

UNITED LEARNING BEHAVIOUR POLICY

Date of last central office review:	17 September 2020	Review Period:	1 year (minimum)
Date of next central office review:	Summer Term 2021	Owner:	Vice Principal, Mr. A. Brown
Date of next school level review:	Summer Term 2021		
Type of policy:	United Learning Policy	Local Governing Body	Approves school policy adheres to United Learning Policy

REVIEW TIMETABLE

The Policy will be reviewed annually, as set out below:	
Policy reviewed centrally	Schools Committee: Annually – Spring Term
Policy tailored by individual schools	February 2021
School policy ratified by Local Governing Bodies	25 February 2021
Implementation of Group Policy	1 March 2021



UNITED LEARNING TRUST

Irlam and Cadishead Academy

March 2021

BEHAVIOUR POLICY



United Learning
The best in everyone™

■ Ambition ■ Confidence ■ Creativity ■ Respect ■ Enthusiasm ■ Determination

Behaviour Policy

1. Expectations

This policy sets out how the Academy will promote good behaviour, self-discipline and respect, prevent bullying, ensure that students complete assigned work, and regulate the conduct of students.

Excellent student behaviour allows teachers to teach and students to learn and supports students in achieving their potential. We have a responsibility to teach our students the value of being ready for learning, behaving respectfully to all and staying safe. Students who consistently follow these rules will be rewarded through the ICA rewards system. There are clear and consistent sanctions for those students who choose not to follow these rules.

In applying this policy, the Academy will take into account its duties under the Equality Act 2010 regarding relevant characteristics protected by that act, notably disability. It will also take into account the needs of students with special educational needs. The Academy will also have regard to its safeguarding policy where appropriate.

Reasonable adjustments

We understand that adapting to some new requirements, necessary because of the coronavirus pandemic, may be challenging for some students with special educational needs. We will, therefore, look to make reasonable adjustments where necessary. Students with identified SEN will have reasonable adjustments put in place to be agreed with the parent/carer and student. One Page Profiles will contain any reasonable adjustments made which may include the following (not an exhaustive list):

- Time out – there will be a designated area where the student can have agreed 'time-out' if required.
- Extra 'warning' in classroom/unstructured times.
- Fidget toys.
- Specific seating position within classroom.

Any reasonable adjustments will be shared with staff.

2. Policy Implementation

All staff are to implement the Academy policy consistently and fairly throughout the Academy by setting the standards required to promote positive behaviour.

All staff will be trained in the policy and given scenarios to talk through and raise any questions.

The ICA Senior Leadership Team are to ensure all staff adhere to the behaviour policy and implement effective systems for keeping records of all reported incidents, reporting to governors and parents/carers when required.

Students are responsible for behaving responsibly and respectfully in all areas of Academy life, including in lessons, around the Academy site and when representing the Academy. This includes travelling to and from the Academy.

The policy is built around the Academy's four key pillars of **Respect, Enthusiasm, Ambition** and **Determination** and is aimed at developing and supporting our students in demonstrating these qualities and reflecting where they have breached them. Students will also be rewarded for demonstrating the four key pillars. It is even more important to demonstrate these character traits during the coronavirus pandemic:

- Respect – Wear a face covering when it is not possible to socially distance
- Respect - Observe social distancing at all times as instructed.
- Respect - Respect adults and students alike – treat others as you would wish them to treat you.
- Respect - Follow all instructions at the first time of asking.



- Respect - Respect the environment – inside and outside of the building.
- Respect - Listen carefully and give people your full attention.
- Enthusiasm - Arrive on time to the Academy and lessons.
- Enthusiasm – Sign up to and participate in extra-curricular activities.
- Ambition - Dress smartly in ICA uniform and be proud to represent the Academy.
- Ambition – Show ambition by having high expectations of yourself.
- Determination - always try your hardest (100% effort).

3. Behaviour expectations

We do not allow students to disrupt the learning of others – **students are entitled to disruption free learning**. We must also ensure that students and staff are kept safe – this is even more important during the coronavirus pandemic.

