

Exclusions and Appeals Policy

Introduction

1. There is no statutory requirement to have an exclusion policy or procedure; however, the current policy document provides further guidance to the Governing Body, Head Teacher and other members of staff in relation to our staged intervention, exclusions and appeals policies and procedures.
2. This policy should be read in conjunction with the Academy's Behaviour, Discipline Rewards and Anti-Bullying Policy as well as its Equal Opportunities policies.

Legislation and guidance

3. The policy should be read in the context of the following Acts, Regulations and Guidance:
 - a. The Education Act 2002, as amended by the Education Act 2011
 - b. The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
 - c. The Education and Inspections Act 2006
 - d. Exclusions from maintained schools, academies and PRUs in England: a guide for those with legal responsibility in relation to exclusions.
 - e. The Equality Act 2010

Aims and Objectives

4. Chapelton Academy is a small, academically ambitious sixth form with a high level of individual care and guidance. The Academy is dedicated to the education and development of all our students so that they can realise their full potential. The current policy supports the Academy's mission to maintain high standards of work and behaviour at all times. To achieve this, we will:
 - a. Provide high standards of education for all students within a climate of good behaviour;
 - b. Maintain safety for students and staff;
 - c. Provide the highest standards of teaching and learning;
 - d. Expect students to show commitment to their studies and to the ethos of the Academy;
 - e. Provide equality of opportunity, with mutual respect and positive encouragement;

- f. Build partnerships with parents, carers, schools, universities, employers, community organisations and other members of the local and wider community;
- g. Promote community cohesion;
- h. Value staff and support their professional development;
- i. Provide students with excellent, detailed individual advice and guidance as part of a package of care and education that also includes excellent enrichment opportunities;
- j. Provide support for all those involved in any incidents in connection with the Academy's operations;
- k. Work with other agencies in supporting our students.

Implementation

- 5. The Academy has a detailed tracking and monitoring system in terms of both academic and non-academic targets and interventions can be staged at various points in the system as appropriate. In cases where a student is failing to meet academic targets, the staged intervention procedure will be followed and recorded on a student's ISP:

Staged intervention procedure for academic concerns

- 6. **Stage 1:** In the case where a student is failing to meet their academic targets on two consecutive pieces of work or is not sufficiently challenged, a discussion with the relevant subject teacher will be the first port of call to identify the reasons behind this and then an intervention plan will be designed, informed by the student's ISP, to rectify the situation. Many academic difficulties can be resolved by appropriate one to one support and extra tuition and feedback.
- 7. **Stage 2:** If the intervention plan fails, then support will be sought immediately from the Faculty Leader (in Year 2) or the Head Teacher (in Year 1) and the student's Tutor. The Pastoral & Learning Mentor will also be on hand to assist in such cases. With this level of support we would expect academic difficulties to be rectified. Those members of staff involved at stage 2 may seek to involve the student's parents or guardians in formulating an appropriate action plan to ensure the student swiftly gets back on track. In this case, written notice will be given to student and parents in advance of the meeting.
- 8. **Stage 3:** On the rare occasion when academic difficulties cannot be resolved at Stage 2, then the Head Teacher or Deputy Head Teacher will convene a further meeting with all of those concerned to discuss remaining options and any underlying issues which may prevent the student from achieving. Help from outside agencies may be appropriate at this stage.

9. We are committed to multi-agency working in the interests of the students. 'Fitness to study' (see paragraph XXX) procedures may be deployed at or after the stage 3 meeting in the event that there are serious obstacles to the student's ability to achieve. Written notice of such a meeting will be given by the Head Teacher or Deputy Head Teacher at least one week in advance of the meeting.

Academic reasons for exclusion

10. Grounds for exclusion listed below are not exhaustive and other individual reasons may occur.
11. A student may be excluded if, **after the staged intervention procedure**, and despite the advice, encouragement and counselling of staff and others following the staged intervention procedure outline above, he or she is incapable of benefitting from the course.
12. In this case, '**fitness to study**' procedures will be deployed on academic grounds, which could be
 - a. Unacceptable levels of absence and lateness.
 - i. Average attendance below 85% without valid reason in one term;
 - ii. Habitual lateness – late on more than 15% of occasions within one term without valid reason.
 - b. Non or late submission of work, e.g. the persistent failure to meet clear deadlines for submission of assessed work, despite the staged intervention procedure.
 - c. Lack of attainment, e.g. persistently producing work that is incomplete or well below target for homework, coursework, tests or examinations, despite the staged intervention procedure.
 - d. Non fulfilment of Academy and course requirement, e.g. the failure to participate in (without valid reason) visits (such as field trips) that are an integral part of a course.
 - e. Non-compliance with the rules of examining bodies, e.g. a failure to observe the rules and regulations of external awarding bodies as laid down in the relevant regulations concerning completion, submission and ownership of coursework, attendance at and conduct in examinations or tests. (Note: in some serious circumstances, non-compliance with the rules of examining bodies may be dealt with without initial recourse to the staged intervention system; see paragraph XXX below.)

