



Exclusion Policy

This policy was updated: **August 2022**

This policy will be reviewed: **August 2024**

Statutory policy? **Yes**

1. Aim

We aim to create and promote an environment in which pupils, parents and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities and reach their full potential. We adhere to the Equality Act 2010 and fulfil our duty to make reasonable adjustments to policies and practices.

The Board of Trustees recognise that it is unlawful to take into account anyone's gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation. Full consideration has been given to this during the formulation of the above policy as it is the Trustees' aim that no-one at Nulogic Academy should suffer discrimination, either directly or indirectly, or harassment on any of these grounds

At the Nulogic Academy we believe that children have the right to independence, choice and inclusion, and we work hard to provide opportunities for personal growth and emotional health and wellbeing for all pupils. However, rights also involve responsibilities, such as not harming other people's rights. We believe children unable to control their actions or unable to appreciate danger have a right to be protected as do other children and adults.

We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this. We provide a range of provisions designed to support pupil's emotional, behavioral, and social needs which are adapted and tailored to specific pupil's needs in consultation with parents/carers.

A decision to exclude a pupil, either for a fixed period or permanently is seen as a last resort by Nulogic Academy. The physical and emotional health of our children and staff is our primary concern, and we therefore accept that in some rare situations, exclusion may be necessary, if all other strategies have been exhausted.

Nulogic Academy is responsible for communicating to pupils, parents and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct.

These are:

- Tackling Bullying Policy.
- Physical Intervention & The Use of Reasonable Force Policy.
- SEN and Disabilities Inclusion Policy.

These policies are made available to all Parents/Carers.

No exclusion will be initiated without first exhausting other strategies or, in the case of a serious single incident, a thorough investigation.

A pupil may be at risk of exclusion from school for:

- Physical assault against a pupil or adult
- Verbal abuse / threatening behaviour against a pupil or adult
- Bullying
- Persistent and repetitive disruption of lessons and other pupils' learning
- Racial abuse
- Sexual misconduct
- Drug and alcohol related abuse
- Damage or theft of school or personal belongings
- Extreme misbehavior which is deemed outside the remit of the normal range of sanctions

Any exclusion, temporary or permanent will be at the decision of the Head Teacher, in consultation with the **Director of Education**. All exclusions, including internal exclusions will be reported to the Board of Trustees. We will report fixed term and permanent exclusions to the Local Authority. We recognise that it is unlawful to exclude a pupil for a non-disciplinary reason.

Internal Exclusion

This is a decision taken by the head in line with the behaviour policy and the appropriate consequence stage. An internal exclusion will include the removal of a child from their class and they will be supervised 1:1 and/or join another group or class. This will usually be no longer than a period of a day. All parents are informed of an internal exclusion as soon as possible and these will be logged on the Behaviour Log and reviewed by the SLT team.

Temporary Fixed Term exclusion

A temporary exclusion should be for the shortest time necessary. Ofsted evidence suggests that 1-3 days is usually enough to secure benefits without adverse educational consequences. Where a fixed term exclusion is in place, Nulogic Academy will set work for the period of time that that child is excluded. This work will be returned to Nulogic Academy at the reintegration meeting and marked by the class teacher.

Persistent or cumulative problems

Exclusion for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when Nulogic Academy had already offered and implemented a range of support and management strategies. These strategies are outlined in the Behaviour Policy.

Single incident

Temporary exclusion may be used in response to a serious breach of Nulogic Academy rules and policies or a disciplinary offence. In such cases the Head Teacher supported by SLT will investigate the incident thoroughly and consider all evidence to support the allegation, taking account of the Nulogic Academies policies. The pupil will be encouraged to give his/her version of events and the Head Teacher will check whether the incident may have been provoked, for example by bullying or racial harassment.

Permanent exclusion

A permanent exclusion is a very serious decision, and the Head Teacher will consult with the SLT, Director of Education before enforcing it. As with a temporary exclusion, it will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of Nulogic Academies rules and policies or a disciplinary offence such as:

- Serious actual or threatened violence against another pupil or a member of staff.
- Possession or use of an illegal drug on Nulogic Academies premises.
- Persistent bullying.
- Persistent racial harassment.

