This policy is written in accordance with the DfE statutory guidance, ’Exclusion from maintained schools, academies and student referral units in England’ September 2017. Further information for parents/carers can be found in Annex C Statutory Document link

**All students have the right to learn and all teachers the right to teach in a mutually respectful environment.**

1. **Aim**

The Taunton Academy has clear and high expectations of student behaviour educating students for life to produce tomorrow’s responsible citizens. The aim of this policy is to ensure that students and staff have a caring, safe and secure environment and to establish a positive climate for learning that enables students and staff to achieve the highest standards of learning and teaching. This policy sets out the framework for student behaviour and exclusion.

The measures set out in this policy promote good behaviour, self-discipline and respect; prevent bullying; ensure that students complete assigned work and regulate the conduct of students where necessary.

2. **Rationale**

This policy is underpinned by the shared commitment of all members of the Academy community to:

- Ensure the safety and well-being of all members of the Academy community and maintain an appropriate educational environment in which all students can learn and succeed;
- Reduce the need to use exclusion as a sanction; we wish to maximise life chances. We recognise that exclusion will impact on the learning and progress of an excluded student.

The main principles and values embedded in this policy relate to the three rules: READY, RESPECT, SAFE.

3. **Equality Act**

The Taunton Academy acknowledges its legal duties under the Equality Act 2010, in respect to safeguarding and in respect of students with Special Educational Needs. The public sector equality duty means schools must have due regard to the need to:

- eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not; and
- foster good relations between people who share a protected characteristic and people who do not share it.

4. Objectives
The objectives of the policy are as follows:
- Discipline should be understood within a framework in which students may seek a balance between individual freedom and responsibility for others in the Academy community.
- Students should know what is expected of them, through assemblies and the Personal, Social Health and Religious Education (PSHRE) programme.
- Students should be encouraged to strive for high standards, using the reinforcements of positive behaviour by praise and reward at every opportunity.

5. Sanctions
Although it is intended that good behaviour should be maintained by reward, praise and encouragement, there will be occasions when sanctions need to be given. The Taunton Academy takes a consistent approach to behaviour management, as outlined in the protocols included in the appendices to this policy. Sanctions for misbehaviour will be appropriate to the level of severity and may include:

- verbal reprimand,
- withdrawal of privileges e.g. loss of break-time or lunchtime, not participating in a non-uniform day or doing extra work. Where lunchtime/break-time detentions are issued, students will have appropriate time to eat, drink and go to the toilet where necessary,
- extra work or repeating unsatisfactory work until it meets the required standard,
- the setting of appropriate written tasks, such as an essay,
- attendance at Restorative Justice meetings,
- detentions during breaks or after the Academy day. Although it is not a legal requirement to do so, parents/carers will be notified in advance of the detention, usually by phone call or email. Detentions will be logged centrally on the Academy’s Information Management system (SIMs) and on ClassCharts,
- for serious misdemeanours, Internal Exclusion (time spent in ‘Return to Learn - R2L) is used for repeated or serious issues of misbehaviour, failure to follow Academy policies and failure to meet behaviour expectations. During this time the student will be set work to ensure they don’t fall behind in their learning and there will be discussion regarding ensuring a successful integration back into lessons. The length of time the student will spend in R2L will be proportionate to the level of misbehaviour,
- fixed-term and permanent exclusions are used for very serious discipline concerns where the Academy policies have been violated. Fixed-term exclusions will be given for serious incidents of misbehaviour such as rudeness or aggression, bringing alcohol/drugs into the Academy or deliberate damage to property or theft. Permanent exclusions will be issued for the most serious incidents of unacceptable behaviour, or for repeated misbehaviour, acts of aggression, sexual harassment or for students who sell/deal in drugs/alcohol. See below for more detail on exclusion.

We encourage all students to come forward to report all incidents of poor behaviour but The Taunton Academy will take disciplinary action against any student who is found to have made malicious accusations against staff of the Academy. This action will include an interview with the student and his/her parents/carers when it may be appropriate to discuss alternative educational provision.

6. Implementation, Monitoring and Support
The Academy recognises that poor behaviour is often the result of several different factors, including home or health issues. When a student’s behaviour becomes a cause for concern, the student and parents will be invited into the Academy to discuss their behaviour choices. A student may be placed on Subject Report,
in which case it is the Head of Faculty or Deputy Head of Faculty who oversees the report and ensures it is filed.

In circumstances of continued poor behaviour a ‘Pastoral Support Plan’ will be compiled with the parents/carers and the student. This document will focus on the positive aspects of learning and set three clear targets to meet over a set period of time. As a result of this meeting, the Academy will generate specific support for the student depending on their individual needs. Support will be reviewed every four to eight weeks as appropriate.

