteacher or deputy headteachers as soon as is practically possible. If the head or deputy heads are not available, the child should be placed in an internal exclusion by the phase leader.

Types of Exclusion

Exclusion of any sort, for any period of time, is taken very seriously by the school, and the decision to exclude is not taken lightly. Various alternative strategies to manage behaviour will be tried before exclusion, as this sanction is only used as a last resort unless there is an immediate threat to safety within the school. If it is decided that exclusion is necessary, the parents or carers of the child will be notified, and the circumstances surrounding the exclusion will be formally recorded. Following an exclusion, parents/carers must attend the school for a re-entry meeting. See appendix 2.

1. Internal exclusion. This is for a fixed-term, usually one or two days and involves a pupil being supervised in school but withdrawn from mainstream school life for the entirety of the school day.
2. Fixed-term exclusion. The length of a fixed-term exclusion will be set out by the school at the start of the exclusion period, usually between 0.5 and 2 days. If a child is excluded for more than 45 days in one school year, they will be permanently excluded.

The length of a fixed term exclusion will be determined by the headteacher and will take into consideration the following: The severity of the incident; the likelihood of repeat; the impact of being away from school and the safeguarding context.

A fixed term exclusion cannot be converted to a permanent exclusion. However, it may be necessary in some instances to issue a fixed term exclusion in order to investigate an incident fully. The findings of this investigation may be that a permanent exclusion is warranted. This would then be issued based on new information.

An excluded child has no automatic right to take a public examination or National Curriculum tests on the school's premises. The governing body can decide whether or not to allow the child to sit the tests, and this will depend on the seriousness of the reason for exclusion.

3. Permanent exclusion. This means that the child is no longer permitted to attend the school. Work will be provided for the first 5 days other exclusion, following this, the local authority will provide an alternative offer.

All permanent exclusions are routinely reviewed by an independent panel of governors/trustees who will uphold the headteacher's decision or reinstate the pupil.

Alternatives to External Exclusion and How They are Considered

Wherever possible, the academy will seek to keep children in school. This is because we are aware that most children who incur exclusions, do so due to ACES (Adverse Childhood Experiences) or SEMH issues (social, emotional and mental health). This means that most exclusions will be served internally, supervised by a member of staff out of class.

If a dynamic risk assessment indicates the risk posed by keeping a child in school (risk to themselves, others, staff and property) is low or manageable, an internal exclusion will be used.

It may be appropriate for supportive parents to be called to assist with their child in school as an alternative to exclusion. If this is the case, the parent must be supervised by a member of staff at all times. This approach would only be used if as part of a prior-agreed strategy.

In these situations, children will remain in internal exclusion throughout break and lunchtimes.

If deemed safe, the child may be supervised in an alternative class and placed on reflection for break and lunchtime.

Whilst on an internal exclusion, children will be given stage appropriate independent work to complete. Work which is not completed, will be sent home to be completed. This is a requirement of re-entry.

Under this policy, there is no difference in severity between external and internal fixed-term exclusions.

External exclusions will be used if an internal/alternative option cannot be sustained because of safety concerns and/or extreme escalating behaviour.

Parental Engagement

All exclusion level consequences, whether internal or external will require immediate parental notification and engagement.

Parents will be contacted to attend school and discuss their child's behaviour. In some cases, this will take place at the end of the day. In the case of escalating, or unsafe behaviour which is not de-escalating, a parent may be requested to attend as soon as they can.

This meeting will take place with a senior member of staff, in which they will explain the exclusion process and serve the parent with the notice (in the case of an external exclusion, work must also be provided). Following this, the child will serve the exclusion-level consequence. Parents must then attend a re-entry meeting on the morning of their child's re-integration. The focus of this meeting is to establish the terms of re-entry, changes in support and re-state the expectations of behaviour with parental support (see form in appendices).

If parents do not attend re-entry, the child will be supervised out of class until the parent arrives. This is not to 'punish' children for a lack of parental engagement, but to ensure a successful re-entry with all sides in agreement.

Consistency

Within the academy's nurturing approach, a range of supportive and preventive approaches are taken, exclusion level consequences are not one of them. Some children may be taught outside of mainstream class in order to support the development of their behaviour, this is not to be confused with a consequence.

The academy's priority is to ensure that all children are making good progress. Therefore, ensuring that children are back in class with improved behaviour as soon as possible is the key driver of this policy. This is especially pertinent to children in the younger years of school (or those with SEND) whose understanding of their behaviour is developing.

If an incident takes place before 11am, the consequence will be served for the remainder of the day with re-entry the morning after.