Where expectations are not being met, we operate a warning system: **Remind, Reprimand, Remove:**

- **Remind:** A verbal warning is given to remind students of expectations
- **Reprimand:** A final warning will be given. This will be recorded on Arbor and the student must attend a detention on the same day. Parents/carers will receive an email to inform them of the detention.
- **Remove:** Students who receive another warning will be sent immediately to the Room for Improvement. Students must complete a full day and a 60-minute detention. This will be recorded on Arbor Parents/carers will receive an email to inform them of the removal.
- If a student refuses to go to the Room for Improvement (RFI) or fails RFI, they will be Fixed Term Excluded and must complete 2 full days in RFI upon their return.
- If a student leaves a lesson without permission or truants a lesson, they must complete a full day in RFI and a 60-minute detention.
- If a student receives 2 or more reprimands in a day, they must complete a full day in RFI and a 60-minute detention.

DfE guidelines state that: ‘Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break school rules or who fail to follow a reasonable instruction.’

Examples of reasons for sanctions (this list is not exhaustive, and students may be sanctioned for other reasons not listed):

- Failing to follow instructions – not respecting staff.
- Removal from lesson.
- Not respecting classroom rules.
- Eating/chewing in class.
- Dropping litter.
- Late to the Academy.
- Swearing/aggressive language/inappropriate body language/gestures. *
- Uniform issues.
- Unsafe use of bike on or off site.
- Vandalism.
- Persistent equipment issues.
- Putting hands on another student without permission. *
- Racist/homophobic/prejudiced language. *

*** may result in a more serious sanction**

Movement around the Academy

- Calm and sensible movement around the Academy and safe, polite behaviour is always essential from all students.
- Students must not move into zones that are not their specific year group zone, e.g. Year 7 must stay in the Year 7 area.
- Any student found in another year group zone will be sanctioned in accordance with the behaviour policy.



Dining Areas

- There are designated areas for each year group and students must remain there during break/lunchtime.
- The environment should be respected, plates and cutlery removed from tables and all litter put into bins

Toilets

- There are year group specific toilets. Any student found in another year group's toilets will be sanctioned in accordance with the behaviour policy.
- Students who have been found to have damaged the toilets may be charged and will be sanctioned in accordance with the behaviour policy.

Lifts

- Lifts are for the staff use only. Students with injuries or illnesses may be given a lift pass for their sole use.

Mobile Phones and Electronic Devices

- ICA recognises that there may be genuine reasons for students to bring a mobile phone to the Academy. However, the use of mobile phones in the Academy building or on the Academy site, including at break and lunch is not allowed. Mobile phones, electronic devices (including tablets) and headphones must not be on view in the Academy building.
- ICA does not accept any responsibility for mobile phones or electronic devices brought into the Academy and any student who brings such a device in, does so at their own risk. Devices seen or heard during the Academy day will be confiscated and taken to Student Services. Parent/carers will be contacted to collect the device.
- If devices go missing, ICA staff cannot be expected to take time to search for them.
- Students are advised to protect devices with security markings and codes.
- If parents/carers need to contact students in an emergency, they should telephone the Academy in the usual way.
- Devices must not be taken into examinations.

Presentation and Uniform at Irlam & Cadishead Academy:

- Students must wear ICA blazers and jumpers at all times, except when permission has been given in the classroom.
- Outdoor coats must be removed before entering the Academy building.
- Students must wear neck ties appropriately.
- Shirts are to be tucked in at all times.
- Hair is to be worn in a simple, neat style – no cult styles/shavings. Shoulder length hair should be tied back in practical lessons.
- Excessive use of colour is not acceptable.
- Acrylic nails are unsafe in the Academy environment and are not to be worn.
- Piercings: only a single pair of plain stud earrings in the lower lobe is acceptable.

Energy Drinks/Fizzy Drinks:

- Whilst ICA understands that students must be able to make their own choices regarding healthy eating, as an Academy we are responsible for promoting a healthy lifestyle.
- As part of this, energy/fizzy drinks are banned at ICA. If students are caught with an energy/fizzy drink they will have it immediately confiscated and parents/carers will be contacted to collect the drink, should they wish to do so.