In some cases students will be raised at ‘Team Around School’ (TAS) this is a process where professionals discuss cases that may require alternative intervention from external providers/agencies. Parents will be asked to give written consent in these cases.

If the next level intervention is required following the support plan, and TAS intervention the Academy will complete an ‘Early Help Assessment’ (EHA) and will look to access further support involving appropriate, external agencies. Certain students may require additional support that cannot be provided by staff at the Academy. In these cases individuals will be raised at ‘The Panel For Excluded Vulnerable Students’ (PEVP). This multi-agency panel can agree other alternative provision that may well avoid individuals from being permanently excluded from the Academy.

6.1 Mentors
Students experiencing difficulties may be supported by their tutor, a Keyworker or their Head of Year. It is the role of the tutor/Key Worker to explore with the student a range of methods to re-engage them with effective learning. Their Head of Year will closely monitor the student’s progress, attendance and behaviour working in partnership with parents/carers and class teachers to ensure greater success.

The Head of Year team will monitor behaviour from SIMS/ClassCharts and identify students who may be at risk of underachieving due to their behaviour. These students will be placed in a target group and monitored daily and reviewed weekly with the Head of Year. Academy SIMS data will be analysed every half term to ensure that the students with the highest risk to their learning are supported. Students in the target group will receive targeted support to engage them and for staff to seek to understand the social, emotional or behavioural barriers that prevent them from learning.

Regular contact will be made with parents/carers and a weekly summary of behaviour logs will be sent home. If targets are not met, further intervention will be necessary. Students responding well to the support will receive merit points and positive letters home as part of the weekly monitoring.

6.2 Academy Educational Psychologist
Where appropriate certain students at The Taunton Academy will have access to the services of the Community Educational Psychologist (linked to the Local Authority). This will initially take the form of a ‘Circle of Support’ and will identify key adults in school that can further support the student’s needs. A School Community Psychology approach encourages collaboration between EY provisions, schools and colleges. In turn, good practice can be shared, and transition processes for vulnerable learners can be improved.

6.3 Students with Special Educational Needs and Disabilities (SEND)
An Individual Learning Plan (ILP) is generated by the Special Educational Needs Coordinator (SENCO) once an SEND need has been identified, in-conjunction with the student/parent and multi-agencies where appropriate. The ILP must be reviewed for students at risk of permanent exclusion (and in this case become a Pastoral Support Plan (PSP) when all prior strategies have not produced a desired outcome). It will be an important reference within case conferences.

6.4 Links with Outside Agencies
The Academy works very closely with a range of external networks to further support students e.g. ‘The Panel For Excluded Vulnerable Students’ (PEVP) and One Team meetings. Outside agencies include the Police, youth services, Local Authority Health Services (including mental health services), external counselling services, Education Business Partnership, housing and alcohol and drugs awareness groups. The involvement of these agencies is through review between Head of Year and the Leadership Team of the Academy

6.5 Power to search

The Taunton Academy has the right to search without consent for ‘prohibited items’ including: knives and weapons, alcohol, behaviour changing drugs/substances, stolen items, tobacco and cigarette papers (including e-cigarettes), lighters/matches, fireworks, pornographic images, any article that has been or is likely to be used to commit an offence e.g. aerosols, cause personal injury or damage to property and any item which has been banned by the Academy. In cases when there is reasonable evidence to search for any of the above, two members of staff will always be present. Weapons, knives, drugs, suspected stolen items and pornography will always be handed over to the police.

Notes for parents, students and staff:

1. Only the Headteacher, or member of staff delegated by the Headteacher, can exclude a student. If the Headteacher is absent, authority is automatically delegated to the First Deputy Headteacher who will make it clear that they are acting in the Headteacher’s absence.

2. Fixed Term or Permanent Exclusion will be used only:
   a. In response to serious or persistent breaches of the Academy’s Behaviour Policy;
   b. where allowing the student to remain in the Academy would seriously harm the education or welfare of the student or others in the Academy.

3. For repeated misbehaviour, before excluding a student, a range of alternative strategies will be tried. These may include meeting with parents/carers, detentions, referral to appropriate external agencies, internal exclusion where time will be spent in the Return to Learn room etc.

4. A student may be excluded for on-going poor behaviour and a repeated failure to follow the Academy rules: e.g. missing detentions, refusing to act on the instructions of staff, defiance, aggression or abuse of staff or students etc. In cases of continued poor behaviour which involves less serious incidents, parents and students will receive clear warning about the possibility of fixed term exclusions unless behaviour improves. This may involve a joint meeting between parents, students and teachers. However, this is not meant to prevent immediate action to protect students and staff, including fixed term exclusions.

