



Hinckley

ACADEMY

Exclusion Policy

Date of Last Review:	June 2021
Reviewed by:	Lisa Hickman, Head of School
Approved by Governors on:	October 2021
Frequency of review:	Annually

The HAJC6 Exclusion Policy is underpinned by the commitment of all at Hinckley Academy and John Cleveland sixth form centre to ensure the safety and well-being of the academy community and to maintain an appropriate educational environment in which all can learn and achieve.

Introduction

Exclusion is an extreme sanction and is only used/agreed upon by the Head of School (or, in the absence of the Head of School, the Vice Principal is acting in that role). Before deciding whether to exclude a student either permanently or for a fixed period the Head of School or person with delegated responsibility e.g. Vice Principal or Assistant Principal or Head of Year will ensure that:

- a) Appropriate and thorough investigations have been carried out.
- b) All the evidence available has been considered.
- c) The student's version of events has been heard and documented.
- d) The rewards and behaviour policy has been followed.

Having considered these matters, the Head of School will make a decision on the exclusion based on the balance of probabilities established. In reaching a decision, the Head of School, or Vice Principal will look at each case on its own merits and avoid a tariff system of setting and fixing a standard penalty for a particular action, as unfair and inappropriate.

Exclusion, whether fixed period or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct and are breaches of the academy's behaviour policy:

- Verbal abuse to and about staff and others
- Verbal abuse to students
- Physical abuse towards/attack on staff
- Physical abuse towards/attack on students
- Sexually abusive language and/or behaviour
- Indecent behaviour
- Racist language
- Homophobic language
- Damage to property
- Misuse of illegal drugs or other substances including supplying
- Theft
- Serious actual or threatened violence against another student or a member of staff
- Carrying an offensive weapon
- Unacceptable behaviour which has previously been reported and for which academy sanctions and other interventions have not been successful in modifying the student's behaviour
- Having worked through the behaviour policy to exclusion due to failure to comply with reasonable requests to engage in learning and education
- Having worked through the behaviour policy to exclusion due to failure to comply with reasonable requests to keep themselves or others safe
- Inappropriate use of social media
- Behaviour that undermines COVID-19 safety protocols

This is not an exhaustive list and there may be other situations where the Head of School makes the judgment that exclusion is an appropriate sanction. Exclusions can be either fixed period or permanent.

Fixed Period Exclusion

A student may be excluded for one or more fixed periods, up to a maximum of 45 days in a school year.

The Academy will make every effort to inform parents/carers of a fixed period exclusion before the end of the academy session (the office closes at 4.00 pm) by telephone, email or text. The Head of School has delegated the responsibility of communicating to parents/carers of the exclusion to the Head of Year, Assistant Principal or Vice Principal carrying out the investigation. In the rare circumstances where the Senior Leaders are unable to make the call home, the responsibility will be delegated to the Pastoral Leader.

- This will be followed up in all cases with an exclusion letter, which will inform parents/carers of the length of the exclusion, the reasons for the exclusion and their rights, including their right to make representations and who to contact if they wish to make representations about the exclusion.
- When a student is excluded, parents/carers will be informed that the student is not allowed in any public places during the period of exclusion, including at the academy gates at the end of the school day and that parent/carers may be prosecuted or receive a fixed penalty notice from the Local Authority if their child is present in a public place during school hours on the specified dates.
- The letter will also make clear the date and time when the student should return to the academy for a reintegration meeting with the Head of Year and/or Pastoral Leader.
- The academy will continue to provide work for all students on a fixed period exclusion and will mark the work that is completed and returned.
- The academy will plan the return and reintegration into school after fixed period exclusions with parents/carers and students, with targets agreed at this meeting to avoid future exclusions.
- The Head of School will inform the Chair of Governors and Local Authority within one school day of any fixed period exclusions totalling more than five school days per term.
- The Head of School will inform the Chair of Governors and Local Authority within one school day of any fixed period exclusions resulting in a student missing a public examination.
- The Head of School will inform the Chair of Governors and Local Authority on a termly basis of all fixed period exclusions.

Permanent Exclusion

The decision to exclude a student permanently could be taken by the Head of School in the following circumstances:

- a) In response to a serious breach, or persistent breaches, of the academy's behaviour policy;
- b) Where allowing the student to remain in the academy would seriously harm the education or welfare of the student or others in the academy.
- c) In the case of a permanent exclusion the same process as that for fixed term exclusions will be followed except the communication will make clear that it is a permanent exclusion.
- d) The Head of School will inform the Chair of Governors and Local Authority within one school day of any permanent exclusions.
- e) In the case of a permanent exclusion, a Governors' committee meeting will be convened.

Hinckley Academy is part of a group of local schools who work collectively with the Hinckley and Bosworth Educational Partnership (HBEP). Students who are at the point of exclusion (permanent) will be considered for referral to the partnership to source a suitable programme, managed move or period of respite at another educational setting.

Behaviour Outside School

Students' behaviour outside the academy on school/academy "business", for example, educational visits and journeys, away sports fixtures or a work experience placement is subject to the academy's behaviour policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place on site at Hinckley Academy. If students' behaviour in the immediate vicinity of the academy or on a journey to and from Hinckley Academy is inappropriate and meets the academy criteria for exclusion, then the Head of School may decide to exclude. Additionally, if a student's behaviour is felt to bring the academy into disrepute during at any point outside of school hours, then the Head of School has the right to consider the use of exclusion from Hinckley Academy.

Equality Act 2010

The academy follows the guidance on the Equality Act 2010 published by the 'Equality and Human Rights Commission' in Section 5.4 entitled 'What equality law means for you as an educational provider'. This guidance states that whilst a "*school must not discriminate against students by excluding them from school*", "*it does not mean a school cannot exclude students with a protected characteristic*". The guidance recognises that "*there may be occasions when it is appropriate to exclude students with a protected characteristic*", it stresses it is important that a school does not exclude "*because of the protected characteristic*".

The Academy's exclusion policy is based on the DFE statutory guidance for those with legal responsibilities in relation to exclusion.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/20170831_Exclusion_Stat_guidance_Web_version.pdf