Selling Items:

- Students must not bring items into the Academy to sell to other students. Students found to be selling at ICA will have the items confiscated for collection by parents/carers.



4. Graduated Approach

Waves of Intervention

	Duration	Trigger	Support	Success Criteria
Wave 1 Support	2 weeks	1 x RFI or FTE	Form Teacher Report At least 2 support strategies used	3 measurable targets agreed with student
Wave 2 Support	4 weeks	Failure of Wave 1 targets 5 x RFI/FTE	Head of Year Report At least 2 support strategies used Parent/carers review meeting at 2 and 4 weeks	3 measurable targets agreed with student
Wave 3 Support	6 weeks	Failure of Wave 2 targets 8 x RFI/FTE	Assistant Principal Report At least 2 support strategies used Parent/carers review meeting at 3 and 6 weeks	3 measurable targets agreed with student and parent/carers
Wave 4 Support	6 weeks	Failure of Wave 3 targets 12 x RFI/FTE	Vice Principal Report At least 2 support strategies used Parent/carers review meeting at 3 and 6 weeks	3 measurable targets agreed with student and parent/carers
Wave 5 Support	Failure of Wave 4 targets 15 x RFI/FTE			Governor Behaviour Panel Alternative Provision (AP) /Managed Move* may be considered at this point
Wave 6 support	Possible Permanent Exclusion**			

* Managed Move or AP may be considered immediately after a serious incident or as part of a support strategy to benefit the student

**Can also be the result of a serious breach of the behaviour policy

Additional Support

Support is put in place on an individual basis, considering any specific needs and may include:

- Time out pass in Student Planner
- Adjustment to behaviour policy in lessons
- ICA Counsellor
- Peer mentoring
- Staff mentoring
- Intervention programme in lesson time



- Early Help Assessment
- Thrive programme
- Referral to the wellbeing team (who provide a vast array of different packages)
- Referral to school nurse
- Referral to DSL and/or Children's Services
- Referral to external agencies: CAMHS YOT, Educational Psychologist, etc.

Safer Academy Partnership (SAP) meetings are held weekly to determine additional interventions based on:

- At risk of PEX
- Identified as vulnerable (LAC/SEND)
- Persistent poor behaviour
- Serious underachievement across subjects
- Attendance issues
- Reintegration following exclusion
- Return from Alternative Provision
- Return from Managed Move
- Exclusion from another school

Poor conduct is only one reason for referral to SAP. Meetings are chaired and minuted by the Assistant Principal – Safeguarding and are attended by:

- Vice Principal – Pastoral
- SENCO/Assistant SENCO
- Deputy Designated Safeguarding Lead
- Inclusion Manager
- ICA Counsellor

Report Cards

Physical report cards are no longer used. Students on report will have three measurable targets – class teachers will be made aware via Arbor. Students on report will have a weekly review meeting with the member of staff they are on report to.

Governors' Behaviour Panel Meeting

Students who, despite support, do not improve their behaviour will attend a Governors' Behaviour Panel meeting with their parents/carers. The panel usually consists of a Governor, the student's Head of Year and the SLT link. Further support strategies are agreed and are put into place in an attempt to improve the student's behaviour. Students may also be referred to partner and outside agencies such as the EWO (Education Welfare Officer), the Health Team or BITS (Brief Intervention Team). A clear indication is given as to where continual poor behaviour will lead in the long term.

Alternative Provision

Alternative provision may be considered suitable for students struggling to engage with full time mainstream education. If appropriate, alternative provision on a part time or full-time basis may be arranged with approved providers following a meeting with parent/carers.

Managed Moves

Managed Moves to another school are another strategy used to engage a student in education and are sometimes used as an intervention to prevent Permanent Exclusion. Initial 6-week Managed Move placements can be arranged through the monthly In Year Fair Access Panel (IYFAP) hosted by Salford LA and attended by the Principal. At the end of this period a student may return to ICA if behaviour has significantly improved, or they may be taken permanently on roll by the other school. A decision is made regarding a student's future educational provision should the managed move fail. Shorter term respite placements at neighbouring schools may also be used prior to a Managed Move.