5. A permanent exclusion can be made for a first offence, for example involving violence, or the supply of behaviour-changing substances (e.g. drugs), but only when the Headteacher has had opportunity for due reflection.

6. Alternative Provision (AP). Where a child has received a permanent exclusion, the local authority must put AP in place from the sixth day of the exclusion. In the case of a fixed-period exclusion, the school should arrange AP from the first day (said sixth). The Academy will take reasonable steps to set and mark work for students during the first five school days of an exclusion.

7. Parents may request an interpreter from the Academy/Local Authority if required.

8. The decision to exclude a student is not taken lightly. Students are only excluded if there is a serious behaviour problem or concern. The Academy has to consider the education of all its students. A student who behaves in an unacceptable way to students or staff, disrupts lessons, steals or damages property or stops other children receiving the education, to which they are entitled, may face exclusion.

9. The Academy hopes that parents/carers will support the Academy to make sure that if an exclusion takes place, their child understands the reasons why this has had to be necessary.

7. Types of Exclusion and the Headteacher’s Duty
7.1 Fixed Term Exclusion
The Headteacher has the authority to exclude a student for a fixed period of time. Parents/Carers will be notified, explaining why the child has been excluded, how long the exclusion is for and when the child is to come back to the Academy (with a parent/carer for a reintegration meeting prior to returning). The Headteacher will not normally exclude a student from a Public Examination.

The Headteacher may exclude a student for one or more fixed periods not exceeding 45 academy days in any one academic year. The Academy will give a fixed term exclusion for the shortest time deemed necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the student to reintegrate into the Academy. Ofsted inspection evidence suggests that 3 days is usually long enough to secure the benefits of exclusion without adverse educational consequences. However, the Academy will give longer exclusions where it deems it necessary in view of the following factors:

- the message it wants to give to students;
- the previous record of the student being excluded;
- the recent context of the student’s behaviour within the Academy;
- the previous sanctions used;
- the nature of the incident(s) for which a fixed term exclusion has been given.

Exclusions may not be given for an unspecified period, for example until a meeting can be arranged. Such a practice amounts to an indefinite exclusion, for which no legal arrangements exist. In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period.

Fixed term exclusions of over five days are a response to incidents of poor behaviour which are exceptionally serious in nature. From the sixth day of a fixed-period exclusion, the student will continue his/her education at an alternative establishment arranged by the Academy.

Under the conditions of the fixed term exclusion, parents are responsible for ensuring that their son/daughter is supervised in their education at home and are not present in a public place during academy hours. This is in accordance with Section 104 of the Education and Inspection Act 2006. If an excluded child is present in a public place during the dates of the exclusion, the parent can be seen to have committed an offence under Section 103(3) of the aforementioned Act and could be liable to prosecution or a fixed penalty notice.

7.2 Permanent Exclusion
The Headteacher may decide that an exclusion is to be permanent and has a duty to notify parents without delay in writing and should draw attention to relevant sources of free and impartial information 1. The Governing Body must then consider the Headteacher’s decision within 15 Academy days. Reasons for permanent exclusion may include:

- serious actual or threatened violence against another student or a member of staff,
- sexual abuse, harassment or assault,
- supplying behaviour changing substances/drugs,
- carrying an offensive weapon,
- persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) and behaviour placing others at risk of harm.

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of the Academy.

7.3 Internal Exclusion
A student may be excluded from lessons and/or including break and lunchtimes, but remain in the Academy, as an internal exclusion. These may take place with members of staff or in R2L. The Local

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1 Sect.4 Informing parents - Exclusion from maintained schools, academies and student referral units in England
Authority (LA) does not need to be informed but parents/carers will be informed. These internal exclusions will be recorded in the conduct log in SIMs (Academy Information Management System).

7.4 Behaviour outside the Academy
Students’ behaviour outside the Academy on Academy trips, when travelling to and from the Academy, sports fixtures, or work experience placements etc. is subject to the Academy's behaviour policy. Poor behaviour in such circumstances will be dealt with as if it had taken place in the Academy and the appropriate sanctions given. For behaviour outside the Academy, but not on Academy business, the Headteacher may issue sanctions against a student (including exclusion) if there is a clear link between that behaviour and the need to maintain good behaviour and discipline among the student body as a whole. This includes inappropriate social media, which could damage the reputation of the staff of the Academy.

7.5 The Headteacher’s Duty to Inform the Governing Body and the Local Authority about an exclusion
The Headteacher must, without delay, notify the governing board and the local authority of:
- any permanent exclusion (including where a fixed-period exclusion is followed by a decision to permanently exclude the student);
- any exclusion which would result in the student being excluded for a total of more than five school days (or more than ten lunchtimes) in a term; and
- any exclusion which would result in the student missing a public examination or national curriculum test.