13. In these cases, the student's lack of fitness to study will be determined at or subsequent to a stage three meeting with the Head Teacher or Deputy Head Teacher, parents or carers, student, and other interested parties such as external agencies (including organisations providing SSA support), tutors and teachers.
14. Written notice of such a meeting will be given by the Head Teacher or Deputy Head Teacher at least one week in advance of the meeting. Minutes of such meetings will be taken and a report sent to the Learning and Challenge Sub-Committee of the Governing Body.
15. If issues affecting a student's fitness to study are likely to be resolved by changes in external circumstances within a reasonable period of time, a student may be advised to re-apply for a place at the Academy for the following academic year. For example, a lack of fitness to study may be due to family circumstances or other difficulties that are likely to be resolved with time and therefore it may be in the student's best interests to take a temporary break from studies till the next academic year.
16. In this case, the decision to exclude the student is in no way a disciplinary matter and should not be seen as such. Appropriate information, advice and guidance about a student's options for study the following year should be given in all such cases. The Academy is sympathetic to the circumstances surrounding its students and may conclude that a student is more likely to reach their academic targets by reapplying the following year. In this case, if it is in the student's best interests to re-apply, the fact that such a student would attract reduced funding for the Academy will not have a bearing on decisions about whether to re-admit the student the following year and all such students will be treated equally with other applicants.
17. In the rare case where a decision is made that a student is unlikely to benefit from the course on offer at the Academy no matter what, then the student may be permanently excluded. In this case, the student will be given appropriate information, advice and guidance about alternative courses such as BTECs, apprenticeships and other vocational routes at other colleges. Appropriate careers advice and support will also be provided by the Academy.
18. In some rare cases, exclusion may be appropriate on academic grounds **without prior recourse to the staged intervention system**. These might include, for example, gross misconduct such as plagiarism in a public examination, which brings the Academy into disrepute. In such cases, the Head Teacher or Deputy Head Teacher

may convene a fitness to study meeting, giving at least a week's notice in writing to all concerned (including the student, their parents or carers, any relevant external agencies and, possibly, teachers, tutors and examinations officers), without the first two stages of the intervention process.

19. At the fitness to study meeting, the Head Teacher or Deputy Head may decide to exclude a student temporarily or permanently, according to the severity of the case. In either case, appropriate information, advice and guidance about other education and career options will be given.

Behavioural reasons for exclusion – The Staged procedure.

20. Grounds for exclusion listed below are not exhaustive and other individual reasons may occur. A student may be excluded for behaviour that has the following characteristics:
- a. Causing offence, for example through verbal abuse;
 - b. Vandalism;
 - c. Endangering themselves or others through physical violence or threatening behaviour;
 - d. Showing persistent disregard for Academy rules, procedures or policies;
 - e. Behaviour which circumvents the College security procedures;
 - f. Persistent behaviour in class or elsewhere that disrupts the learning of others;
 - g. Behaviour which breaks the terms of an agreed contract;
 - h. Behaviour off-site if it impacts on the safety or well-being of other students or staff or if it brings the reputation of the Academy into disrepute;
 - i. Behaviour that is persistently contrary to the Academy mission or code of conduct.
21. In examples a-i, exclusion may be permanent or temporary depending on the severity and/or persistence of the case. A temporary exclusion (or suspension) for behavioural reasons is normally for a fixed term period of five school days. The Academy will, in the case of a temporary exclusion, provide and mark work via email for up to five days. On return to school a temporarily excluded student must have a

meeting on the morning of their return with the Head Teacher or the Deputy Head Teacher.