5. Prohibited items and searches

Banned Items

All our students must be safe and have high standards of dress at all times. For these reasons, the following items are not permitted and should not be worn or bought to the Academy. Staff will confiscate such items.



- No jewellery may be worn to school, including facial piercings of any kind (e.g. lip/nose/tongue/eyelid etc.). Students are permitted 1 plain stud in each ear lobe only.
- Any hair clips or beads should be simple and plainly coloured
- Hoodies.
- Coats with inappropriate logos.
- Nail varnish and or nail extensions.
- Fake eyes lashes.
- Tattoos, including henna tattoos.
- Chewing gum.
- Energy drinks.
- Laser pens.

Other Confiscated Items

Items taken from students during the Academy day are usually returned at the end of the day (with exception of phones or other electronic devices). However, where a student persistently brings/uses banned items during school hours, parents may be requested to come to collect the items. Unclaimed items are sent to lost property in Student Services. These items are then periodically given away to charity shops if left unclaimed.

The law relating to searches

Schools have the statutory power to undertake a search of a student or their possessions (without their consent) if there are reasonable grounds to believe that the student may be carrying a dangerous or banned substance or object, e.g. a weapon or illegal drug, or any other item which might pose a serious risk to the safety of that student and/or others. The specific items which can be searched for without consent are specified on page 11 of the DfE's [Behaviour and Discipline in Schools Guidance](#) with more detailed information provided in [Screening, Searching and Confiscation – advice for Headteachers, staff and governing bodies](#). This includes “any item banned by the school rules which has been identified in the rules as an item which may be searched for” (“Specific Banned Items”).

The screening and searching advice details what should be done with items that have been confiscated during a search, including the circumstances under which the police should be involved, and when the use of force can be applied.

Only the Principal or a member of school staff authorised by the Principal, can undertake the search of a student and there must be a witness (also a staff member). **At ICA, the Principal gives authorisation to any member of the Senior Leadership Team or the Pastoral Team to carry out searches.** The person carrying out the search should be the same sex as the student being searched, as, ideally should be the witness. There is a limited exception to this rule (where a search can be carried out on a student of the opposite sex and / or without a witness) only where the Principal or authorised member of staff reasonably believes that there is a risk that serious harm will be caused to the person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

Any searches of a student's own person or of their possessions must be carried out with due consideration for the student's personal dignity, health and safety, the ICA Safeguarding policy, United Learning staff-student relations guidance, and ICA's own Equal Opportunities policy. There may be rare instances where a child with a specific SEND diagnosis requires a different approach. For example, the Academy may refrain from searching, unless in an emergency, if a child is tactile defensive or has a sensory sensitivity which means that a search may significantly escalate a situation. This would mean dealing with the situation in a different way, bespoke to the needs of the child.

Any such searches must always be viewed as a last resort, when other methods of investigation and communication have failed and only if absolutely necessary, such as in extreme situations where leaving a student with such a suspected item could pose risks to others (or to that student). It is hoped that in the great majority of instances, there will be no need for a search to be carried out.

Any staff authorised to carry out searches must have had sufficient training to enable them to carry out their responsibilities.

Searches without Consent

The following items are also banned at the Academy and students may be searched for them without their



consent and without the consent of their parents/carers:

- knives or weapons
- alcohol
- illegal drugs
- drugs paraphernalia
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be, used:
 - i) to commit an offence,
 - ii) to cause personal injury to, or damage to the property of, any person (including the student)
- Mobile phones, electronic devices must be switched off and out of sight. If a student is reported as not following this rule and denies having such a device, they may be searched for this item.

Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force **cannot** be used to search for other items that a school has decided to ban under its behaviour policy. However physical resistance by a student to a search for those latter items can itself be subject to behavioural sanctions.