The Headteacher must notify the student’s home authority of the exclusion and the reason(s) without delay.

The Headteacher must also notify the local authority and governing board once per term of any other exclusions not already notified.

8. Factors taken into consideration in a decision concerning exclusion

8.1 Fixed Term Exclusion
Exclusion may be imposed immediately if there is an immediate threat to the safety of others in the Academy or the student concerned. The student may be asked to work in R2L until such time as an investigation has been carried out or until the end of the day prior to exclusion.

Before deciding whether to exclude a student for a fixed period, the Headteacher will:
- ensure that an appropriate investigation has been carried out,
- consider all the evidence available to support the allegations, taking account of the Academy’s behaviour and equal opportunities policies and, where applicable, the Equalities Act 2010,
- allow the student to give his or her version of events,
- check whether the incident may have been provoked, for example by bullying or by other students,
- if necessary consult others, but not anyone who may later have a role in reviewing the Headteacher’s decision, for example a member of the Governing Body,
- it is usual for a member of the Academy’s Leadership Team or Head of Year to lead on the investigation of an incident and then report to the Headteacher with a recommendation concerning the exclusion,
- if satisfied that, on balance of probabilities, the student did what he or she is alleged to have done, the Headteacher may exclude the student. The civil standard of proof should be applied i.e. ‘on the balance of probabilities’ it is more likely than not that a fact is true, rather than the criminal standard of ‘beyond reasonable doubt.’ This means that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen.
8.2 Permanent Exclusion
Exclusion is likely to be imposed immediately according to the severity of the behaviour. Parents/Carers will be notified. The student may be asked to work in R2L until such time as an investigation has been carried out.

A decision to exclude a student permanently should only be taken:
- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Before deciding whether to exclude a student permanently, the Headteacher will:
- ensure that an appropriate investigation has been carried out,
- consider all the evidence available to support the allegations, taking account of the Academy’s behaviour and equal opportunities policies and, where applicable, the Equalities Act 2010,
  - allow the student to give their version of events and take account of any contributing factors,
- check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment,
- if necessary consult others, but not anyone who may later have a role in reviewing the Headteacher’s decision, for example a member of the Governing Body, a member of the Academy’s Leadership Team will lead on the investigation of an incident and then report to the Headteacher with the full details,
  - when establishing the facts in relation to an exclusion decision apply the civil standard of proof; i.e. ‘on the balance of probabilities’ it is more likely than not that a fact is true, rather than the criminal standard of ‘beyond reasonable doubt.’ This means that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen,
  - if necessary, withdraw an exclusion that has not been reviewed by the governing board.

8.3 Students with Special Educational Needs or Disabilities (SEND)
Other than in the most exceptional circumstances, the Academy will endeavour to avoid permanently excluding students with Education, Health Care Plans. The Academy is committed to taking into account a child’s SENDs when considering any form of exclusion. This includes having regard to the SEND Code of Practice.

8.4 Children Looked After
The Taunton Academy is committed to proactively supporting and co-operating with carers and the Local Authority in doing everything reasonable to avoid excluding a Child Looked After. As a result, the exclusion of children in care will only take place in exceptional circumstances. No child in care will be excluded from the Academy without discussion with the Local Authority to ensure that there is suitable alternative provision available elsewhere.

9. Alternatives to Exclusion

9.1 Alternative Sanctions
Possible alternative sanctions are available which may be appropriate. Examples of alternatives to exclusion that the Academy may use include:
- internal exclusion in R2L,
- a managed transfer. If the Academy feels that it can no longer manage the behaviour of a particular student, the Academy may ask another academy to take over his or her education. A managed transfer will only take place with the agreement and support of both the parents and the ‘receiving’ academy,
students to be raised at PEVP- Panel Vulnerable and Excluded students where alternative provision may be requested. This may well lead to a reduced timetable being implemented to support the student’s needs.

- with the agreement of the Local Authority, a student may benefit from an extended period attending alternative provision e.g. Student Referral Unit.

9.2 When fixed term exclusion is not appropriate
Fixed Term exclusion will not be used for:

- minor incidents such as failure to do homework,
- poor academic performance,
- lateness,
- pregnancy,
- breaches of Academy uniform rules or rules on appearance (including jewellery and hairstyle), except when these are persistent and in open defiance of such rules. Students may be placed in internal exclusion- R2L for failure to adhere to the Academy rules regarding uniform and appearance.

9.3 Re-Integration of Excluded Students
Re-integration meetings will be held for the student and parents/carers following any exclusion and before they can return to normal lessons. These meetings will be supportive and restorative in nature and will usually be held with the Head of Years and /or member of the Leadership Team.

