

# Exclusion Policy



**Approved by:** Penny Harris (Director) Jane Cox (Director) **Date:** 27<sup>th</sup> September 2021

**Last reviewed on:** 15<sup>th</sup> September 2020

**Next review due by:** 27<sup>th</sup> September 2022

All policies are generated and reviewed with an awareness of equality and diversity in relation to pupils, staff and visitors. All policies are generated and reviewed placing safeguarding at the heart of all that we do.

## 1. Guidance and legislation

This policy is written with regard to:

- Education (Independent School Standards) Regulations, 2014
- SEND Code of Practice 2015
- The Equality Act 2010
- Keeping Children Safe in Education

This policy should be read alongside the school's Behaviour Management Policy and Special Educational Needs, Disability and Inclusion Policy.

## 2. Aims

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- Pupils in school are safe, happy and well supported
- Pupils do not become NEET (not in education, employment or training)

## 3. The decision to exclude

- Only the head teacher, or the member of the SLT acting as the head teacher, has the right to exclude a pupil
- The head teacher only has the right to exclude a pupil if there are legitimate reasons to do so
- Any exclusion must be legal and justified
- A decision to exclude a pupil will be taken only:
  - In response to serious or persistent breaches of the school's behaviour policy, and
  - If allowing the pupil to remain in school would seriously harm the education or welfare of others
- Before deciding whether to exclude a pupil the head teacher will:
  - Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
  - Allow the pupil to give their version of events

- Consider the impact of the pupil's special educational needs (SEN) in relation to their behaviour and the exclusion itself; reasonable adjustments must be made around a pupil's ability to manage their own behaviour
- A pupil cannot be excluded for one or more fixed periods exceeding 45 school days in any one school year

#### **4. Responsibilities**

##### **Informing parents**

The head teacher will immediately (and always within 24 hours) provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the exclusion
- The length of the exclusion
- How to make a representation about the exclusion

The head teacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

The head teacher can only send a child home during a school day if they ascertain that the child will be received by their parents, or the parents have made alternative arrangement to keep them safe, on arrival.

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

- The start date for any provision of education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place and relevant arrangements

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

##### **Informing the governing body and local authority**

The head teacher will immediately notify the governing body and the local authority of:

- Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the pupil missing a public examination

##### **Logging the exclusion**

The head teacher will keep a permanent log of all exclusions from the school (see Information Recording, Reporting and Retention Policy)

#### **5. Reintegration following the exclusion**

The head teacher will have a strategy for reintegrating a pupil who returns to school following an exclusion and for managing their future behaviour. This strategy and its implementation will be documented.

If there have been several fixed term exclusions for similar events, exclusion is proving to be an ineffective sanction and the current Behaviour Support Plan is not meeting the pupil's needs. The exclusion allows a period of reflection and discussion for senior school leaders.

A pupil returning from an exclusion will need continued and ongoing support to help them avoid repetition.

#### **6. Monitoring exclusion patterns**

The head teacher will monitor all patterns in relation to school exclusions and it will be a priority to develop the use of alternative strategies to exclusions, taking into account the safeguarding risks to pupils who may be excluded. A multi-agency approach will be used by the school in support of those pupils at increased risk of exclusion.

### **7. Alternatives to Permanent Exclusion**

Given the school's status as a special school and because pupil places are commissioned at the school by the local authority and are based on individual pupil need, the school will not permanently exclude a pupil. Instead, the head teacher will work with the local authority commissioner to:

- Put in place alternative provision, such as 1:1 outreach, to maintain a pupil's place at the school and the continuation of their education
- Hold a review meeting to discuss whether the pupil's needs can continue to be met at this school and to decide on further actions and timescales
- Give parents the opportunity to make representation regarding the place at the school
- Manage the transition from this school to a new school or provision, if pupil needs can no longer be met

After all alternatives have been explored, and with the agreement of the governing body, the head teacher will inform the local authority commissioner that this school can no longer meet the pupil's needs and the pupil will then be removed from the school's attendance and admissions register.

### **8. Review**

In order to ensure that this policy is relevant, if you have any comments please email [directors@ontrackededucation.com](mailto:directors@ontrackededucation.com)