Before a member of staff carries out a search without consent, the member of staff must reasonably suspect that the student has the prohibited item in his/her possession. Only staff members authorised by the Principal may carry out searches without consent. **At ICA, the Principal gives authorisation to any member of the Senior Leadership Team or the Pastoral Team to carry out searches.**

Where an item prohibited by this behaviour policy is seized as the result of a search and it is an electronic device such as a mobile telephone, the member of staff who seized the item may inspect the data on it, if he/she thinks that there is a good reason to do so. For this purpose, the member of staff has a good reason if he/she reasonably suspects that the data or file on the device in question has been or could be used to cause harm, to disrupt teaching or break the school rules. The Academy also reserves the right to inspect data on any electronic device which is confiscated by a member of staff. The Academy is entitled to retain the device if it contains material which has been or could be used to cause harm to disrupt teaching or break the Academy rules.

Academy staff can seize any prohibited item found as a result of a search and can also seize any item, however found, which they consider harmful or detrimental to academy discipline. When deciding what to do with a prohibited item, the Academy will act in line with statutory guidance issued by the Department for Education.

Searches with consent

The Academy may search students with their consent for any item. A student's possessions can only be searched in the presence of the student and another member of staff, except where there is a risk that **serious harm** will be caused to a person if the search is not conducted immediately and where it is **not reasonably practicable** to summon another member of staff.

Extent of search

The person conducting the search may not require the student to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves. 'Possessions' means any goods over which the student has or appears to have control – this includes bags, lockers and desks. It is a condition of having a locker in school that the student gives their consent to it being searched.

Any formal complaints about searches should be made in accordance with the Academy's usual complaints policy.



Confiscation of articles

Academy staff have the power to confiscate property from students under their general right to discipline contained in s91 of the Education and Inspections Act 2006.

Disposal or retention of articles confiscated from students

The Academy will follow the Department for Education guidance 'Screening Searching and Confiscation - advice for headteachers, staff and governing bodies' (<https://www.gov.uk/government/publications/searching-screening-and-confiscation>) in deciding what to do with confiscated items.

6. Drugs

ICA will not condone the use of drugs. The ICA policy on drugs applies to all Academy and Academy-related activities whether on or off site. This includes the journey to and from the Academy. The word 'drugs' used in this policy does not just mean illegal drugs. It extends to alcohol, tobacco products, volatile substances and legal highs. Over the counter and prescription medicines are dealt with in the medical treatment section of this policy.

ICA takes into account guidance issued by the Department for Education. The Academy will monitor and deal with any drugs issues promptly and be proactive in trying to prevent any future drugs incidents. Students will receive drugs education as part of the PSHCE programme and the Academy will also involve outside agencies such as drugs education charities.

Any student found to be involved in a drugs-related incident will be disciplined in accordance with the Academy's behaviour policy. The sanction is likely to include permanent or fixed term exclusion from ICA. Dealing with illegal drugs will, except in exceptional circumstances, lead to permanent exclusion. Using illegal drugs will, except in exceptional circumstances lead to exclusion which may be permanent. This distinction between dealing and using is particularly important operationally. Sometimes, it will also be necessary to involve the police. The Academy will discuss this and take advice as necessary, and incidents will be reported to the Governors for their consideration.

Confiscation of drugs

Any drugs found will be confiscated by staff who will dispose of them in accordance with guidance issued by the Department for Education. Drug offences will be reported to the Police and any drugs handed over to them if requested. Similarly, any drugs-related paraphernalia such as needles will be disposed of in a prudent manner. The Academy may carry out searches for drugs in accordance with this policy.

Parental involvement

Usually the Academy will inform parents/carers when their child has been found to be involved in drugs but where there are potential safeguarding issues, the Academy must act in the best interests of the child which may mean a decision not to inform parents/carers. Such a decision will be taken very seriously and usually with the benefit of legal advice.

7. Bullying

Irlam & Cadishead Academy is committed to the well-being of its students and promotes a safe and supportive environment. Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. It may involve an imbalance of power between the perpetrator and the victim. Bullying will not be tolerated at the Academy. Following investigation, a student may be internally excluded, Fixed Term Excluded or Permanently Excluded. Further details can be found in the ICA Safeguarding Policy.