10. The Governing Body’s duty to consider Exclusions
With regard to exclusions, the Governing Body has delegated its function relating to the consideration of exclusion decisions to the Local Advisory Body, with a Governor Review Panel (GRP) made up of a minimum of three governors.

10.1 Reinstatement Considerations
The GRP must consider the reinstatement of an excluded student within 15 school days of receiving notice of the exclusion if:

- the exclusion is permanent;
- it is a fixed-period exclusion which would bring the student's total number of school days of exclusion to more than 15 in a term; or
- it would result in a student missing a public examination or national curriculum test. It must, so far as is reasonably practicable, consider the exclusion before the date of the examination or test.  

The requirements are different for fixed-period exclusions where a student would be excluded for more than five but less than 15 school days in the term. In this case, if the parents make representations, the LAB must consider within 50 school days of receiving the notice of exclusion whether the excluded student should be reinstated. In the absence of any representations from the parents, the LAB is not required to meet and cannot direct the reinstatement of the student.

In the case of fixed-term exclusion (less than 5 in a term) the GRP must consider any representations made by parents, it cannot direct reinstatement and it not required to arrange a meeting with parents.

Where the GRP is legally required to consider reinstating an excluded student they must consider the interests and circumstances of the excluded student, including the circumstances in which the student was excluded, and have regard to the interests of other students and people working at the school.

Where reinstatement would make no practical difference because for example, the student has already returned to school following the expiry of a fixed-period exclusion or the parents make clear they do not want their child reinstated, the GRP must still consider whether the student should be officially

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2 In the case of an academy the exclusion may be considered by a smaller sub-committee
reinstated. If it decides against reinstatement of a student who has been permanently excluded the parents can request an independent review.

10.2 Governors’ Power
The Governors’ Review Panel can either:
- decline to reinstate the student; or
- direct reinstatement of the student immediately or on a particular date.

10.2 Representations
The following parties must be invited to a meeting of the GRP and allowed to make representations:
- parents (and, where requested, a representative or friend);
- the head teacher; and
- a representative of the local authority. Parents may request that the local authority and/or the home local authority attend a meeting of an academy’s governing board as an observer; that representative may only make representations with the GRP’s consent.

10.3 Further notes
- Excluded students should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and ability to understand.
- Student cases when governors are legally required to consider an exclusion they must notify parents/carers, the Headteacher and the LA (the student’s home authority) of their decision in writing and without delay. The reasons for the decision should be set out in sufficient detail to enable all parties to understand why the decision was made.
- In reaching a decision on whether or not a student should be reinstated, the governing board should consider whether the decision to exclude the student was lawful, reasonable and procedurally fair, taking account of the head teacher’s legal duties and any evidence that was presented to the GRP in relation to the decision to exclude.
- The GRP should note the outcome of its consideration on the student’s educational record, along with copies of relevant papers for future reference.
- If the Review Panel decides to uphold a permanent exclusion, parents/carers must be made aware of their right to dispute the governors’ decision and ask for the decision to be reviewed by an Independent Review Panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent exclusion, parents can also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) for disability discrimination, or the County Court for other forms of discrimination. An application for a review must be made within fifteen academy days of the date when notice in writing of the decision was given. Parents/carers should also be made aware of relevant sources of free and impartial information plus additional information, including specialist SEN advice, that will allow them to make an informed decision on whether, and how, to seek a review.
- An independent review panel does not have the power to direct a governing board to reinstate an excluded student. However, where a panel decides that a governing board’s decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a governing board to reconsider its decision. The panel will then be expected to order that the school must make an additional payment of £4,000 if it does not offer to reinstate the student. Whether or not a school recognises a student as having SEN, all parents have the right to request the presence of an SEN expert at a review meeting. The SEN expert’s role is to advise the review panel, orally or in writing or both, impartially, of the relevance of SEN in the context and circumstances of the review.
- The governing board must ensure that a student’s name is removed from the school admissions register if:

Para 75 and 76 refers - Exclusion from maintained schools, academies and student referral units in England
- 15 school days have passed since the parents were notified of the governing board’s decision to not reinstate the student and no application has been made for an independent review panel; or
- the parents have stated in writing that they will not be applying for an independent review panel.

11. Conclusion
The Taunton Academy has high expectations and standards with regard to the conduct, safety and well-being of all students when on Academy premises and when on their way to and from the Academy. The Academy will take appropriate action to ensure it maintains the highest standards of behaviour in accordance with this policy.

12. Appendices
Appendix 1 Removing students from an academy site
Appendix 2 Police involvement and parallel criminal proceedings (Guidance from the DFE)
Appendix 3 Rewards and Sanctions Protocols for parents
Appendix 4 Serious misbehaviour to warrant fixed term/ permanent exclusion sanctions.

