



DATE RATIFIED:	Autumn Term 2024
DATE FOR NEXT REVIEW:	Term 6 2025
REVIEWED EVERY 1/2/3 YEARS:	1 Year

NOTES:

Exclusions Policy

United Learning believes that exclusion can be an appropriate sanction. Typically, exclusions are the result of persistent breaches of the school's behaviour policy. The Governors of The Cornerstone Academy consider that the use of the Principal's power to exclude from school is an important feature of the Behaviour Policy. The use of exclusions is necessary in order to:

- Establish and maintain good order and discipline within the Academy.
- Ensure that the excluded student, parents / carers and other members of the Academy community know that certain offences will not be tolerated by the Academy and should not be repeated.
- Support staff and other members of the Academy community who have witnessed or been subject to excludable offences so that they feel safe and secure.

The Governors believe that the use of exclusions should be reasonable and proportionate but within these limits they support the Principal in using discretion in the implementation of this policy.

This document is intended to give a clear indication to staff, parents and students of the typical circumstances within which the Principal will consider using powers to exclude and the procedures that will be followed in exercising them. Governors will refer to this policy when reviewing the actions of the Principal in excluding students. Individual circumstances will always be taken into account.

The term 'exclusion' applies to the two types of exclusion, a suspension and a permanent exclusion.

Suspensions

It is recognised that a suspension is a significant step in the disciplinary process.

Therefore, a range of sanctions will have normally been employed before reaching this stage. This may include the following:

- Meeting between the student and tutor.
- Meeting between the student, teacher or subject leader.
- Contact with parents or carer.
- Community service.
- Completion of a target card or other monitoring report.
- Departmental or Senior staff detentions.
- Removal from part of or all of a lesson.
- Restorative meeting.
- Department or whole Academy internal isolation.
- Internal exclusion.

Whilst having regard to the circumstances of a particular case, the Principal will be likely to consider the use of suspension or internal exclusions in the following instances. This list does not give every offence for which suspension or internal exclusions may be used but gives an indication of the behaviour where it will be considered. Wherever possible the Principal will consider the use of an internal exclusion as an alternative to suspension. The severity of such incidents will vary considerably, and the length of the suspension or internal exclusion will reflect this. However, if the incident is deemed to be extremely severe, then a permanent exclusion may be applied instead of suspension. (Referred below)

- Persistent or ongoing disruption to the learning environment.
 - Defiance of staff by sustained challenge to the authority of a member of staff.
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- The use of foul or abusive language to a member of staff.
- Violence against another student or a member of staff.
- Intimidating behaviour, bullying, harassment or abuse (including on the grounds of gender, race, ethnicity, age, religion or sexual orientation and disability).
- Persistent defiance of an Academy rule.
- Dangerous, potentially dangerous behaviour or acts of vandalism.
- Bringing or using drugs or alcohol on the Academy site.
- Conduct in Academy or in the immediate vicinity of the Academy which is likely to bring the Academy into disrepute.
- Smoking on the Academy site.
- Truancy during the Academy Day.
- Returning to the Academy site during a suspension.
- Failure to complete an internal exclusion.

A suspension is a very serious sanction. It will be for a fixed number of days and usually be between 1- and 3-days duration (in accordance with the government guidance). This is to minimise the disruption to learning that results from extended absence from lessons. Occasionally a longer exclusion of between 4 and 45 days will need to be given.

The exact length of the suspension will depend on the:

- Number of incidents that have occurred and are being considered.
- Severity of the incident(s).
- History of previous incidents or suspensions. Repeated suspensions for similar incidents may increase in length if progress is not evident.

The Principal does not operate a fixed tariff system and each incident will be considered on its merits.

During a suspension the pupil must remain at home up to the first 5 days. For a suspension of more than 5 days, full time education provision commences from the 6th day and will be organised by The Cornerstone Academy. A pupil is entitled to return to school once the period of suspension has ended.