8. Sanctions

Detentions

24 hours' notice of a detention is no longer required. 'Schools don't have to give parents notice of after-school detentions or tell them why a detention has been given' (<https://www.gov.uk/school-disciplineexclusions>).

Parental permission is also not required, provided that staff have considered:



- The welfare of the child.
- Whether the child has caring responsibilities,
- Whether parents should be informed of the detention, any travel arrangements.
- Inconvenience to the parents/carers does not matter if the child has a means to get home safely.

The permitted times for detentions are:

- Any school day when the student does not have permission to be absent
- Weekends but not those at the beginning and end of half term holidays,
- Teacher training days.

Any staff member may give detentions. A lunch-time detention must allow a reasonable time for the child to eat, drink and use the toilet.

Room for Improvement (RFI)

When required to work in RFI, students must:

- Hand over their mobile phone.
- Follow all instructions given by staff supervising RFI.
- Complete a 60-minute detention at the end of the Academy day.

Where students do not follow instructions, the 'Remind, Reprimand, Remove' procedure will be followed, with 'Remove' leading to a Fixed Term Exclusion. Following a Fixed Term Exclusion, students must complete 2 full days in RFI.

Malicious accusations against staff

These can be very damaging for a member of staff welfare and any such incident made against staff may involve a formal investigation. If an allegation is falsely made against a member of staff, then the student (s) will be sanctioned with an exclusion. The length of exclusion and whether this is internal or external will be treated on a case-by-case basis.

The power to discipline beyond the school gate

The behaviour policy can extend to activities outside the Academy day and off the Academy premises when the student is:

- taking part in any Academy organised or Academy-related activity
- travelling to or from the Academy
- wearing ICA uniform
- in some other way identifiable as an ICA student

Even where the four conditions above do not apply, the behaviour policy can extend to any misbehaviour which could have repercussions for the orderly running of the Academy, pose a threat to another student, or member of the public, or could adversely affect the reputation of the Academy. This includes cyber-bullying and misuse of social media.

9. Rewards

The ICA rewards policy has been developed as a strategy to inspire, enthuse and motivate students across the Academy to fulfil their potential. Praise and rewards should be used before sanctions in order to develop a positive ethos and culture throughout the Academy. All teachers must recognise and celebrate good behaviour, work and effort through praise, postcards, phone calls home, etc.

Students will receive positive points for a range of positive behaviours which reflect the 4 key pillars of the Academy, Respect, Enthusiasm, Ambition and Determination. A growth mindset is encouraged, and we focus on rewarding the efforts of students as well as their outcomes. This includes excellent classwork and homework, assisting at Academy functions, regular participation in teams/clubs and excellent/improved attendance. All achievements are recorded electronically to facilitate recognition and celebrate student success and to inform student eligibility to attend reward trips and participate in reward activities. Students accumulate points towards badges and certificates.

Other rewards used at ICA include end of year reward trips, Principal's postcard, 'Cake and a break' with the Principal, email/phone call/letter/postcards home and early lunch breaks for year groups/classes.



10. Use of social media

This policy applies to all forms of social media and applies to the use of social media for both Academy purposes and personal use that may affect the Academy, social media or staff in any way.

Misuse of social media may include (this list is not exhaustive):

- damage to the Academy or its reputation, even indirectly
- use that may defame Academy staff or any third party
- use that may harass, bully or unlawfully discriminate against staff, other students or third parties
- false or misleading statements
- use that impersonates staff, other students or third parties
- expressing opinions on the Academy's behalf
- using Academy logos or trademarks.

Students can report misuse of social media to any member of staff for investigation. Any misuse relating to safeguarding will be handled by the ICA Safeguarding Team.

In line with government guidance relating to the Prevent Duty, children must be kept safe from terrorist and extremist material and suitable filtering within the Academy is in place.

Responsible use of social media is encouraged. However, any breach of the policy on the use of social media will result in disciplinary sanctions.