13. Reference
Departmental Advice on Alternative Provision
Departmental Advice on Behaviour and Discipline in Schools:
Departmental Advice on Behaviour and Mental Health:
Children with Special Educational Needs and Disabilities:
https://www.gov.uk/children-with-special-educational-needs/overview
Departmental Advice on attendance:
https://www.gov.uk/government/publications/school-attendance
Appendix 1
Removing Students from the Academy Site

The DFE guidance to academies on exclusions (Sept 2007) makes it clear that there are four sets of circumstances in which individual students may be required to leave the academy site, namely where:

a) There is sufficient evidence that a student has committed a disciplinary offence and if allowing the student to remain in the academy would seriously harm the education or welfare of the student or others in the academy. In these circumstances the student may be excluded from the academy for a fixed period or permanently.

b) A student is accused of a serious criminal offence but the offence took place outside the academy’s jurisdiction. In these circumstances the Headteacher may decide that it is in the interests of the individual concerned and of the academy community as a whole for that student to be educated off site for a certain period, subject to review at regular intervals. This is not an exclusion.

c) For medical reasons, a student’s presence on the academy site represents a serious risk to the health or safety of other students or academy staff. In these circumstances the Headteacher may send the student home after consultation with the student’s parents. This is not an exclusion and may only be done for medical reasons.

d) The student is given permission by the Headteacher, or the delegated member of the LT, to leave the academy premises briefly to remedy breaches of the academy’s rules on appearance or uniform, where this can be done quickly and easily; this should be for no longer than is necessary to remedy the breach. This is not an exclusion but an authorised absence. However, if the student continues to breach uniform rules in such a way as to be sent home to avoid attending the academy, the student’s absence may be counted as unauthorised absence. In all such cases the parent will be notified and the absence will be recorded. When making this decision, the child’s age and vulnerability, and the parent’s availability, will need to be considered.

In addition, The Headteacher can authorise leave of absence for a fixed period, with the parents’ agreement, or, exercising powers delegated by the Governing Body under section 29(3) of the Education Act 2002, can arrange for the student to be educated elsewhere (without parental approval, although the parents should be notified). However, such education elsewhere must be arranged for the purposes of receiving any instruction or training included in the curriculum for the academy and should not be continued for longer than is absolutely necessary. Whether the student has been granted leave of absence or is being educated elsewhere, the academy must ensure that the student’s full-time education continues while off site. Any such arrangements do not amount to an exclusion from academy on disciplinary grounds and should be appropriately recorded and kept under periodic review involving the parents.
An academy-related incident may sometimes also be the subject of a police investigation which may subsequently result in criminal proceedings. This can mean that the evidence available to the Headteacher is very limited. They may not, for example, be able to hear relevant witnesses or to consider relevant material; it may not be known whether a criminal charge is to be brought; if a charge has been brought, the eventual outcome of any court proceedings may be uncertain. It should be remembered that the police and the courts will be applying the criminal standard of proof — beyond reasonable doubt — whereas the Headteacher must apply the civil standard of proof (the balance of probabilities).

The Headteacher need not postpone his or her decision to exclude a student simply because of the possibility that criminal proceedings may be brought in respect of the same incident, but the critical factor in any such case will be the evidence that is available. In such circumstances, a judgment must be made on this evidence. If, having considered the evidence, on a balance of probabilities the Headteacher concludes that it is distinctly more likely that the student committed the alleged offence, then he/she may proceed to take a decision on exclusion. The Headteacher should apply the normal principles having regard to the academy's behaviour policy, and consider whether exclusion is a proportionate response and whether the student represented a danger to other persons at the academy. It may be advisable, where the evidence is not clear cut or is still coming to light, to make alternative provision, or where it is clear on balance of probabilities that the student committed the disciplinary offence, but the full circumstances and the seriousness have not yet been established, first to exclude the student for a fixed period.

a) A serious allegation has been made against the student by another student or member of staff at the academy which is the subject of a police investigation which may result in criminal proceedings being brought; and
b) Pending the conclusion of any such criminal proceedings, the student's continued presence in the academy may have an adverse effect on the complainant and other potential witnesses, and on the promotion of good order and discipline at the academy generally.

Where the Headteacher excludes a student in circumstances such as those outlined in the preceding paragraph, the academy's Governing Body has no power to postpone their meeting to consider the student's exclusion beyond the statutory time limit. In deciding whether to direct the Headteacher to reinstate the student, therefore, they too may be subject to the same constraints as regards the availability of witnesses and other relevant information and will have to consider the case on the same basis, which includes applying the balance of probabilities standard of proof.

