

This Policy has been drawn up in compliance with the DFE statutory Guidance; Exclusion from maintained schools, Academies and Pupil Referral Units in England' (September 2017).

COVID Compliance Update

In light of Covid 19 and Government Guidance – please see adjustments to the Exclusion Policy referred to in Appendix 1

Permanent Exclusion

The decision to exclude a student permanently will only be taken if:

1. there has been a one-off, serious breach, or persistent breaches, of the Castle View Academy Behaviour Policy AND
2. allowing the student to remain in the Academy would seriously harm the education or welfare of the student or others in the Academy

Exclusion is a very serious course of action and taken as a last resort and only on disciplinary grounds. Only the Principal can make this decision. In their absence, the Vice Principal can assume this responsibility.

Fixed-Term Exclusion

The following are examples of breaches of the Behaviour Policy (this is not an exhaustive list and exclusion is at the decision of the Principal):

- Repeated defiance of reasonable instructions from any staff member
- Repeated or sustained disruption to the learning environment including mobile phone use
- Verbal abuse to staff and others
- Verbal abuse to students
- Bullying
- Racist abuse
- Abuse against sexual orientation and gender identity
- Smoking – including electronic cigarettes, smoking to and from school or having smoking material in school
- Refusal to attend the internal exclusion room
- Failure to comply with instructions in the internal exclusion room
- Disruptive classroom behaviour
- Unacceptable behaviour which has previously been reported and for which sanctions and other interventions have not been successful.
- Behaviour at any time that brings the Academy into disrepute, this will include school trips and journeys to/from school
- Indecent behaviour
- Incidents involving a weapon
- Theft
- Damage or attempt to damage Academy property or the property of others
- Misuse of other substances
- Use of mobile devices or other electronic equipment to film or photograph offensive behaviour or to distribute inappropriate or offensive material
- Encouraging violent behaviour or compromising the safety of staff or pupils

The Statutory Guidance indicates that the following examples might constitute a serious, one-off disciplinary offence for which permanent exclusion could be immediately appropriate:

- Serious actual or threatened violence against another student or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug on school grounds

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- Use of or under the influence of an illegal drug
- Arson or attempted arson

Castle View Academy will seek Police involvement where the law has been broken. Parents/carers will be informed and involved, where appropriate, without delay. In certain circumstances this may, if agreed, be through electronic communication methods.

Behaviour Outside the Academy

Students' behaviour outside the Academy grounds on school "business", for example trips and journeys away, school sports fixtures, or a work experience placement is subject to the Behaviour and Exclusion policies. Bad behaviour in these circumstances will be dealt with as if it had taken place on site. For behaviour outside school but not on school 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 school or on a journey to and from school meets the criteria for exclusion and the student is identifiable as a student of Castle View Academy, the school 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 for the published policies of the academy and the DfE. The decision will depend on the precise circumstances of the case and the evidence available. In some cases, fixed term exclusion will be more appropriate than permanent exclusion.

The DfE/ACPO Guidance can be found at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270169/drug_advice_for_schools.pdf

Exclusion Procedure

The DfE regulations allow the Principal to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year. The Governors review promptly all permanent exclusions from Castle View Academy 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.

The Governors review fixed term exclusions which would lead to a student being excluded for over 5 days, but not over 15 days in a school term, where a parent has expressed a wish to make representations.

As the academy is firmly committed to ensuring behaviour enables all learners to learn in a disruption free environment, the academy will make reasonable adjustments for students with identified learning needs, however the Behaviour and Exclusion policies apply to all students.

The academy recognises that for policies to be effective they require a transparent approach. As such, the following tariff is adopted when considering exclusion:

- Low level disruption / minor infringement of academy rules = 1- or 2-day FTE
- Major disruption / vandalism / violence / major infringement of academy rules = 2, 3- or 4-day FTE

The Principal reserves the right to direct days as appropriate dependent on the incident.

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

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A reintegration meeting or conversation must be held with parents/carers and the student during, or following the expiry of, the fixed term exclusion and this will involve Head of Year or a member of the Senior Leadership Team and other staff where appropriate.