11. Use of reasonable force

The Academy follows the Department of Education advice 'Use of Reasonable Force - advice for school leaders, staff and governing bodies' (<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>).

Members of staff have the power to use reasonable force and the policy can provide that they may use reasonable force to prevent students from committing an offence, injuring themselves or others, to prevent damage to property and to maintain discipline. Use of force also relates to searches as outlined in Section 5.

Where the use of force, i.e., restrictive physical intervention has been used more than once with a particular child it starts to become a foreseeable risk and therefore requires planning to reduce the chances of it being used again. Where restrictive physical intervention has been used more than once with a particular child, the Academy will write a positive handling plan (essentially an appendix to a behaviour plan) and share this with the parents/carers and relevant Academy staff.

12. Exclusions

To ensure good order and behaviour for learning, it may be necessary to exclude students from the premises for a fixed term or permanently. Exclusion is the ultimate sanction. The decision to exclude is the Principal's alone or in their absence, the Vice Principal.

Please see the ICA Exclusion Policy for full details in addition to DfE guidelines: <https://www.gov.uk/government/publications/school-exclusion>

Legislation and Guidance

In applying this policy, the Academy will adhere to current legislation, including the Equality Act 2010 and is obliged to have regard to the DfE guidance on exclusions. Section 1 makes specific reference to the Equalities Act. These duties need to be complied with when deciding whether to exclude a student. Schools must also ensure that their policies and practices do not discriminate against students by **unfairly increasing their risk of exclusion**. Provisions within the Equality Act allow schools to take positive action to deal with particular disadvantages, needs, or low participation affecting one group, where this can be shown to be a proportionate way of dealing with such issues.

The Principal and governing body must comply with their statutory duties in relation to SEND when administering the exclusion process. This includes having regard to the SEND Code of Practice.



The exclusion policy relates to behaviour not only in the Academy but also to behaviour out of the Academy: for example, travelling to and from the Academy; on trips and visits; work experience placement, etc.

Types of Exclusion

Fixed Term Exclusion

Fixed Term Exclusion may apply for a single occurrence of serious misconduct or for persistent misbehaviour. Lunchtime exclusion is equivalent to a half day exclusion.

Repeated use of Fixed Term Exclusion for children with an EHCP (and potentially those on SEN Support (especially those undergoing statutory assessment and likely to get an EHCP)) could be considered ineffective or failing to sufficiently meet a child's needs. Where this is occurring, the Academy will ensure the SENCO is involved as part of a behaviour intervention and planning process to elicit different approaches to improving the child's behaviour. This may involve advice from colleagues / specialists such as an educational psychologist, speech and language therapist, literacy specialist etc.

Please note: Students who return from a Fixed Term Exclusion will have 2 days in the Room for Improvement.

Incidents which may result in exclusion are listed below (this list is not exhaustive):

- Breaching the health and safety of staff students by deliberately breaching year group 'zones'.
- Non-compliance with Academy rules.
- Fighting.
- Swearing at a member of staff.
- Setting off fire alarm/extinguishers.
- Significant damage to Academy property including graffiti.
- Continued bullying.
- Intimidation or aggressive behaviour towards other students.
- Using lighters matches or cigarettes.
- Sexist, racist or homophobic behaviour
- Sexual misconduct.
- Breaching Academy ICT security.
- Bringing fireworks into the Academy.
- Bringing alcohol into the Academy or being under the influence of alcohol or other substances.
- Malicious allegations against staff.
- Truancing lessons.
- Theft.
- Harassment or intimidation of a member of staff or student at the Academy or off site.
- Bringing the Academy into disrepute (including travelling to and from the Academy).
- Refusal to attend/failure of detention.
- Refusal to go to RFI.

Permanent Exclusions

Permanent Exclusion is a last resort in response to serious or persistent breaches of the Academy's behaviour policy. It may, however, be an appropriate sanction for a single one-off incident or extreme misconduct.

