

**EDUCATION**

**Exclusion Policy**

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| Policy Number | Version | Date | Policy Owner | Review Frequency | Review Date |
| ED14 | 4 | Sept 2022 | Lauren Tallis | 2 yearly | Sept 2024 |

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| Approved By | Name | Date |
| Headteacher | Lauren Tallis | Sept 2022 |
| Education Review Board | Sept 22 |
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# Review Sheet

The information in the table below provides details of this document’s reviews, and where appropriate amendments, which will have been made to a newer version and the reason why.

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| Version 1 | Review Description | Date reviewed |
| 1 | Original | May 2019 |
| 2 | Reviewed and updated to new policy format |  May 2021 |
| 3 |  Updated to reflect changes in Our Place Group |  Sept 22 |
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**Exclusion Policy**

**Introduction**

Children are placed at Our Place Schools after due consideration of the information presented through the referral and assessment process. This information taken from other agencies advice regarding the child, alongside the school’s own assessment of the child must suggest that the school can meet the identified needs of the child both educationally, through what is stated in the Education Health Care Plan (EHCP) and socially.

**Aims and Objectives**

Through the implementation of this policy, Our Place School aim to ensure that:

* Any exclusion process is applied fairly and consistently
* The exclusions process is understood by school leaders, staff, parents and children or young people
* Children or young people enrolled in our schools are safe and happy
* Children or young people can learn to contribute to the community in a meaningful way.

**Legislation and Guidance**

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

* Education Act 2002
* Education and Inspections Act 2006
* Education Act 1996
* The Education (Independent School Standards) Regulations 2014
* The European Convention on Human Rights (ECHR)
* Equality Act 2010
* DfE (2015) ‘Special educational needs and disability code of practice: 0 to 25 years’
* DfE (2018) ‘Mental health and behaviour in schools’

This policy operates in conjunction with the following school policies:

* Behaviour Policy
* Anti-bullying Policy
* SEND Policy
* Child Protection and Safeguarding Policy

**The process for exclusion:**

Only the headteacher can exclude a child or young person from school, and they will only do so following consultation with the proprietor. A fixed term exclusion for a maximum of five days can be applied.

The school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“...the practice of removing a child or young person from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the child or young person.”

A decision to exclude on a fixed-term basis for a child or young person will be taken only:

* In response to serious or persistent breaches of the schools’ behaviour policy, and
* If allowing the child or young person to remain in school would seriously harm the

education or welfare of themselves or others

Before deciding whether to exclude a child or young person the headteacher will:

* Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
* Reflect on the impact of the provision, in terms of staff, location or curriculum
* Allow the child or young person to give their version of events
* Consider the contribution of the child or young person’s special educational needs (SEN) to the incident(s)
* Consult with the senior leadership team, proprietor and other staff

For the purposes of exclusions, the school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

**Roles and responsibilities**

The LA will be responsible for:

* Arranging suitable full-time education for any students of compulsory school age who is excluded permanently, in coordination with the school.
* Reviewing and reassessing students’ needs in consultation with their parents where they have an EHC plan and are excluded permanently, with a view to identifying a new placement.

The proprietor will be responsible for:

* In conjunction with the headteacher, ensuring arrangements are in place to allow for a prompt review of all permanent exclusions, where necessary.
* Considering written representations from parents about exclusions within seven working days of receiving notice.

The headteacher will be responsible for:

* Applying the civil standard of proof when establishing the facts in relation to an exclusion.
* Complying with their statutory duties in relation to students with SEND when administering the exclusion process, as outlined in the SEND Policy.
* Considering any contributing factors that are identified after an incident of poor behaviour has occurred, e.g. if a student has suffered bereavement, bullying or has a mental health issue.
* Considering what extra support may be needed to identify and address the needs of individual students, particularly students:
	+ With SEND
	+ Who are eligible for FSM
	+ Who are LAC
	+ From certain ethnic groups
* Engaging effectively with parents in supporting the behaviour of students with additional needs.
* Arranging and attending a disciplinary meeting with the student and their parents.
* Determining whether a student will be excluded on disciplinary grounds.
* Ensuring any decision to exclude is lawful, rational, reasonable, fair, and proportionate.
* Complying with the requirements of the Equality Act 2010 when deciding whether to exclude a student.
* Ensuring they have considered their legal duty of care when sending a student home following an exclusion.
* Notifying a student’s parents without delay where the decision is taken to exclude the student.
* Notifying the LA within 24 hours of their decision to exclude a student where appropriate, as well as the student’s home authority if required.
* Organising suitable work for excluded students where necessary.
* Considering problems, e.g. safeguarding concerns, that may be caused by a temporary exclusion, e.g. inadequate supervision of the student during the exclusion.

**School recording and reporting**

Code E (absent) will be used for fixed term exclusions.

**The decision to end placement**

If the following circumstances apply, the school may make the decision to end a student’s placement

* the school can no longer meet the child and young person’s need or keep themselves or others safe and
* the school has considered all available alternatives.

The decision to end placement will only occur following close cooperation between the

headteacher, other members of the school’s senior leadership team and the proprietor.

# Conclusion

Our Place School will make every effort to select children with care to ensure the success of the placement. Where, due to unforeseen circumstances, the school is no longer able to meet the child’s needs then the school will work constructively with the Placing Authority to assist a smooth transition. Only when this process fails would the school actively exclude a student.

# Sources of information:

Information on school discipline and exclusions issued by the Department for Education https://[www.gov.uk/school-discipline-exclusions/exclusions](http://www.gov.uk/school-discipline-exclusions/exclusions)

National Autistic Society (NAS) School Exclusion Service (England) can be contacted on 0808 800 4002 or via schoolexclusions@nas.org.uk

Independent Parental Special Education Advice <http://www.ipsea.org.uk/>