Following a fixed-term exclusion, the student will receive a tailored package of support, identified through the reintegration meeting

During the course of a fixed term exclusion, where the student is to be at home, parents/carers are advised that the student is not allowed on the academy premises, and that daytime supervision is their responsibility as parents/carers. The academy will set work, but it is up to the parent to ensure it is collected and returned when completed for marking.

On return from a fixed term exclusion students will, in all cases, have a single day in the isolation room.

Alternatives to Exclusion

Students and incidents are dealt with on an individual personalised basis and it may be appropriate for students to be offered alternatives to exclusion under exceptional circumstances.

Examples of situations when an alternative to exclusion may be sought include:

- Students with significant additional needs detailed on the Special Education Register
- Students for whom exclusion would represent a safeguarding matter or significant prejudice to their wellbeing.

The following approaches may be taken as an alternative to exclusion under exceptional circumstances:

- Time in an alternative education setting
- Extended period of internal isolation
- Extended community service based around the academy
- Managed move to another mainstream setting
- The use of a purchased place at an alternative provider

Support Following Exclusion

In some cases, it may be appropriate for further support to be provided for students following exclusion and any decisions about such options will be initiated by the academy in full collaboration with the student and parents/carers. The Principal will have the final decision about placing a student in offsite alternative provision and although desirable, parental/carer permission and support is not required if the Principal and other relevant staff feel this is the best and most appropriate educational provision at that point in time.

Options for additional support following exclusion may include:

- Completion of an EHA – Early Help Assessment - to identify areas for future support for the student
- Alternative curriculum provision outside of mainstream lessons
- Alternative Provision from another provider for a period of time to improve behaviour
- Personalised reduced mainstream lesson timetable
- Referral for additional support to the on-site school nurse, counsellor, Emotional Literacy Support Assistant (ELSA worker) team or Addaction team
- Referral to SEN-related agencies including Educational Psychologist (EP), Speech and Language Therapist (SALT), Child and Adolescent Mental Health Service (CAMHS), Community Paediatrician.

Factors that 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 school or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period, the Principal will:

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- Ensure appropriate investigations have been carried out and that, on the balance of probabilities, the student has committed the alleged offence(s)
- Consider all the evidence available to support the allegations, taking into the account the Behaviour, Equal Opportunity and Race Equality Policies
- Allow the student to give his/her version of events
- Check whether the incident may have been provoked, for example as a result of bullying or by racial or sexual harassment

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

Exercise of Discretion

In reaching a decision, the Principal will always look at each case on its own merits. In considering whether permanent exclusion is the most appropriate sanction, the Principal will consider the gravity of the incident or series of incidents, whether it constitutes a serious breach of the Behaviour Policy and the effect that the student remaining in school would have on the safety, welfare and education of other students and staff.

Role of the Local Governing Body

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' 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 record, witness statements and the strategies used by the school to support the student with difficulties prior to exclusion. The Governors will review the Principal's decision within 15 school days of the date of the Principal's decision to exclude.

Statutory Guidance on Exclusions can be found at: www.education.gov.uk

Responsibility:	Principal
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Next review	October 2021

Behaviour & Exclusion
Appendix 1
Guidance for Re-Opening September 2020

Rationale

The purpose of our Exclusion Policy Appendix 1 is to ensure that all members of our community have knowledge of the Behaviour system and follow it to bring about consistency of practice throughout the Academy as we transition back from the COVID-19 outbreak. It is important that we maintain the very highest of behaviour standards and we set very clear expectations which all students are aware of.

Students will be welcomed back with positivity however following an extensive period of absence they will need to be reset ready for the learning environment. We also need to take into consideration the unprecedented time that we are in and understand that the students may need some additional support in the initial few weeks. Nevertheless, we are very determined to ensure that the environment that we have in our classrooms is no different than the one that the students left prior to lock down.

Students and staff must understand what was previously classed as a minor behaviour misdemeanour, is now more serious and will be sanctioned as such under the new system. Any student **caught deliberately acting maliciously in relation to social distancing measures put in place by the school** (coughing, spitting etc) will be sanctioned and a parental meeting arranged. A fixed term exclusion will be used for students whose actions deliberately risk the health and safety of others in the school. This could include ignoring the measures put in place to maintain a safe and secure environment for all. This includes entering a zone that has been identified as out of bounds.