A pupil may not be excluded for more than 45 days in a school year. Where this threshold has been met and there are further breaches of the school's behaviour policy that would warrant a suspension, the school cannot issue a suspension but could instead permanently exclude the child on the basis the 'persistent breaches' criteria.

Internal exclusion is an alternative to suspension. Internal exclusion is less likely to be considered when:

- The poor behaviour occurred whilst a student was internally excluded.
- Internal exclusion had been used in the past and the student shows little progress.
- The behaviour is of an extreme nature.

Permanent Exclusion

This is where the Principal's decision is that the pupil should not be allowed to return to the school. The decision should only be taken if:

- (a) the pupil has committed a serious breach or persistent breaches of the school's behaviour policy; and

(b) allowing the pupil to remain in the school would seriously harm the learning or welfare of the pupil or others such as staff or pupils in the school;

In most cases, this will be after a wide range of alternative strategies having been tried without success. However, there will be exceptional circumstances where, in the Principal's judgement, it might be appropriate to permanently exclude a child for a single serious breach (one-off or first offence). Examples of misconduct that might be considered as a serious breach are set out in Appendix 1. A student may be permanently excluded for a one-off offence which is deemed to be extremely serious and have a seriously damaging effect on the life of the Academy or the well-being of other students or of staff.

In addition, a student will automatically become permanently excluded if they are persistently found to be involved in the incidents listed under suspensions. In the event of a permanent exclusion, the Local Authority will make arrangements for the future education of the excluded student and is responsible for the education of the child after day 5 of the permanent exclusion.

A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion.

Persistent Disruption to the Learning Environment

In addition to ensuring the safety and wellbeing of all students in the Academy, the Principal also has a duty to ensure that all students are able to learn in an environment which is free from disruption.

Students who are found to be persistently disrupting the learning environment in several subject areas will be subject to close monitoring and support from a Learning Mentor. This will involve the daily use of a report card which allows staff to record whether the student has met their targets in the lesson. This is to ensure that students understand the seriousness of preventing others from learning by disrupting the learning environment.

Students who are on a report card may still face suspensions or permanent exclusion if they are involved in any of the other incidents referred to earlier in this policy. If sufficient progress is not evident on this report card, then additional measures will then be implemented to prevent further suspensions.

Making a decision on a suspension

There are clear procedures in the Academy for investigating incidents that occur and collecting statements. Where possible, statements will be collected from the excluded student, the victim, other witnesses, and staff. Where necessary, witness statements will be anonymised if this information needs to be presented to Governors in a review meeting. Following a full investigation, the Principal will review what has taken place and use the 'balance of probabilities' argument if there are any discrepancies in statements collected. The decision to suspend will be taken:

- Only be taken by the Principal or, in the absence of the Principal, by the acting Principal. The power to exclude cannot be delegated.
- On all the evidence available at the time.
- On the balance of probabilities.

During a suspension, the suspended student is not permitted to be on or directly outside the Academy site at any time. A further suspension may be issued to students who are in breach of this regulation. In addition, a suspended student should not be in a public place during Academy hours, which includes directly outside of the Academy

site. A parent may receive a fixed penalty fine if their child is found in a public place without good reason. If a suspended student is found in breach of these regulations, then the matter will be reported to the legal department at the BCP.

Informing Parents / Carers of the exclusion

Parents / Carers will be informed by telephone on the day that the decision to exclude has been taken. This decision will be communicated in writing and a letter posted by the Academy in accordance with the guidance. If a suspension will prevent a student from taking a public examination, then the Chair of Governors will be informed immediately so that s/he can review the decision or convene a meeting of the Disciplinary Committee before the examination takes place.

The Review and Appeals Process

For all suspensions of 5 to 15 days the parents / carers have the right to request a meeting of the Governors to review the Principal's decision to exclude if they are unhappy with the Academy's decision. For suspensions totalling 5 days or less, the Governors are unable to change the decision of the Principal to exclude.

For suspensions totalling over 15 days in one school term and for permanent exclusions the Governors will automatically meet to review the Principal's decision to exclude. This process is co-ordinated by the Clerk to the Governing Body who will ensure all relevant parties are informed of meeting arrangements and procedures.