Following the Governor Review Meeting, parents are advised of their right to review by an Independent Panel (see P8 for further details).
Appendix 3

The Taunton Academy Rewards Protocol

Objectives – why we are doing this:

- To create a positive learning environment where behaviour is managed effectively, consistently and fairly
- To enable student achievements to be recognised, recorded and tracked by staff, students and parents

The Merit system – some key points:

- Merits will be awarded to individual students NOT the whole class
- Approximately 5 Merits per lesson will usually be awarded
- Students will be told what they need to do to gain a Merit
- Merits will be recorded on students’ files
- Merits will be used with all year groups, although the prizes will vary
- There will be opportunities for all students to achieve Merits

Awarding Merits:

Any member of staff can award a Merit for any of the following reasons:

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<th>Merit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excellent classwork</td>
</tr>
<tr>
<td>Excellent effort</td>
</tr>
<tr>
<td>Excellent homework</td>
</tr>
<tr>
<td>Helping others</td>
</tr>
<tr>
<td>Being an excellent team member</td>
</tr>
<tr>
<td>Excellent contribution to a lesson</td>
</tr>
<tr>
<td>Good citizen</td>
</tr>
<tr>
<td>Excellent organisation</td>
</tr>
</tbody>
</table>

Where there is occasion to award multiple Merits, the student will be referred to a Head of Department or Head of Year who can award two Merits or a member of the Leadership Team who can award three.

Examples are as follows:

<table>
<thead>
<tr>
<th>2 Merits</th>
<th>3 Merits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outstanding progress</td>
<td>Outstanding progress over a term</td>
</tr>
<tr>
<td>Regular attendance at Extra-curricular activity</td>
<td>Outstanding contribution</td>
</tr>
<tr>
<td>Representing the school</td>
<td>Producing outstanding work well above target grade</td>
</tr>
<tr>
<td>Participating in assembly</td>
<td>Maintaining A* level grade</td>
</tr>
<tr>
<td>Taking a lead role in a lesson</td>
<td>Supporting whole school events</td>
</tr>
<tr>
<td>Supporting others</td>
<td>Representing the school</td>
</tr>
<tr>
<td>Excellent citizen</td>
<td>Outstanding citizen</td>
</tr>
<tr>
<td>Attendance</td>
<td>Ambassador</td>
</tr>
</tbody>
</table>

Other awards:

- Attendance Awards – Certificates, badges, form tutor prize, raffle, postcards
- Celebration Assembly Awards – Progress and Effort
- Tutor awards – Two students specially nominated each term
- Year Leader award – One or two students nominated each term
- Merit awards – Top collectors, prizes, raffle
- Students of the week
- Praise postcards

For more, detailed information, please contact your child’s Tutor or Head of Year.
The Taunton Academy Sanctions Protocol

Objectives – why we are doing this:

- To create the best environment for learning where behaviour is managed effectively, consistently and fairly
- To provide a framework of ‘actions equals consequences’
- To enable behaviour to be tracked by staff, students and parents

The Taunton Academy expectations:

- Ready
- Respect
- Safe

The Choice and Consequences system:

- C1 – a verbal warning given for behaviour that is below expectations
- C2 – student is moved in the classroom, one behaviour point is recorded and a 10 minute detention is given in school time. Failure to attend results in a ‘C3’.
- C3 Removal from the class (‘parking’), after school detention the following day, 30 minutes (logged via SIMs as a C3 in the same way as a C2), two behaviour points. Students are expected to attend their detention independently the next day in the super lab where a Head of Year and a member of the behaviour team will be there to meet, greet and manage the students. Classroom teacher is expected to attend the detention to complete an RJ sheet and make steps to re-build the relationship.
- Teaching staff will contact home if a student receives a C3 log on the day of issue.
- Multiple C3 logs in a day will be picked up by Head of Year and the student will be issued with a 50-minute detention. HOY will contact home the day the logs have been issued to inform parents of the next day’s detention.
- C4 Immediate removal from class for repeated disruption through the process above or one off extreme behaviour (via R2L to SLT), three behaviour points. A member of the leadership team will assess the severity of the daily incidents and give further consequence that will include- Period 6 Leadership Team detention, time in R2L or external exclusion. C4 Period 6 detentions will now be issued on a Friday only, however it is the responsibility of the Head of Faculty to inform the parents of this.

- Chewing – is a verbal warning (C1)
- Mobile phones – immediate confiscation. Phone will be labelled (post-it) and held in a secure place in Reception. Reception will arrange a phone call home for collection to be made by parents/carers at a convenient time.

