



Special Partnership Trust

## EXCLUSION POLICY

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Special Partnership Trust

# **Exclusion Policy**

To be read in conjunction with Complaints Policy.

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## **Introduction**

The Special Partnership Trust (SPT) believes that behaviour should be addressed proactively not reactively and that pupils should be treated as individuals with respect and dignity. SPT believe that pupil's behaviour will be much improved when they have a high self-esteem. It is important that children are respected for who they are as well as what they can do, that they are listened to and taken seriously, praised when appropriate and shown by verbal and appropriate physical contact that they are liked and valued.

## **Why would a pupil be excluded?**

It is important to state that the SPT only considers exclusion as a last resort and tirelessly works with pupils, parents and partners to support all pupils and parents/carers.

A decision to exclude a pupil permanently should only be used as a last resort and taken:

- in response to serious or persistent breaches of the school's behaviour policy;
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

## **Exclusion of a child who has Special Educational Needs**

There are certain factors that should be taken into consideration for children who display disruptive behaviour that is as a result of their Special Educational Need (SEN). Schools engage proactively with parents in supporting the behaviour of pupils with additional needs by:

Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place and what more could be done, including the use of a multi-agency assessment and review.

The decision to exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty under the Equality Act 2010 not to discriminate against pupils on the basis of protected characteristics, such as disability.

## **Exclusion criteria**

Sometimes a pupil's behaviour will lead to a period of exclusion from school. SPT conforms to the Department of Education Guidance entitled 'Exclusion from maintained schools, academies and pupil referral units in England'. A copy of this document can be downloaded from the Department of Educational website

<https://www.gov.uk/education/pupil-wellbeing-behaviour-and-attendance>

This option would only be instigated when we felt that we could not guarantee the safety of the pupil involved and the safety of other pupils and staff. Our Exclusion Policy should be read in context with the individual school's behaviour policy.

### **What is an Exclusion?**

Exclusion is a disciplinary sanction, and means that a pupil is not allowed on the school premises for the duration of the Exclusion. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently.

There are two types of Exclusion:

- Fixed-Term Exclusion
- Permanent Exclusion

### **Fixed-Term Exclusion**

A set number of days, after which the pupil returns to school. The school must inform the parents/carers explaining the reasons for the exclusion and how long it is to last.

For the first five days, the school should provide resources / activities for the pupil.

If the exclusion is for more than five days, the Trust must make arrangements for alternative education for the pupil, as from the sixth day.

During the exclusion, the pupil must not be in a public place during school hours and the parents are responsible for the whereabouts of the pupil.

On returning to school, there will be a re-integration meeting, in which all those concerned can discuss the best way forward for the pupil.

Parents may have a right to challenge the exclusion through written representation to the CEO/Trust. Parents may also request a meeting with CEO/Trust. The Trust may then decide whether or not to reinstate a pupil and if the Headteacher's decision to exclude was justified based on the evidence.

### **Permanent Exclusion**

For the first five days, the parents are responsible for the pupil's whereabouts and he/she must not be in a public place during school hours. For the first five days, the school should set activities and provide resources for the pupil.

An assessment of the pupil should be undertaken by the Local Authority, so that a long-term re-integration plan for a new placement can be devised.

The Local Authority must arrange suitable full time education for the pupil to begin no later than the sixth day of the exclusion. The Local Authority must ensure that an appropriate full time placement is identified in consultation with the parents, who retain their rights to express a preference for a school that they wish their child to attend, or make representations for a placement in any other school.

The LGB/Trust Board will meet to decide whether or not to reinstate a pupil and if the Headteacher's decision to exclude was justified based on the evidence.

Parents and the pupil will have an opportunity to present their point of view, regarding the exclusion. At that meeting the members of the LGB/Trust Board will either uphold the exclusion, or reinstate the pupil.



### **What happens following an exclusion?**

Whenever a Headteacher excludes a pupil of compulsory age they must, without delay, notify parents of the period of the exclusion and the reasons for it. In addition, the Headteacher must also notify the LGB/Trust Board and Local Authority of:

- a permanent exclusion (including where a fixed period exclusion is made permanent);
- exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term.

### **The LGB/Trust Board duty to consider an exclusion**

The LGB./Trust Board has a duty to consider parents' representations about an exclusion. The LGB/Trust Board must consider the reinstatement of an excluded pupil 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 pupil's total number of school days of exclusion to more than 15 in a term; or
- it would result in a pupil missing a public examination or national curriculum test.

If a pupil would be excluded from school for more than five school days, but not more than 15, in a single term, and requested to do so by the parents, the LGB/Trust Board must consider the reinstatement of an excluded pupil.

In the case of a fixed period exclusion which does not bring the pupil's total number of days of exclusion to more than five in a term, the LGB must consider any representations made by parents, but it cannot direct reinstatement as it does not have the power to overturn the headteacher's decision and is not required to arrange a meeting with parents.