



## Exclusions Policy 2024

**Implementation:** It is the responsibility of the Head of Learning to ensure that staff members are aware of and understand this policy and any subsequent revisions.

**Compliance:** This policy complies with all relevant regulations outlined in:

- The Education Act 2002, Section 175
- The Education (Independent School Standards) Regulations 2015

This policy should be read in conjunction with the School's Behaviour Policy and outlines the policy and practice which informs the School's use of exclusion. This policy is underpinned by the shared commitment of all staff to achieve two main aims:

- To ensure the safety and well-being of all members of the School community, and to maintain an environment which is conducive to learning where all can achieve and succeed.
- To ensure that exclusion is used as a last resort and that all behaviour is managed through the School's Behaviour Policy.

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

- In response to a serious incident, or series of incidents, where the student has not responded to all interventions which have been implemented, documented and reviewed.
- If allowing the student to remain in School would seriously harm the education or welfare of the student or others within the School community.

Exclusion is an extreme sanction and as stated above, the last resort. Exclusion can only be sanctioned by the Head of Learning. When deciding whether to exclude a student, the Head of Learning will consider the School's responsibilities under the Equality Act 2010. It is recognised that students with an Education, Health and Care Plan (EHCP) are especially vulnerable to the impact of exclusion.

Hope Tree School's policy is to avoid permanently excluding any student. The School recognises that it is illegal to exclude a student because the school is unable to meet their needs and that excluding a student for behaviour that is due to their autism may constitute discrimination.

## **Types of Exclusion:**

### *Temporary/Fixed Term Exclusion:*

A temporary/fixed term exclusion is when a student is excluded from school and must remain at their home address for a fixed amount of time. This should be for the shortest time necessary to ensure minimal disruption to the child's education, whilst mindful of the seriousness of the incident. Where possible, a reintegration meeting with the parent/carer and student should be held on or before the day of the return to school. However, the period of exclusion must not be extended to accommodate this.

### *Permanent exclusion:*

A permanent exclusion is when a student is permanently excluded from school and not allowed to return. This is a very serious decision and the Head of Learning will consult with all relevant members of staff, Advisory Board and Local Authorities before making this decision.

## **Duration of Exclusions:**

Nationally, most exclusions are of a fixed term and are of short duration only (usually between one and three days). The DfE regulations allow Head Teachers to exclude a student for one or more fixed periods, not exceeding 45 school days in any one school year.

The School will review any fixed term exclusions which would lead to a student being excluded for over five days where a parent/carer has expressed a wish to make representation.

## **Access to Education whilst excluded:**

For fixed-term exclusions of more than 5 days the school will arrange suitable alternative full-time education, which must begin no later than the sixth day of exclusion. This includes being given work to complete at home, or access to remote learning opportunities.

For permanent exclusions, the student's 'home' local authority must provide alternative education.

## **Managed Move:**

In cases where the Head of Learning and parents/carers agree that despite every effort the student is unlikely to benefit from attendance at the school, the Head of Learning may discuss with the students placing local authority, the possibility of a managed move to another school. The school will support any agreed move to ensure a smooth transition for the student.

## **Informing Parents:**

The Head of Learning will provide the following information, in writing, to the parents of an excluded student.

- The reason for the exclusion.
- The length of the fixed term exclusion or for a permanent exclusion, the fact that it is permanent.
- Information about parents' right to make representations about the exclusion to the Head of Pastoral Care/Advisory Board and how the student may be involved in this.
- How any representations should be made, ensuring that any representation made will be taken into account when considering reinstatement of the student.
- An initial plan of how to address the students needs on their return to school (fixed term exclusion).
- Set a date with the parents/student to meet before their return to school.

## **Reintegration Meeting (fixed term exclusion):**

After every period of fixed term exclusion, the student and parent/carer will be offered a reintegration meeting with a senior member of staff.

At this meeting the incident leading to the exclusion will be discussed and precipitants to the incident will be discussed with a view to developing strategies to decrease the risk of exclusion once the student has returned to school.

Support for the student will be discussed. The meeting will be recorded and a copy made available for the parent/carer, student and school. Meetings can be held in person or remotely.

During the course of a fixed term exclusion, parents/carers are advised that the student is not allowed on the School premises and that daytime supervision is their responsibility.

## **Permanent Exclusion:**

The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

- The first is a final, formal step in a concerted process for dealing with a student's difficulties with making good choices, following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all other available strategies have been exhausted and is used as a last resort.
- The second is where there are exceptional circumstances and it is not

appropriate to implement other strategies. It may also be appropriate to permanently exclude a student for a first offence if it is deemed serious enough to warrant. These might include:

- o Serious, actual or threatened violence against another student or staff member
- o Sexual abuse or assault
- o Supplying an illegal drug
- o Carrying an offensive weapon \* (whether intended use or not)
- o Arson

The School will consider police involvement for any of the above offences.

These instances are not exhaustive but indicate the severity of such offences and the fact that such incidents seriously affect the safety and well-being of the School.

Any permanent exclusion would lead to working jointly with the placing Local Authority in order to source a more appropriate placement able to meet the student's needs within an agreed fixed timescale.

**Factors to be taken into account by the School before making the decision to exclude.**

Exclusion will not be imposed unless there is an immediate threat to the safety of others in the School or the student concerned.

Before making the decision to exclude either fixed term or permanently, the Head of Learning will:

- Ensure appropriate investigations have been carried out and documented.
- Consider all evidence available to support the allegations, taking into account relevant school policies.
- Allow the student to give their details of events. If they are unable to do so this may be made on their behalf by an advocate.
- Check any factors which may have contributed towards the incident i.e. bullying, racial or sexual harassment.

**Decision:**

Each case will be reviewed individually and judged on its own merits. In considering whether exclusion is the most appropriate sanction the Head of Learning will consider:

- The gravity of the incident/incidents and whether it constitutes a risk to the safety and welfare of the student or other members of the school community.
- The effect that the student remaining in School would have on the education and welfare of other students and staff.

Exclusion, as stated throughout this policy, is the last resort when it has been deemed that all other routes have been exhausted without success. Hope Tree

School does not anticipate the need to implement this policy due to all protective factors in place related to our Admissions Policy, Behaviour Policy, availability of pastoral support and the ongoing review with external agencies regarding each student through EHCP review processes.

However, the Head of Learning does retain the statutory right to exclude where allowing a student to remain in school would seriously harm the education or welfare of the student themselves or others in the school.

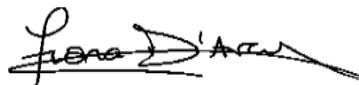
**Appeals:**

If any parent/carer wishes to appeal the decision to exclude, the matter will be referred to the Advisory Board for further guidance.

Signed:



Head of Learning



Head of Pastoral Care

Date: March 2024

Review Date: March 2025