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**EXCLUSIONS POLICY**

**Statement of Intent**

MFYP Ltd aims to ensure the safety and well-being of all members of the school community and to maintain an appropriate educational environment in which all can learn and succeed. MFYP Ltd also aims to reduce the need to use exclusion as a sanction.

The decision to exclude a student will be taken in the following circumstances:-

      In response to a serious breach of the MFYP Ltd Student Discipline Policy;

If allowing the student to remain in our provision would seriously harm the education or welfare of the student or others in the provision.

Irreparable breakdown of the relationship between the provision and parents.

1)

Exclusion is an extreme sanction and is only administered by the Head of Learning (or, in the absence of the team leader, the deputy team leader who is acting in that role).

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the Student Discipline Policy:

-                Verbal abuse to staff and others

-                Verbal abuse to students

-                Physical abuse to/attack on staff

-                Physical abuse to/attack on students

-                Indecent behaviour

-                Damage to property

-                Misuse of illegal drugs

-                Misuse of other substances

-                Theft

-     Serious actual or threatened violence against another student or a member of staff

-                Sexual abuse or assault

-                Supplying an illegal drug

2)

-                Carrying an offensive weapon

-                Arson

-    Unacceptable behaviour which has previously been reported and for which School sanctions and other interventions have not been successful in modifying the student’s behaviour.

This is not an exhaustive list and there may be other situations where the Head of Learning makes the judgment that exclusion is an appropriate sanction

**The Decision To Exclude**

If the team leader decides to exclude a student he/she will:

-       ensure that there is sufficient recorded evidence to support the decision

-       explain the decision to the student

-       contact the parents, explain the decision and ask that the child be collected

-       send a letter to the parents confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion,

-       the length of the exclusion and any terms or conditions agreed for the student’s return

3)

-       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 student’s needs on his/her return

-       plan a meeting with parents and student on his/her return

An exclusion should not be enforced if doing so may put the safety of the student at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child’s welfare is the priority.

**BEHAVIOUR OUTSIDE OF MFYP Ltd**

Student’s behaviour outside our provision.

Trips, at sports fixtures, is subject to the school’s behaviour policy.

Bad behaviour in such circumstances will be dealt with as if it had taken place in our provision.

For behaviour outside MFYP, not on our business, the team leader may exclude a student if there is a clear link between that behavior.

Maintaining good behaviour and discipline among the student body as whole, or if it is deemed to be damaging to the reputation of the provision.

4)

**Students With Special Educational Needs And Disabled Students**

MFYP Ltd will take account of any special educational needs when considering whether or not to exclude a student.

We have a legal duty under the Disability Discrimination Act 1995 as amended not to discriminate against disabled students by excluding them from MFYP for behaviour related to their disability. The yeam leader will ensure that reasonable steps have been taken by the provision to respond to a student’s disability so the student is not treated less favourably for reasons related to the disability.

‘Reasonable steps’ could include:

Differentiation in MFYP Ltd ’s behaviour policy

Developing strategies to prevent the student’s behavior

Requesting external help with the student

Staff training

Where reasonable adjustments to policies and practices have been made to accommodate a students needs and to avoid the necessity for exclusion as far as possible, exclusion may be justified if there is a material and substantial reason for it. A specific incident affecting order and discipline in the provision may be such a reason.

**Marking Attendance Registers Following Exclusion**

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

5)

**Removal from the provision for Other Reasons**

The team leader may send a student home, after consultation with that student’s parents 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 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 an Exclusions Panel. The Exclusions Panel, who were not involved in the initial decision to exclude, will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within five days.

Records relating to the decision to exclude and the parents’ complaint will be copied to all parties not later than two days prior to the hearing. In no circumstances however will the school or its staff be required to divulge to parents or others any confidential information on or the identities of students or others who have given information which has led to the exclusion or which the Head has acquired during an investigation.

The parents may be accompanied to the hearing by one other person.

This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

6)

If possible the Exclusion Panel will resolve the parents’ complaint without

the need for further investigation. Where further investigation is required, the Exclusions Panel will decide how it should be carried out.

This decision will be made within ten days of the hearing.

The Exclusions Panel will write to the parents informing them of the decision and the reasons for it. The decision of the Exclusions Panel will be final. The Exclusions Panel findings and, if any, recommendations will be sent in writing to the parents and the Head.

\* This guidance was last reviewed September 2013

MFYP Ltd

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