

Victoria Academies Trust Exclusions Procedures

Making any decision to exclude, either fixed term or permanent is one that will have been carefully considered by school leaders.

A decision to exclude a pupil should be taken only:

- a) in response to **serious breaches** of the academy's behaviour policy; **and**
- b) if allowing the pupil to remain in the academy would seriously harm the education or welfare of the pupil or others in the academy.

Reasons for exclusion will be in line with each Academy's own Behaviour Policy. Policies must clearly state the types of behaviour which can lead to an exclusion. These behaviours may be serious one off offences, or continued, persistent behaviours.

This document will detail the paperwork, timelines and processes to be followed when making a decision to exclude a child. Each Local Authority is likely to have its own individual paperwork and procedures, which should be followed in conjunction with this guidance. Paperwork for each Local Authority is included with this guidance. Where a Local Authority does not have its own paperwork, a set of generic paperwork is also attached.

Fixed Term Exclusions:

When excluding a child for a fixed length of time, the time should be consistent with behaviour policy and the incident.

Parent/carer should be called and informed of the decision. When collecting the child, they should be given a letter (see examples attached) detailing the reason and length of time of exclusion. Work should be set for the child to complete at home during the length of the exclusion. On return, parents and child should attend a reintegration meeting with a senior member of staff where a discussion takes place regarding the incident and steps in place to prevent any further occurrences.

Where a child has more than 15 days fixed term during one term, it is necessary to call a meeting of the Academy Council / IEB Disciplinary Committee.

A parent does have the right to call a meeting of the Committee to make representations for any Fixed Term Exclusion.

For up to 5 days fixed term; a parent can make representation but the committee cannot reinstate, but can note the outcome on the pupil's school record. For fixed term exclusions that are between 6 and 15 days, the Committee should uphold the exclusion or reinstate the pupil.

*Note that lunchtime exclusions are classed as a half day fixed term exclusion.

Permanent Exclusions:

When permanently excluding a child this should be consistent with the academy behaviour policy and the incident(s).

The law does not allow for extending a fixed-period exclusion or 'converting' a fixed-period exclusion into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period.

In the first instance, the parent should be informed that the exclusion is permanent. Work should be set for the first 5 days of the exclusion. At this time, relevant LA personnel should be made aware so that provision can be put in place for continuing the child's education. The permanent exclusion can be withdrawn if after a full investigation it is deemed that the threshold for a permanent exclusion has not been met.

A hearing should be called involving members of an Academy Council/IEB. Ideally there will be an odd number on the panel, with reserves in place should the decision go to appeal.

There should be a minimum of 5 days notice, and paperwork should be sent to the clerk to the meeting to be distributed a minimum of 5 days prior to the hearing.

The meeting can go ahead if the parent chooses not to attend. They can bring a representative with them, but cannot send someone in their place who does not have parental responsibility. The LA may choose to send a representative to the meeting.

All meetings of a Disciplinary Committee should take place within 15 days of the exclusion (see individual Local Authority Letters for precise details).

Should there be an appeal following the Permanent Exclusion Hearing, an Independent Review Panel will sit. This will consist of a Panel of 3 members:

- Lay member who will chair the panel – cannot have worked **in any school** in a paid capacity (member of the Trust Board)
- Current or former member of the Trust Board, but not an Academy Councillor of the excluding school. Must have served as a Governor/trust member for 12 consecutive months within the past 5 years
- Member of ELT who is a head teacher or past head teachers (within the past 5 years) but not of the excluding school.

All panel members must have had training in the past 2 years. None of the panel will have had contact with the pupil, parent, exclusion or excluding school.

Paperwork Required for Permanent Exclusion Meeting

This list is not exhaustive, and other evidence may be included dependant on the nature of the behaviour leading to exclusion and involvement of other agencies, incident and needs of the child.

- Head teacher report – background on the child and events leading up to the decision, including a reasoned explanation of why the exclusion is to be permanent.
- Letter to Parents –Fixed term pending investigation (plus any other letter for previous fixed term exclusions)
- Letter to parents – Decision to make the exclusion Permanent
- Permanent exclusion form (Is required by the LA, or any other paperwork which LA’s require in order to organise alternative provision)
- Incident reports
- Witness Statements
- Details of any previous fixed term exclusions
- Copy of School behaviour Policy - ensuring that the behaviours displayed to make the exclusion permanent are detailed as part of the behaviour policy
- Copy of and target sheets, behaviour support or tracking sheets
- Copy of and profiles or reports from external agencies
- Attendance registration certificate

EXCLUSION MEETING

PROCEDURE

1. Elect a Chair.
2. Panel discusses the procedure for the hearing as outlined below.
3. Chair welcomes and introduces everyone to the meeting and the procedure to be followed.
4. Chair invites the Head Teacher to speak and present the case.
5. The family have the opportunity to question the Head.
6. Panel and LA Officer have an opportunity to question the Head Teacher.
7. The family are invited to present their case.
8. Head Teacher has an opportunity to question the family.
9. Panel and LA Officer have an opportunity to question the family.
10. Opportunity for final comments from the Head Teacher.
11. Opportunity for final comments from the family.
12. Family, Head Teacher and LA Officer leave the meeting.
13. Panel discuss and reach a decision.
14. The family, Head Teacher and LA Officer are invited to re-enter the room to be advised of the decision made by the panel.
15. The Chair must advise the Head Teacher and the family that they will be notified in writing of the decision **within 1 working day** of the meeting.
16. The Chair can invite the LA officer to advise the parent on alternative school provision.
17. Clerk collects all paperwork for confidential shredding.