

Name:	Exclusions Policy
Approved by:	Governors – SSCC Committee
Policy Created:	October 2016
Date of review	1 year
Update Approved:	September 2017
All policies are available to stakeholders either on the school website or upon request from the academy.	

PRINCIPLES

The Exclusions Policy is guided by and committed to the following principles:

Manchester Creative & Media Academy is an inclusive school committed to equal opportunity for all. It is felt that exclusions of pupils from the school, whether fixed term or permanent, are only given as a result of a serious breach of academy rules. Consequently, a pupil will only be excluded when other strategies and sanctions have not been effective over time, or when there has been a single, clear and serious breach of discipline, or if allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or other pupils in the school.

The principles in this policy concur in all respects with the aims and vision of MCMA and the Trust.

The school follows the legislation referring to exclusions as stated in the most recent DFE guidance 2015.

PURPOSE

The aims of this Exclusions Policy are to:

Provide all staff with a clear framework to enable the effective handling of pupil exclusion issues and to inform all stakeholders of the procedures.

POLICY

1. A pupil can be excluded if:

- 1.1** There has been a serious breach or persistent breaches of the schools' Behaviour Policy
- 1.2** Allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school

2. The Procedure

- 2.1** The exclusion of a pupil is an extreme sanction and is only administered by the Principal or in the absence of the Principal whoever is deputising for them. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 days in a single academic year).
- 2.2** Exclusions, whether fixed-term (usually 1-5 days), or permanent, may be used where a pupil has displayed unacceptable conduct which infringes that which is deemed to be acceptable in school.
- 2.3** A pupil can be excluded immediately, especially if there is an immediate threat to the safety of others in the school.
- 2.4** For an exclusion to be issued, evidence is very carefully assessed and collated. Records are kept and an investigation precedes any exclusion (unless 3.3 applies).
- 2.5** A pupil will be allowed and encouraged to give their account of events.
- 2.6** The Principal will, when establishing facts, apply the standard of proof i.e. 'on the balance of probabilities' the fact is true, rather than the criminal standard.
- 2.7** In the event of an exclusion being carried out the pupil's parents/carer will be notified by telephone and then by letter.
- 2.8** In the event of a fixed term exclusion the letter will state the precise period of exclusion (and for a permanent exclusion, the fact that it is a permanent exclusion), the reasons for the exclusion, the school days on which the parent/carer is required to ensure their child is not present in a public place during school hours, and the right to make representation .
- 2.9** The letter will also contain the date, time of return in the case of a fixed term exclusion and if the exclusion is permanent, the date it takes effect. All exclusions will be treated in the strictest confidence on a 'need to know' basis.
- 2.10** The Governors will be fully informed and involved with these procedures. The Principal will inform the Governing Body and LA within one school day of all exclusions longer than five school days, permanent exclusions, and those which would result in a pupil missing a public examination.
- 2.11** It is expected that most exclusions will be of a short (1-5 days), fixed-term nature. Pupils can also be excluded from the school premises at lunchtime. Each lunchtime is counted as one half day absence.
- 2.12** The school is obliged to make sure that the pupil's parents/carers have been fully informed of their duties during the first five days of the exclusion. The parents/ carers are obliged to ensure that the pupil is not present in public during normal school hours without reasonable justification. Failure to comply with this may lead to the parents/carers being prosecuted.
- 2.13** During any period of exclusion, work will be made available for the pupil. The academy will, where possible, send this home with the pupil. If this is not possible parents/carers can collect the work from the academy or provide an e-mail address for work to be sent to. It is the pupil's responsibility to bring this work back into the academy on their return for marking.
- 2.14** Manchester LA has produced a set of guidelines and model letters to be used for all types of exclusions. These will be used for all exclusions. If a pupil receives consecutive fixed term exclusions, these are regarded as a cumulative period of absence and so if the pupil has more than five consecutive days of exclusions, then education will be arranged for the sixth school day regardless of whether this is as a result of more than one fixed term exclusion. If the pupil is excluded permanently then it is the

responsibility of Manchester LA to provide full time education from and including the sixth day.

- 2.15** Any pupil who is permanently excluded will not be removed from the school register until the appeals process has been completed.
- 2.16** If a pupil lives outside the LA their 'home' LA will also be informed of the exclusion, if a pupil is permanently excluded.

There are extensive guidelines from the DfE Statutory Guidance and the guidance from Manchester LA, which will be adopted during such proceedings.

- 2.17** If the pupil has an Education, Health Care Plan, the local authority must ensure that an appropriate full time placement is identified in consultation with parents/carers.
- 2.18** Following a fixed term exclusion, the Head of Year will arrange return to school interview with the parents/carers of the excluded pupil. The pupil will be present for all or part of the interview and a member of SLT may also be present.
- 2.19** A PSP may be offered to help the parents/carers take responsibly for their child and any other support which is required, will be discussed.
- 2.20** The academy will be mindful of the Equality Act when making decisions.

3. Behaviour outside school

- 3.1** Behaviour of a pupil on any school trips will be covered by the school's standards of behaviour and can be considered as grounds for exclusion.
- 3.2** Behaviour of a pupil outside school can be considered as grounds for exclusion. This decision will be taken by the Principal in accordance with the school's Behaviour for Learning Policy and other related policies.
- 3.3** Unacceptable behaviour related to illegal practices such as drug or race related offences will be informed by the legislation and policies dealing with these specific issues.
- 3.4** The Principal can still exclude a pupil if the pupil was outside school and not on school business, if there is a clear link between that behaviour and maintaining good behaviour and discipline amongst the school body as a whole

4. Role of the Governing Body

- 4.1** The Governors will be fully informed and involved with these procedures. The Principal will inform the Governing Body and LA within one school day of any permanent exclusions, exclusions longer than five school days or more than 10 lunchtimes in a term, and those which will result in a pupil missing a public examination.
- 4.2** The Governing Body has a duty to consider the parents'/carers' representations about an exclusion. Annex A of the Dfe's statutory guidance for exclusions will be followed.

5. Independent Review Panel

- 5.1** If parents/carers apply for an independent review panel within the legal time frame, MCMA must arrange for one to take place to review the decision of the governing body not to reinstate a permanently excluded pupil.
- 5.2** Any application outside the legal time frame will be rejected by the school.
- 5.3** The school will follow the guidance as set out in the DfE Statutory Guidance January 2015 on the members and role of the independent review panel.