22. Most minor offences can be dealt with by a verbal reprimand or discussion with a member of staff, and Chapelton Academy staff will be fully trained in behaviour management.
23. More serious or persistent cases will be dealt with, when possible, by deploying the staged disciplinary procedure.
24. **Stage One:** The student receives a verbal warning from a tutor, teacher or other member of staff and the verbal warning is recorded on the student's ISP.
25. **Stage Two:** If the behaviour persists or is not minor, then the student will be required to attend a meeting with their tutor and a behavioural contract will be drawn up and signed by the student. This will be recorded on the student's ISP and the student will be reminded that their behaviour will have an influence upon any references written by the Academy, for example for UCAS.
26. **Stage Three:** Should the contract be broken, or for more serious cases, a student will be asked to attend a meeting with the Head Teacher or Deputy Head Teacher. The Head or Deputy Head may seek advice from relevant agencies or others such as the student's parents or the Pastoral and Learning Mentor and will take into account external factors adversely affecting student behaviour. Appropriate support will be offered if possible. However, in some cases, the student and their parents / carers may be given written warning that the next stage may involve temporary or permanent exclusion. This will be recorded on the student's ISP.
27. **Stage Four:** For serious behavioural issues which cannot be resolved with support or advice, the Head Teacher or Deputy Head Teacher will give a week's notice in writing to the student and his / her parents/ carers, plus any relevant external parties, that a Stage 4 disciplinary meeting is being convened. The Head Teacher or Deputy Head may, at such a meeting and depending on the severity of the circumstances, recommend a temporary or permanent exclusion. The meeting will be minuted and the decision communicated in writing to the student and his / her parents or carers.

Reasons for the decision will be clearly stated. A report will be sent to the Learning and Challenge Sub-Committee of the Governing Body.

Behavioural exclusion without recourse to the staged system

28. In some cases, behavioural issues may be so serious that immediate exclusion is sought without recourse to the staged procedure. In these cases, it is likely that the police will also be involved. These include, but are not limited to:

- a. Where a student is involved in the use or supply of illegal substances whilst on the Academy site or engaged in activities connected with the Academy;
- b. Where a student is found to have used or to be in possession of an offensive weapon whilst on the Academy site or engaged in activities connected with the Academy

29. In such cases, the decision to exclude must be taken by the Head Teacher or Deputy Head Teacher and reported immediately to the Governors.

Exclusions to facilitate an investigation following an incident or allegation.

30. A student may be excluded from the Academy whilst an investigation takes place into an incident or situation in which he or she may have been involved. Such an exclusion does not attach blame to the student concerned; it does, however, mean that the investigation can be undertaken in a fairer, more effective manner for all concerned, including the student themselves.

Information provided to students, parents and/or carers.

31. In all cases where a student is excluded, the following information and sources of help and advice should be made available by the Head Teacher or the Deputy Head Teacher to the student and his/ her parents / carers

- a. www.advice.org.uk/advicenow-guides/family/troubleatschool/exclusions
- b. www.childrenslegalcentre.com
- c. www.cafamily.org.uk
- d. www.parentpartnership.org.uk

e. The Coram Children’s Legal Centre – funded by the DfE to provide free and independent advice to parents on a number of education matters, including exclusion: 0808 802 008 **Appeals**

32. Where there is disagreement from the student or the student’s parent(s)/ carer(s) about decisions made to exclude a student either temporarily or permanently, the student and / or their parents / carers have a right of appeal. Notice of intention to appeal should be sent to the Head Teacher within two weeks of the meeting at which the decision was made to exclude. The Head Teacher and Governors will then convene a Disciplinary (Student) Committee composed of a member of the SLT, a member of the Governing Body, and the Pastoral and Learning Mentor or the student’s tutor. The student and his/ her parents / carers will be invited to attend. A decision about the appeal will be given in writing within two weeks of the committee meeting.
33. Should the student or their parents or guardians wish to pursue the matter further, they will be referred to the Coram Children’s Legal Centre and may ask for an independent review. Parents / carers / students who wish to proceed with an independent review should put this request in writing to the Head Teacher or the Chair of Governors (details on the Academy’s website) within four weeks of an appeal decision.
34. The Academy will, in this case, arrange for appropriate members of a review panel, which may include representation from other schools, the Local Authority or the DfE, to review the case. Written notice will be provided at least two weeks in advance of the meeting to the student and his/ her parents / carers. The independent review panel may ask the Academy to reconsider the case.

Monitoring and evaluation

35. Written records must be kept of all decisions involving temporary or permanent exclusions and of any appeals. Reports on exclusions will be monitored by the LCS. Governors should ensure that accurate records are maintained and available for view.
36. The Academy will monitor the behaviours resulting in exclusions, the staff involved in triggering the exclusion, and the characteristics of those excluded.

Signed by *A Jaffer & A Wright*

Agreed by TGB **June 2016**

Reviewed by	Governing Body
Last Reviewed	April 2016
Adopted by TGB	June 2016



Next Review	April 2018
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