



School Managed Move and Exclusion Policy

Date Reviewed	November 2023
Approved by Governors	Yes
Next Review Date	November 2024

School Exclusion Policy

In response to:

- The Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The Education and Inspections Act 2006
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- Human Rights Act 1998, as amended by the Human Rights Act 2004
- Race Relations Act 1976, as amended by the Race Relations Act 2010
- The Equality Act 2010
- Exclusion from Maintained schools, Academies and pupil referral units in England: A guide for those with legal responsibilities in relation to exclusion (Department for Education 2012)
- Exclusion from Maintained schools, Academies and pupil referral units in England: A guide for those with legal responsibilities in relation to exclusion (Department for Education 2017)
- “Positive and Proactive Care: Reducing the Need for Restrictive Interventions” (Department of Health, April 2014)
- “A Positive and Proactive Workforce: a guide to workforce development for commissioners and employers seeking to minimise the use of restrictive practices in social care and health” (DH/Skills for Care/Skills for Health, April 2014)
- “Behaviour and Discipline in Schools: Guidance for Governing Bodies” (DfE, September 2015)
- “Behaviour and Discipline in Schools: Advice for Head Teachers and School Staff” (DfE, January 2016)

Opening Statement:

The Cavendish High Academy is committed to valuing diversity and to equality of opportunity. 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.

Document terminology and definitions related to exclusion:

'The Academy' refers to The Cavendish High Academy.

'PBSP' refers to The Academy's Positive Behaviour Support Policy.

'Student' or 'young person' are used interchangeably to refer to children who attend The Academy.

'IABA' refers to the Institute for Applied Behaviour Analysis.

Suspension & exclusion involve a student not being allowed to attend school for a defined period of time:

- suspension is where a student is temporarily removed from The Academy and is not allowed to return for a specified number of days.
- exclusion means a student's name will be removed from the school register and they will not be allowed to return to The Academy at all.

The Cavendish High Academy's Aims:

The Academy aims to include, not exclude, and approaches all behaviour that challenges in a supportive and positive way. The Academy recognises that all behaviour serves a purpose and staff seek to understand those functions. All young people can go through times of inappropriate behaviour, and The Academy strives to never 'give up' easily on a young person as we recognise that each student has a unique contribution to make to school life and we want to support them to achieve this.

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

Students with Special Educational Needs and Disabilities

The Academy is a special school and all students have an Education Health and Care Plan (EHCP). The Academy takes account of all special educational needs when considering whether or not to exclude a student. The Principal Head Teacher will ensure that reasonable steps, in line with the Equality Act are taken so that students are not treated less favourably for reasons related to any special educational need and/or disability.

Equal Opportunities

The Academy and its governing body 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 this policy.

The Cavendish High Academy will:

- Secure the on-going health, safety and right to personal space for all children and young people and staff.
- Consider the use of suspension and/or exclusion or managed move to another educational or otherwise suitable provision as a last resort when all other relevant approaches have been considered or exhausted. These approaches are detailed further within The Cavendish High Academy's PBSP.
- Provide an interesting and stimulating learning environment with access to learning experiences and opportunities that help our young people to fulfil their potential; while adhering to the school's Positive Behaviour Support Policy.
- Ensure that exclusion is used only as a response to:
 - a serious incident in breach of the Academy's discipline policy;
 - the young person's placement within The Academy becoming untenable as a result of their requirement for a high staffing ratio in order to keep themselves and others on the site safe. In this particular instance, a range of other relevant strategies in line both with The Academy's PBSP Policy will have been exhausted and advice from other professionals will have been sought prior to the consideration of any kind of exclusion.
- Ensure suspension & exclusion events are dealt with efficiently and within given time schedules. Provide appropriate work and support for young people on suspension.
- Ensure the Local Authority is consulted prior to any permanent exclusion.
- Treat all exclusion cases in the strictest confidence.
- Ensure parents/carers are aware of their legal obligations whilst their child/young person is suspended or excluded.
- Ensure all events, procedures and outcomes pertaining to suspension and exclusion are well documented in accordance with The Academy's guidelines.
- Establish re-integration plans/programmes for children and young people returning from suspension.