If the incident takes place after this, the consequence will be served for the remainder of the day and proceeding day, with re-entry held on that day in the afternoon or morning after.

In the event of an assault on staff or more extreme behaviour, the tariff above will be used as an absolute minimum.

Consideration of SEND, SEMH and traumatic context:

At MCPA we seek to provide high quality support to children who have additional needs which may impact negatively on their behaviour. These children have their own individual communication and consequence charts which guide staff on how to support their behaviour to improve.

If a child with SEND exhibits the negative behaviours outlined in this policy, they will be subject to an appropriate consequence in line with this policy and their understanding. This means that the length of time out of class, removal context or reflective activity may be reduced in accordance with the child's level of understanding. The parental engagement and expectations will however remain consistent with the policy.

Manage Moves

If the headteacher and parents agree that the progress of the pupil has been unsatisfactory; or if a parent's failure to engage in strategies implemented by the school are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the headteacher may propose a managed move to another school or setting.

This is not exclusion and in such cases, the headteacher may assist the parents in placing the pupil in another school.

Removal from the School for Other Reasons

A pupil may be sent home, after consultation with that pupil's parents and a health professional as appropriate. If the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time.

A pupil cannot be 'sent home' for other reasons, including poor behaviour.

Equal Opportunities

The Governing Body recognise that it is unlawful to take into account anyone's gender identity, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation. Full consideration has been given to this during the formulation of this policy as it is the governors' aim that no-one at MCPA school should suffer discrimination, either directly or indirectly, or harassment on any of these grounds.

Children with SEND

Our school's full SEND provision is outlined in our special educational needs policy. We work hard to accommodate students who have SEMH in particular. The school will try every practical alternative to exclusion, but there may be some cases where it cannot be avoided. If a permanent exclusion is issued, the headteacher will use the time between the initial decision and the governing body's review to see whether a change of circumstances might enable the school to withdraw the exclusion.

It may be the case that more support is needed for the child, or that it is in the child's best interest that their EHCP be reviewed to name a different school, in which case the school will work with the LA and the child's parents or carers to make the transition as smooth as possible.

Children with a Disability

If a child with a disability is under consideration for exclusion, the Head Teacher will ensure that all other possible outcomes have been tried. To justify excluding a child with a disability for a reason related to their disability, there must be material and substantial reason. The erosion of order and discipline in the school may be a material and substantial justification, but only if reasonable adjustments have been made for the child's disability. You can find more information on reasonable adjustments in our school accessibility plan. It may be the case that more support is needed for the child, or that it is in the child's best interest that their EHCP be reviewed to name a different school, in which case the school will work with the LA and the child's parents or carers to make the transition as smooth as possible.

Ethnicity

Manchester Communication Primary Academy does not discriminate against any person and our school ethos is one of inclusion, equality, and diversity. If any person feels that they have been discriminated against due to their ethnicity they may make a formal complaint to the school following the process outlined in our school complaints procedure

Procedure Appeal

A panel of governors and/or trustees will review fixed-term exclusions of any length on request by parents who feel that the sanction is unjustified. They will automatically review all cases of permanent exclusion, as well as any fixed-term exclusions that would lead to a child being excluded for more than 15 days of a school term or missing a public exam.

The review panel will look at the evidence and the records leading up to the exclusion and decide whether the Head Teacher has made a fair decision and if exclusion is the appropriate sanction. The members of the governing body who are on the review panel will have the appro-

appropriate training to fulfil the role, and notes will be taken of any review proceedings. Parents who want to appeal an exclusion can contact the governing body, the letter issued on notification of an exclusion explains how to do this. Parents will be invited to a review meeting and are entitled to bring a friend or legal representative with them. Parents will be asked to provide the governing body with any written statements or evidence that they might have relating to the exclusion prior to the review meeting so that these can be circulated amongst the review panel. There will be an opportunity during the review meeting for parents to ask questions of the other parties. The child concerned is encouraged to attend if they are able to fully understand the proceedings. Manchester Communication Primary Academy believes that children in upper school should be encouraged to take part in the review process and feel that they are listened to. This will hopefully increase the chance of a positive behaviour pattern emerging in the future.

Notification of the Review Decision

Parents will be notified of the outcome of the review meeting in writing. This letter will also outline how parents can request a review by the independent panel if they are unhappy with the outcome of the governing body's review.

The outcome will be one of the following:

Unlawful Exclusion

If the review panel has found that the exclusion has been made unlawfully, it will not stand. The governing body will not investigate further. Parents who have a complaint about an unlawful exclusion should follow the procedures set out in the school's complaints policy to report it.