C2 – One behaviour point:
A ‘C2’, will be recorded for low level disruption or inappropriate behaviour such as shouting out, being off task, incorrect uniform or not following instructions

Two or three behaviour points:
On occasions there is a need for student behaviour to be referred to a Head of Subject, Head of Year or member of the Leadership Team. This includes addressing any unacceptable behaviour during break or lunchtime. Two
or three behaviour points, and appropriate sanctions, will be used in these circumstances. Examples of C3 (two behaviour points) include repeated failure to follow instructions or rudeness to staff or other students. Examples of C4 (3 behaviour points) include abusive or threatening language, truancy or confrontational behaviour.

For more, detailed information, please contact your child’s Tutor or Head of Year.
As a general guide, the following behaviour will normally be deemed so serious as to warrant exclusion being the considered as the most appropriate punishment:

<table>
<thead>
<tr>
<th>Serious Behaviour</th>
<th>Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violence and physical assault</td>
<td>fixed term / permanent exclusion;</td>
</tr>
<tr>
<td>against another student</td>
<td></td>
</tr>
<tr>
<td>extreme or repeated act(s) against another student(s)</td>
<td>fixed term / permanent exclusion</td>
</tr>
<tr>
<td>violence against a member of staff</td>
<td></td>
</tr>
<tr>
<td>any act of physical aggression will result in exclusion; the advice is to walk</td>
<td>permanent exclusion</td>
</tr>
<tr>
<td>away and seek help from a member of staff immediately</td>
<td></td>
</tr>
<tr>
<td>Sexual assault and sexually offensive and racist behaviour</td>
<td>fixed term / permanent exclusion depending on the seriousness of the</td>
</tr>
<tr>
<td>incident.</td>
<td></td>
</tr>
<tr>
<td>Drugs and alcohol</td>
<td>permanent exclusion</td>
</tr>
<tr>
<td>being in possession of illegal drugs on the journey to and from an academy/school,</td>
<td></td>
</tr>
<tr>
<td>in an academy/school, on an academy/school activity, or on academy/school</td>
<td></td>
</tr>
<tr>
<td>transport including buying, selling, distributing, carrying for others or any</td>
<td></td>
</tr>
<tr>
<td>involvement with illegal substances.</td>
<td></td>
</tr>
<tr>
<td>being in possession of intoxicating liquor or alcohol, any involvement with</td>
<td>fixed term exclusion/permanent exclusion</td>
</tr>
<tr>
<td>alcohol on the journey to and from school, within school, or a school activity,</td>
<td></td>
</tr>
<tr>
<td>including buying, selling, distributing, carrying for others or any involvement.</td>
<td></td>
</tr>
<tr>
<td>Vandalism and theft</td>
<td>fixed term / permanent exclusion depending on the severity of the incident and any danger caused to others.</td>
</tr>
<tr>
<td>Defying a member of staff</td>
<td>fixed term / permanent exclusion</td>
</tr>
<tr>
<td>Arson, deliberately setting off a fire alarm or tampering with health and safety</td>
<td>fixed term / permanent exclusion</td>
</tr>
<tr>
<td>equipment e.g. fire extinguishers</td>
<td></td>
</tr>
<tr>
<td>Bullying</td>
<td>fixed term / permanent exclusion</td>
</tr>
<tr>
<td>targeting, abusing or humiliating other students, through text-messaging, through</td>
<td></td>
</tr>
<tr>
<td>voice mail, email or through any other electronic communication will be taken as a</td>
<td></td>
</tr>
<tr>
<td>form of bullying or harassment and will be treated as a serious offence.</td>
<td></td>
</tr>
<tr>
<td>Possession of a weapon or replica</td>
<td>permanent exclusion</td>
</tr>
<tr>
<td>being in possession of or supplying an item which has been made, used, or adapted</td>
<td></td>
</tr>
<tr>
<td>for the purpose to cause harm to, or distress to, others, in academy/school</td>
<td></td>
</tr>
<tr>
<td>including the journey to and from an academy/school or any academy/school</td>
<td></td>
</tr>
<tr>
<td>activity, (this includes knives, BB guns and replicas/or actual firearms).</td>
<td></td>
</tr>
<tr>
<td>Mobile Phones</td>
<td>using a camera phone to record, post on the internet and/or exhibit clips for video footage of ‘happy slapping’, unwanted attention and/or violence towards another person</td>
</tr>
</tbody>
</table>

**Notes**

1. Certain examples of behaviour described above are criminal offences. In such cases, the Academy will involve external agencies such as the Police and Social Services, where appropriate.
2. Any of the above examples of student behaviour will warrant the same sanctions if they happen on journeys to or from the Academy or whilst on any Academy based activity such as a field or residential trip.
3. The Academy reserves the right to add to the above list should the need arise. It must be remembered that the above are only broad guidelines and cannot cover every situation where exclusion may be the correct sanction.