



# NORTH BIRMINGHAM ACADEMY

## POLICY ON EXCLUSIONS

### Context

While it is the responsibility of an individual Academy to establish what is acceptable and what is unacceptable behaviour – and to decide the appropriateness of exclusion as a sanction, for the latter, all Academies operate within a National Legal Framework and within guidelines issued by both the DCFS and individual education authorities. The Guidance states that there is an expectation that it will be followed unless there is a good reason to depart from the contents.

### 1. Introduction

1.1. The Academy Governors regard the following as unacceptable behaviour warranting exclusion from the Academy. In some cases, however, in line with national guidelines, it may be appropriate for the Principal to consider permanent exclusion. National guidelines indicate that these instances include:

- A deliberate assault on a member of staff
- Any assault with a weapon or other implement against staff
- A deliberate assault on another child
- Selling and distributing drugs within the Academy
- A sexual assault
- Persistent racial abuse
- Persistent bullying including physical abuse
- Verbal threatening and intimidation of staff
- Disruptive incidents preceded by other disruptive events when the Academy has attempted to gain compliance through other sanctions

1.2. The Governors and government guidelines state that exclusion should not be seen as a response to

- Students who cannot comply with uniform as dress code (as opposed to wilful defiance)

- Minor disruptive or other offences e.g. not doing homework
- Pregnancy
- Smoking
- Non-attendance

- 1.3. It is the policy of North Birmingham Academy to use exclusions as a last resort in response to serious breaches of the Academy's Code of Conduct, the detail of which is made explicit to all students and students, and when exclusion is used as a sanction it is within the context of the guidelines listed above. Exclusion in some cases, may be implemented, as 'Exclusion within the Academy'.
- 1.4. Most fixed term exclusions will be of 1 to 4 days duration, with work available to be done at home. A parental interview is sought in all cases of exclusion and when possible this is arranged at the time of exclusion to take place on or before the return of the child to the Academy. In all cases the child is interviewed by a senior member of staff on his/her return from exclusion, although the Academy is aware that students are entitled to return to the Academy without such an interview. All exclusions, regardless of length, are notified to the Educational Social Work Service, and the Chair of the Governing Body, with regular reports being made to the Governing Body Student Guidance and Welfare Committee.
- 1.5. Fixed term exclusions will rarely extend beyond 4 days, and will more rarely reach the 15 – 45 days allowed. However, the Academy will comply with all the regulations detailed in the guidelines for this occurrence. Where the student's record or an incident warrants permanent exclusion, the Academy will work closely with the Local Authority Exclusion Team to ensure the process is properly completed.
- 1.6. The decision to exclude a child must only be taken by the Principal or the Vice Principal acting in her absence.
- 1.7. A decision to exclude a child permanently is a serious one. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies, which have been tried without success. It is normally used as a last

resort, but in exceptional circumstances it may be appropriate to permanently exclude a child for a first or “one off” offence. These might include:

- Serious actual or threatened violence against another student or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon

1.8. In cases where a Principal has excluded a student for any of these offences or for persistent and defiant misbehaviour including bullying, The Secretary of State would not normally expect the Governing Body or an Independent Appeal Panel to reinstate the student.

**Approved by NBA Governing Body on :**.....

**Date of Next Review:** .....

**Lead Manager:** .....