Upholding the Exclusion

If the review panel finds that the exclusion is fair and just, they will uphold the decision to exclude. In this case, a letter will be sent to the parent or carer of the child outlining:

- The decision
- The reason for the decision
- The parent's right to appeal to an independent appeal panel
- The name and contact details of the person to whom to send a notice of appeal
- The date by which a notice of appeal should be given
- That the notice of appeal must set out the grounds for appeal
- That the notice of appeal should set out any grounds for alleging disability discrimination if this is the case.

Reinstating the Child

If the review panel decides that it is appropriate to reinstate the child immediately or by a given date, support will be given to ensure that the child is easily reintegrated into the school. This will include a reintegration interview with a senior leader and parent or carer on school grounds, during which a pastoral support plan will be drawn up.

A copy of the letter detailing the outcome will be put in the student's academic records along with any relevant papers.

Appendix 1: Notification of Exclusion Letter

The Parent/Carer of Pupil x
Date:

Dear Parent/Carer,

I am writing to inform you of my decision to exclude Pupil X for a fixed period of X day. This means that s/he will not be allowed in school for this period. The exclusion begins on X and ends on X. During this period your child should not be present at a public place.

I realise this exclusion may well be upsetting for you and your family, but the decision to exclude Pupil X has been made because XXXXX.

It will be necessary for you and Pupil X to attend a meeting at school on X at X with STAFF. The purpose of this meeting is to review the exclusion, identify how we can work together to help your child's behaviour improve and plan re-entry to the school community.

Please advise if you have a disability or special needs which would affect your ability to attend or participate fully in a meeting at the school. Also please inform the Academy if it would be helpful for you to have an interpreter present at the meeting.

You should be aware that if you think that 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 SEN and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, Procession House, 55 Ludgate Hill, London, EC4M 7JW.

You have the right to see a copy of Pupil X's school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of her school record. I will be happy to supply you with a copy if you request it.

You may speak to an LEA Advice Officer on 0161 234 7130 or 0161 230 6332 who can provide further advice and assistance. You may also find it useful to contact the Advisory Centre for Education (ACE), which is an independent national service centre for parents of children in state maintained schools. They offer information and support on state education in England and Wales, including on exclusions from school. They can be contacted on 020 8888 3377 or at www.ace-ed.org.uk.

Yours sincerely,

Mr Alex Reed

Headteacher

Appendix 2: Reintegration Meeting Format

Reason for exclusion and term:

Exploration of reasons with the child. Why did this happen? How can you prevent it in future?

Steps the school will take to ensure no repeat of the incident:

Steps parents/carers have taken/will take to ensure no repeat of the incident:

Appendix 1: Permanent Exclusion Notification

PARENT/CARER OF:

Date

Dear Parent/Carer,

I regret to inform you of my decision to exclude Pupil X permanently from XXX. This means that Pupil X will not be allowed back to this school pending a meeting of the School Governors Discipline Committee. Alternative arrangements for Pupil X's education will need to be made; in the first instance we will set work for Pupil X and would ask you to ensure that this work is completed and returned to school promptly for marking. Manchester City Council will contact you with regards to an alternative educational placement for Pupil X as soon as possible.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude Pupil X has not been taken lightly. Pupil X has been excluded permanently because of XXXX

As this is a permanent exclusion the School Governors Discipline Committee will meet to consider it in a review meeting. At the review meeting you may make representations to the Committee if you wish to do so. The meeting will be held at Manchester Communication Primary Academy and you will be invited in the coming week. If you wish to make representations to the Committee and wish to be accompanied by a friend or representative please contact me (Mr Reed) at the Academy on 0161 202 8989 or email a.reed@mca.manchester.sch.uk as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or participate fully in the meeting. If you would like an interpreter to be present at the meeting please contact MCPA. Pupil X may attend the meeting if you wish her to do so.

You also have the right to see a copy of Pupil X's school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of Pupil X's school record. I will be happy to supply you with a copy if you request it.

If the exclusion continues for longer than 15 school days because the Discipline Committee have not met, alternative education other than the setting of work will be provided for Pupil X from the 16th day onwards until the Governors meet. An Education Support Officer from the LEA will contact you to discuss this.

You may wish to contact an LEA Advice Officer on 1061 234 7130 who can provide advice and assistance. Additionally, you may also find it useful to contact the Advisory Centre for Education (ACE), which is an independent national advice centre for parents of children in state maintained schools. They offer information and support on state education in England and Wales, including on exclusions from school. They can be contacted on 020 8888 3377 or at www.ace-ed.org.uk.

Yours sincerely

Mr Reed

Headteacher