Examples of when a permanent exclusion may apply for a one-off offence (the list is not exhaustive):

- Carrying or supplying illegal drugs.
- Carrying or using an offensive weapon.
- Persistent serious bullying.
- Serious actual or threatened violence against another student or individual on site.
- Serious damage to Academy property.
- Any violence towards a teacher or member of the support staff.
- Sexual abuse or assault.
- Where an offence is repeated after Fixed Term Exclusion.

Serious Incidents that require investigation



If there is an incident that requires an investigation, then this should be overseen by a Vice Principal or Assistant Principal. If not available, then the Head of Year should carry out the investigation.

- Student(s) involved should be isolated immediately in RFI (or any other area that they can be isolated) and given the opportunity to write an initial statement. It must be made clear to them to state where it happened, when it happened, which individual were there and full details of what occurred. They are not to discuss the situation with anybody before completing statement.
- Phones should be taken from the students(s) and they are to be supervised whilst completing the statement. The member of staff who supervises this should sign the statement also. (The student may need support in the writing the statement).
- The student(s) will remain in RFI or isolated until the investigation is complete.
- Any member of staff who were witness should email the member of staff overseeing the investigation with full statement as soon as possible.
- Any student(s) who were witness should complete a statement whilst being supervised by a member of staff. It must be made clear for them to state where it happened, when it happened, who was there and full details of what occurred. They are not to discuss the situation with anybody before completing statement.
- The lead on the investigation will speak with the witnesses regarding the statements made to ensure that all relevant information is collected and then ensure that the statements are signed.
- The lead on the investigation will speak with the student(s) regarding the statements made to ensure that all relevant information is collected and then ensure that the statements are signed.
- The lead on the investigation will then discuss with the Pastoral Vice Principal on the sanction to apply. Please note if a decision is made to either Fixed Term or Permanently exclude the child then this must be decided by the Principal or Vice Principal if the Principal is not available.
- Parents/carers will then be contacted to inform them of incident/outcome where appropriate. This should include any victim involved in incident.

Each case will be judged on the facts and the context taking into account:

- The degree of severity of the offence;
- The likelihood of re-occurrence;
- The student's previous behavioural record;
- Contributory factors (e.g. recent bereavement, mental health issues, bullying, special educational needs and disabilities, harassment);
- Support provided;
- The Academy's behaviour policy, special educational needs policy and equality law obligations.

Principal's Decision

The decision to exclude will be made after a review of the evidence available and will be on the balance of probabilities - i.e., is it more probable than not that the accused acted as alleged – and in response to a serious or persistent breaches of the Academy's behaviour policy and where allowing the student to remain in the Academy would seriously harm the education or welfare of the student or others in the Academy.

Notification

Once a decision to exclude has been made, parents will be contacted at the earliest possible opportunity, by telephone if possible. The exclusion will be confirmed by a letter signed by the Principal, or designated teacher in charge. The letter will address for the reasons for the decision to exclude, legislation regarding the requirement to remain at home during school hours, work expectations and meeting details.

Role of the Local Governing Body

The Governing Body:

- has a duty to consider the representations of the parents
- can either uphold the exclusion or direct reinstatement (and if the latter is not practical still consider if the decision to exclude was justified)
- the decision of the Governing Body will be given in writing and without delay and will give the reasons for the decision

A flow chart summarising the role of the Governing Body's duties to review the Principal's decision to exclude is found on page 47 at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/2



Additional Requirements for Permanent Exclusion

The following details can be found in the ICA Exclusion Policy:

- the statutory timeframe for applying to an independent review panel
- to whom an application must be sent, together with the grounds and evidence
- the right for parents to request a special educational needs expert
- the right for parents to bring an Equality Act claim for discrimination to the First Tier Tribunal (for disability discrimination) or to the County Court (for other forms of discrimination).

Independent Review Panel Procedure

The set up and process of the IRP is set out in the DfE guidance as are important aspects in terms of timeframe, constitution, and the powers of the IRP. An IRP cannot compel reinstatement.

Related documents

- Exclusion Policy.
- Anti-bullying policy.
- Attendance Policy.
- Safeguarding Policy.
- Uniform Policy.
- E-safety Policy.
- Reasonable adjustment Policy.
- SEN Code of Practice.