For the first five days on the permanent exclusion, Nulogic Academy has a responsibility to set appropriate work for the child to take home and it should cover the five-day period.

The decision to exclude

If the Head Teacher decides to exclude a pupil, he/she will:

- Ensure that there is sufficient recorded evidence to support the decision.
- Where practical give the pupil an opportunity to present their case before taking the decision to exclude and consequently explain the decision to the pupil and contact the parents, explain the decision, and ask that the child be collected.
- Nulogic Academy will provide appropriate work, to be completed at home, for the period of the exclusion. If the exclusion is permanent, Nulogic Academy will set work for the first days. All work from fixed term exclusions will be returned at the reintegration meeting.
- Written notification of the information mentioned in the above will be provided by delivering it directly to the parents, leaving it at their usual or last known home address, or posting it to that address. Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way. The notification will clarify the reasons for the exclusion, whether it is a permanent or temporary exclusion, the parents' right to make representations and how these may be made, and whether the Trustees have a legal duty to consider the exclusion.

- The length of the exclusion and any terms or conditions agreed for the pupil's return.
- In cases of more than a day's exclusion, ensure that appropriate work is set and that arrangements are in place for it to be marked.
- Plan how to address the pupil's needs and integration back into their class on his/her return.
- Plan a reintegration meeting with parents and pupil on his/her return and outline strategies which can be put in place to avoid future exclusions.
- If the child is a Looked After Child, Child in Need or subject to a Child Protection plan, Nullogic Academy will seek to convene a multi-agency meeting around the child to seek strategies to prevent future exclusions.
- The Board of Trustees and Local Authority will be advised of all exclusions

Safeguarding

An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, Nullogic Academy may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from Nullogic Academy, or, in more severe circumstances Nullogic Academy may contact Social Services and/or the Police to safely take the pupil off site.

Behaviour outside the Nullogic Academy

Pupils' behaviour outside Nullogic Academy on school business e.g., on trips, at sports fixtures, is subject to the Nullogic Academy's Behaviour policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place at Nullogic Academy.

Pupils with special educational needs and disabled pupils

Nullogic Academy must take account of any special educational needs when considering whether or not to exclude a pupil. We have a legal duty under the Disability Discrimination Act 2005 as amended not to discriminate against disabled pupils by excluding them from Nullogic Academy for behaviour related to their disability. The Head Teacher should ensure that reasonable steps have been taken by Nullogic Academy to respond to a pupil's disability, so the pupil is not treated less favorably for reasons related to the disability.

Pupils who are Looked After Children

Nullogic Academy should give special consideration before considering the exclusion of any Looked After Child and Nullogic Academy must take account of any special considerations before making the decision to exclude. Prior to the exclusion Nullogic Academy must seek consultation with the Virtual School and take action to put in place any necessary provision for the duration of the exclusion. Following any exclusion, of any duration, Nullogic Academy must convene a multi-agency meeting to discuss actions to prevent any future exclusions.

Reintegration of Pupils

After any internal or fixed term exclusion, a reintegration meeting will take place with the child (if deemed appropriate) and the parent before the child rejoins Nulogic Academy. The purpose of the meeting is to discuss the reasons for exclusion, to discuss any adaptations which may have been made and to seek solutions which prevent further exclusions.

Marking attendance registers following exclusion

When a pupil is excluded temporarily, he/she should be marked as absent using Code E.

Managed move

In cases where the Head Teacher and parents agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parent has treated the Nulogic Academy or members of its staff unreasonably then a Managed Move Process will be implemented based upon the agreement of all parties. This is not an exclusion and all support will be provided by the Head Teacher or SENDCo in finding a suitable alternative school. Where local protocols are in place, these will be followed.

Removal from the academy due to illness

The Head Teacher may send a pupil home, after consultation with that pupil's parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time.

Procedure for appeal

If parents wish to appeal the decision to exclude, the matter will be referred to the Local Authority and handled through the appeal procedure.