In applying this Appendix, the school takes into account its duties under the Equality Act 2010 regarding relevant characteristics protected by that act, notably disability. It also takes into account the needs of students with special educational needs. The school will also have regard to its 'Safeguarding Updated Policy' where appropriate.

Behaviour Policy Reasonable Adjustment

We understand that the change to practice will be difficult for some students. It may be even more challenging for some students with SEN needs. We will therefore, like always, look to reasonably adjust, where necessary.

Students with identified SEN will be contacted and a risk assessment will be put in place to be agreed with the parent/carer and student. This will contain any 'reasonable adjustments' made which may include the following (not an exhaustive list):

- An inclusion pass— there will be a designated area for each 'group' where the student can have 10 minutes as 'reflection time' if required and these students will be provided with an inclusion pass to allow this to happen
- Possible use of a fidget toys
- Specific seating position within classroom
- Learning coach support

Any risk assessment/reasonable adjustments will be shared with staff.

When a student requests to leave a classroom, an email must be sent to the SENCO so that the student is escorted to and from the designated area.

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Classroom Adjusted Behavioural Sanction System

Warn and Remove

From September 2020 we will return to the original classroom withdrawal system of Warn and Remove. Therefore, if a student fails to adhere to the rules set out by the Academy then the process set out below should be followed:

- 1 A **Warning of the rule** is be issued by the member of staff and the students name must be placed on the board
- 2 If the same student receives a **second Warning**, they must be isolated and removed
- 3 Students will complete a full 4 periods in isolation plus 60 minutes at the end of the Academy day.

Restoratives

Restoratives will take place as per the normal practice and staff are required to make contact home to inform the parents/ carers of the reasons for the isolation

Student behaviour during break interval

If a student is failing to follow the rules set out by the Academies during a period of unstructured time (break or lunch) the following process must be followed:

- 1 A verbal warning should be issued by the member of staff on duty and a tick is give on the students CV Proud card
- 2 Any further verbal warnings in the same period of break or lunch should result in a member of senior staff or the Pastoral team being called
- 3 Alternatively, an **email is sent via reception** and the student will be collected and escorted to the withdrawal room.

No student is to be left unattended either if they attempt to walk off or wander around the site during this period of time. If this happens the following will occur:

- 4 Parental contact would then be made by the senior member of staff or HOY and a decision taken on whether that student is able to re-engage safely with the classroom teaching offer
- 5 If not, then they would be sent to the isolation room to work independently for the remainder of the timetabled day

Similar to the classroom, **fixed term exclusion should not be used for students inadvertently breaking social distancing rules during unstructured times.**

However, those students who **deliberately and wilfully break social distancing rules during unstructured times will likely lead to them being fixed term excluded.**

The Health and Safety of staff and students will be an absolute priority.

Any student sent home should not be allowed to return until a parent – student and senior member of staff reintegration meeting has taken place.

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Behaviours that will be sanctioned under the current Exclusion Policy

Warnings given for the following	Immediate referral to the isolation room
<p>Lateness Low-level disruption Calling out Off-task chatter Talking over a teacher (or after a countdown) Distracting others Bickering or unkindness Rudeness Physical contact Refusal to follow instructions Shouting Refusal to work Throwing an object Leaving seat without permission Eating in class (including chewing gum) Use or sound of mobile phone / headphones (all confiscated) Damaging equipment or property Swinging on chair Turning around on seat Failing to sit up straight and pay attention Head on the desk or in your arms Anything that slows down learning</p>	<p>Questioning why a warning has been given Fighting Abusive or offensive language (swearing indirect or directly) Dangerous or violent behaviour Highly disruptive behaviour Hair cut less than grade 1 or a skin fade Lines cut into hair or eyebrows Failing SLT detention (including repeating the SLT detention) Truancing on or off-site Lack of uniform trainers, trousers, skirts. tie Piercings (nose studs) Ignoring social distancing expectations Spitting Excessive coughing Ignoring hygiene expectations Anything that is dangerous or causes risk Two days in isolation until 4pm - Truancing ALT detention - Refusing to go to isolation when instructed - Smoking off site including being in the presence of someone when smoking - Walking away from a member of staff (behaviour or CVPROUD card) All of the above will involve a parent meeting which is likely to end in a FTE</p>