The Governors have the power to:

- Uphold the exclusion if they believe that the evidence presented indicates that, on the balance of probabilities, the student was involved in the incident(s).
- Overturn the exclusion if they believe that there is not enough evidence to confirm that, on the balance of probabilities, the student was involved in the incident and direct reinstatement of the student either immediately or on a specified date.

The Governors do not have the power to reduce or increase the length of any suspension that the Principal has applied.

If the Governors uphold a permanent exclusion, then the parent / carer has the right to appeal and request an independent review panel (IRP) meeting.

Hearings and IRPs can be held via the use of remote access (for example, live video link) for suspension and permanent exclusions if requested by the parents, provided certain criteria are satisfied.

Work for Excluded Students

- The Academy will provide work for students who are suspended from 1 to 5 days. Parents are expected to contact the Academy to arrange to receive the work set.
- For suspensions over 5 days duration, the Academy will organise full time education off site.

Reintegration

- Students returning to Academy after a suspension are expected to attend a reintegration meeting at the Academy with their parent / guardian. The purpose of the reintegration meeting is to ensure that the
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student has a successful return to Academy by reminding them of the Academy's expectations and identifying support needed for the student. A support programme will be set up if appropriate.

- If an Independent Appeal Panel directs the reinstatement of a student an appropriate integration programme will be put in place.

Monitoring and Review

The Principal will report in accordance with the guidance on the incidence of suspension and permanent exclusions to the Governing Body. The Governors will review the operation of their exclusion policy annually in consultation with the Principal and other relevant staff.

Cancelling a suspension or Permanent Exclusion

The purpose of any investigation is to ensure that the right decision is made. However, in very rare cases it is possible that further evidence comes to light, once a suspension or Permanent Exclusion has been issued, that had it been known at the time would have led to a different decision.

The Cornerstone Academy has the right and duty in this position to cancel/rescind a suspension or Permanent Exclusion providing it is done so before the local governing body has considered it. This means that a suspension or Permanent cannot be cancelled during a LGB hearing. Where a decision to cancel/rescind a letter will be issued and placed in the student's file. The Principal will notify parents, the LGB and the Local Authority without delay, giving reasons for the cancellation.

Where possible the Principal will offer parents the opportunity to meet to discuss the circumstances that led to the exclusion being cancelled/rescinded.

Appendix 1 Examples of Misconduct that May Lead to Permanent Exclusion

Permanent exclusions are extremely serious and should only be used in exceptional circumstances. Permanent exclusions should only be in response to a serious breach or persistent breaches of the school's behaviour policy and, in all but the most extreme one-off incidents, where other sanctions have been attempted and not resulted in improved behaviour and conduct.

There are a few single incidents that may lead to a permanent exclusion. These include (but are not restricted to) the follow categories:

- a serious breach of safety requirements likely to endanger other people or the pupil themself.
 - Possession, use or supply (or the intended possession, use or supply) of:
 - Alcohol
 - Tobacco (including vapes and other liquid electronic smoking materials)
 - Illegal drugs (see Home Office controlled drugs list [here](#))
 - So-called "legal high" drugs including those which are edible (and whether they are technically legal or illegal) and/or anything pertaining to be a drug.
 - stealing from the academy, employees of the academy, or from students.
 - intentional damage to property.
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- Abuse against race, disability, sexual orientation or gender reassignment.
- very serious / extreme abuse of the academy's computer system and of the internet.
- sexual misconduct, abuse or assault.
- serious actual or threatened violence or physical assault against another pupil, member of staff or worker in the academy.
- carrying an offensive weapon (defined as any item made or adapted for causing injury).
- very significant / extreme bullying and/or harassment including harassment on racial, sexual or homophobic (or any other Equality Act protected characteristic) grounds.

Date of this review:	Autumn Term 2024	Review Period:	Yearly
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Approval By Principal: Mr C Phillips			