Guidance and training for staff:

- All staff will have received specific accredited training in the safe use of Physical Interventions and that any such intervention will be recorded using The Academy's secure recording method and will only be used as a last resort, in line with The Academy's PBSP.
- Staff have access to training in Positive Behaviour Support through The Academy's membership of The Cheshire Special Schools Consortium and the availability of training provided throughout the year in line with the IABA multi-element, person centred model.
- Staff within The Academy have knowledge and understanding of the functions of behaviour, and may use this to collect data pertaining to incidences of behaviour. These incidences may be recorded on a partial interval recording sheet, with data uploaded periodically onto The Academy's secure online recording system.
- Staff within The Academy have knowledge and understanding that behaviours can be perceived as challenging according to their intensity, frequency and/or duration and each category of behaviour can be considered and recorded accordingly.
- All students will have a Personal Learning Plan which details their particular individual needs and highlights existing, known useful strategies for supporting them in regulating their behaviours and emotions.
- Some students will also have a more detailed Positive Behaviour Support Plan where behaviours that challenge have been carefully reviewed and considered to better understand their function, before setting out early warning signs and possible strategies that can be employed to redirect attention, change or otherwise reduce undesired behaviours, usually before they occur.
- The Academy will facilitate supportive programmes for children/young people at risk of being excluded.
- The Academy will ensure that all relevant staff are aware of re-integration plans/programmes for children/ young people returning from suspension.

Managed move

In cases where the Principal Head Teacher establishes that the progress of a student has been unsatisfactory and that the student is unwilling or unable to profit from the opportunities offered, or if parent(s)/carer(s) fail to engage in strategies implemented by the school and this results in a continuing pattern of behaviour that challenges, the Principal Head Teacher may consult with the local authority and propose a managed move to another school. This is not exclusion and, in such cases, the Principal Head Teacher may assist the parent(s)/carer(s) in placing the student in another school.

Removal from the school for other reasons

The Principal Head Teacher may send a student home, after consultation with that student's parent(s)/carer(s) and a health professional as appropriate, if the student poses an immediate and serious risk to the health and safety of other students and

staff, for example because of an illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time.

Behaviour outside school

Students' behaviour outside school e.g. on school trips or at sports events, is subject to the school's behaviour policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in school; and additionally this includes any serious breach of policy which could 'bring the school into disrepute'.

Decision to suspend or exclude

The decision to exclude a student is a last resort and will only be taken after a full range of alternative strategies have been tried and have failed or would be likely to fail, and only:

- in response to a serious breach, or persistent breaches, of The Academy's PBSP; and where allowing the student to remain in school would seriously harm the education or welfare of themselves or others in the school.

When establishing the facts in relation to an exclusion decision, the Principal Head Teacher must apply the standard of proof which maintains that 'on the balance of probabilities' it is more likely than not a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Principal Head Teacher should accept that something has happened if it is more likely than not that it occurred.

The Principal Head Teacher should consider all the relevant facts and verified evidence to support allegations made and take into account The Academy's policy on equal opportunities and whether any incidents are provoked by racial or sexual harassment. If there is doubt that the young person actually did what is alleged, the Principal Head Teacher will not exclude them.

Only the Principal Head Teacher has the authority to exclude a student, or in their absence, the Assistant Principals. In all cases of permanent exclusion the Principal Head Teacher or Assistant Principal will discuss with the Local Authority.

The Cavendish High Academy acknowledges that all children have a right to education and will take reasonable steps to set appropriate work for students during suspension and the first five school days of an exclusion.

A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year.) The Principal Head Teacher should formalise the suspension in writing, outlining the length of time, the reason for the suspension and reminding the parent/carer of their duty to ensure the young person is not present in a public place in school hours during the suspension period.

The letter should also state details of the reintegration meeting and rights to make representation to the Local Authority and contact details for the Local Authority representative. The reintegration meeting is to agree with student, parents/carers and

the local authority the school's 'strategy plan' that will be adopted upon the student's return.

It is the parent/carer's right to make representations about the suspension in line with The Academy's Complaints Procedures Policy if they so wish.

Decision to permanently exclude

A decision to exclude a child/young person permanently is a serious one.

If The Academy is considering a permanent exclusion of a student the local authority and the parents/carers should have been given an opportunity to attend a meeting with the school to discuss the matter. If following the meeting The Academy wishes to proceed with a permanent exclusion, the parent/carer and local authority shall be given the opportunity to make representations (if required, in person) in connection with the exclusion to the relevant member of staff within the local authority.

If The Academy feels that it can no longer meet the needs of an individual student for serious breaches of The Academy's policies, then the Principal Head Teacher will have ensured regular communication with parents/carers and local authority professionals as to what the potential next steps may be. If permanent exclusion is the final decision for The Academy, then this process will be managed with all relevant parties' involvement to ensure a supportive move from The Academy.

The Principal Head Teacher will ensure that the permanent exclusion is confirmed with all parties in writing within 24 hours of the child leaving The Academy, ensuring the reasons for this are clear. The letter will also contain the right to appeal through The Academy's Complaints Procedures Policy.