

# ***Baginton Fields Academy Policy for Student Exclusion***



*"Dedicated to delivering inspirational learning experiences"*

<b>Approved by:</b>	Governing Board	<b>Date:</b> Summer 2022
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<b>Last reviewed on:</b>	Summer 2019
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<b>Next review due by:</b>	Summer 2025
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At Baginton Fields Academy, we take exclusion very seriously and we use it only as a very last resort.

When a student is excluded from our academy, the parent, the academy and Coventry Local Authority have certain shared responsibilities and rights.

### ***The decision to exclude:***

The Headteacher (or a senior member of staff nominated to act in the Headteacher's absence) is the only person who can take the decision to exclude a student from the academy. The decision will only be taken in response to very serious offences. In most cases when a student is excluded from the academy there will have been earlier discussion between the academy and parents concerning a student's behaviour. When a student is excluded, the Headteacher must, by law, advise parents, governors and the council. Parents have the right to know in detail the reasons for exclusion.

### ***Types of exclusion:***

There are two types of exclusion: fixed term period suspension and permanent exclusion. A student may be excluded for a fixed period of time - for example a few days. Students may be excluded for up to 45 days in any one school year. In response to more serious matters, the Headteacher may exclude a student permanently.

### ***Fixed period exclusion:***

If a child is suspended for a fixed period, the Headteacher will inform the parents immediately, ideally by telephone, of the reason for suspension and the date when the student should return. The Headteacher will also inform parents of their right to put their views to the governing council's discipline committee and should provide appropriate contact information. This must be followed up in writing within one school day. If the suspension is for less than six school days, any written views a parent wishes to make will be considered by the discipline committee.

If the suspension is for between six and 15 days, the discipline committee will meet if the parents formally request them to do so and the parents will be able to present their case in person. For longer fixed period suspensions or when a student has been suspended for more than 15 days in any one term, the discipline committee will meet.

The discipline committee is a group of governors who have had no prior involvement with the incident leading to exclusion and is there to consider whether the academy acted correctly in making the decision to exclude. The discipline committee can consider the parents and, for suspensions of more than five days, decide whether the suspension should be confirmed or overturned. When a student is suspended for more than one day, the Headteacher will make arrangements for the student to do work at home.

***Lunchtime exclusion:***

Schools may suspend students for the lunchtime period and if they do, must follow the same requirements as for the other fixed period suspensions. For the purposes of discipline committee meetings, a lunchtime suspension counts as half a school day.

***Permanent exclusion:***

If a student is permanently excluded, the Headteacher will notify parents in the same way as for a fixed period suspension. The discipline committee will then convene a meeting within 15 school days to which the parents, student and a council representative will be invited. Parents have the right to see the student's school records before the meeting and the Headteacher's letter will explain how to do this.

At the meeting, the discipline committee will listen to the academy reasons for permanently excluding the student and parents will have the opportunity to present their case. Parents may bring a friend with them if they wish.

The meeting, while following certain legal requirements, will be as informal as possible. At the start of the meeting, the chair of the committee will introduce everyone and explain how the meeting will proceed. It is important to remember that the governors will want to hear everyone's point of view and make a decision based on all the available evidence. It is therefore important that parents prepare thoroughly for the meeting, perhaps making notes of what they want to say or by making a written submission so that they are sure they have raised every point they feel is relevant. The discipline committee may ask questions of the academy, the parents and the student to ensure that they have all the information they need to make a fair decision. A council representative will be present to offer impartial advice and guidance to all parties.

Once the discipline committee members are satisfied that they have all the information they need and that everyone has said everything that they want to, all parties leave and the committee, together with the clerk, will remain to consider its decision. Parents will be notified of the committee's decision in writing, usually within one school day.

If the committee decides to overturn the academy decision, the student can be re-instated to the academy. This should happen as soon as possible and no more than five school days after the decision is made.

If the committee decides to uphold the Headteacher's decision to exclude, parents have the right to ask for a further hearing before an independent appeals panel. Parents have 15 days from receiving the committee's decision to request an appeal. The request must be in writing and the letter notifying the decision will explain how to do this. The independent appeal panel is not connected with the school, the discipline committee or the council. The

independent appeals panel will meet, at a local venue, within 15 days of the request. The hearing will follow a similar format to the discipline committee meeting and its decision is legally binding on all parties.

During the period from when parents are notified that a student has been permanently excluded from the academy until the appeal period has lapsed or an appeal has been considered, the student remains on roll of the academy and the academy must continue to set and mark work for the student to complete at home.

***After permanent exclusion:***

If permanent exclusion is confirmed by the independent appeals panel or parents decide not to appeal, Coventry Local Authority must make alternative arrangements for the student to receive education. Whenever possible, this will mean the student is allocated a place at another school. Parents can also approach another school for a place at any time and the school should not refuse on the basis that the student has been permanently excluded. If parents are refused a place at their preferred school, that school must advise parents of their right to appeal against that decision. If it is not considered appropriate for the student to attend another school at that time, alternative arrangements will be offered: for example, home tuition.

Further independent advice can be obtained from:

The Advisory Centre for Education (ACE) Ltd

Phone: 0207 704 9822

Website: ([www.ace-ed.org.uk](http://www.ace-ed.org.uk))

In agreeing this policy, the governors have fully considered and assessed any potential impact the policy may have with regard to equality and diversity