



*“Our School community is built on the following fundamental values for all;
Safety, Kindness, Adaptable, Aspiration, Communication for All,
Achievement, Happiness”*

The Shires School Oakham and Stretton

Education: Exclusion Policy

Policy Review Process	
Created by	Jamie Hill – Interim Head of Education
Date of implementation	December 2020
Date for policy review	December 2021

1. UNDERLYING PRINCIPLES

The Shires schools are inclusive schools committed to equal opportunity for all. We recognise that our pupils, due to their social, emotional and behavioural difficulties, require considerable amounts of support and guidance around appropriate behaviour – our curriculum and all approaches are designed and implemented with this in mind. It is felt that exclusions of pupils from the school, whether fixed term or permanent, are the last resort. Consequently, a pupil will only be excluded when other strategies and sanctions have not been effective over time, or when there has been a single, clear and serious breach of discipline, or if allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or other pupils in the school.

- Excluding a pupil is a very serious and extreme sanction. However, reserving this as an option in our school demonstrates our commitment to whole school safety and learning. This also reflects the expectations of our society in terms of boundaries of acceptable conduct and consequences for which we are preparing our pupils.
- When deciding if and when to exclude all the following will be very carefully considered;
- The learning and behavioural needs of the child, including their cognitive abilities
- Any mitigating and contextual circumstances, including any relevant factors that may be impacting from outside of school
- The attitude of the pupil concerned following the incident/s, particularly with regard to remorse expressed
- The range and extent of support strategies utilised prior to the incident/s and the willingness of the pupil to engage with these
- The likely impact on the individual pupil and his/her family and local community
- The likely impact on the whole school community of both the incident/s and decision to exclude or not

Our Behaviour for Learning policy provides detailed guidance about our approaches to supporting pupils to manage their behaviour positively.

As an independent school we are not bound to follow DfE legislation, however this policy does follow all the key aspects of their best practice guidance. During the decision making process the Head of Education will also consider all the evidence available to support the allegation(s) taking in to account the Equal Opportunities Policy, the Race Relations Act 1976 as amended and the Disability Discrimination Act 1995 as amended.

The aim of this policy is to provide all staff with a clear framework to enable the effective handling of pupil exclusion issues and to inform all stakeholders of the procedures. It is crucial that pupils, parents and carers understand the information and processes in this policy in order to work collaboratively with us to ensure the safety, well-being and achievement of our pupils and staff.

2. AUDIENCE

This policy, having been presented to the whole staff and Operations Manager is distributed for the information of:

- All teaching staff
 - All teaching assistants
 - All support staff
- A copy of the policy is available on:
- The Shires website
- This is available for:
- LA advisers
 - Inspection teams
 - Parents, Care Home Managers
 - Visiting teachers

- Other interested adults (social and psychological services etc)

3. OVERVIEW

A pupil can be excluded if:

- Persistent disruptive behaviour that has a negative impact upon the learning of the pupil and of others
- The pupil has committed a serious disciplinary offence, notably incidents involving threatened or actual violence towards others
- The pupil is accused of a serious criminal offence
- For medical reasons, the pupil's presence in the school represents a serious risk to the health and safety of pupils and staff
- The pupil has been involved with using items as weapons, sexual abuse, criminal damage, actual or threatened violence, carrying an offensive weapon or illegal drugs

The exclusion of a pupil is an extreme sanction and is only administered by the Principal and Head of Education with the approval of the Director of Education. The Law of the United Kingdom allows a Principal to exclude a pupil temporarily for up to 45 school days' in any one school year or permanently.

4. REACHING A DECISION

Before reaching a decision to exclude the Principal and Head of Education will:

- Consider all the relevant facts
- Listen to the pupil, allowing them to give their version of events and act upon any anomalies
- Check whether the incident was provoked by racial/sexual harassment
- Consult others, particularly witnesses if necessary
- Ensure all other strategies have been exhausted

School needs to discriminate between poor behaviour and criminal behaviour. All criminal behaviour should be reported to the police.

For drugs related incidents, the most appropriate course of action will be exclusion, in most cases.

It is important to note that it is not good practice to exclude a student for an offence being dealt with by the police as this can be interpreted as double jeopardy.

5. IMPLEMENTATION OF EXCLUSION

Single, temporary exclusions will normally be between 1 and 15 days and not exceed 45 days in total for any one academic year.

Parents/carers are obliged to ensure that the pupil is not present in public during normal school hours without reasonable justification. Failure to comply with this may lead to prosecution.

During the exclusion period, the school will set work for the pupil and arrange for it to be marked. Parents/carers are obliged to ensure that there is an appropriate level of supervision for their child and in ensuring timely completion of the work set.

The school will be in daily contact with the pupil/family/carer to support this learning and offer support and guidance as needed remotely.

Work must be set for the period of a fixed term exclusion.

Once the decision to exclude a pupil has been made the letter to parents/carers will explain:

- The type of exclusion given
- The reason for the exclusion
- The length (number of days) of exclusion
- Where applicable, the start and end date of the exclusion
- How the pupil's education will continue during the exclusion
- The right of and final date for appeal
- The process for making a complaint
- The length of the exclusion and date of return to be included in letter
- If the exclusion is for lunchtime this can only be 5 days and Executive Head Teacher must make provision for free school meals

Parents/carers should ensure that their pupil does not enter the school premises for the duration of the exclusion, unless authorised to enter the grounds. Parents/carers should be aware that the Head of Education could take out legal action against any trespassers, including excluded pupils and the Police may be involved.

The Local Authority should be notified immediately of an exclusion

In the case of Looked After Children the Social Worker and Virtual Head Teacher should be notified immediately of an exclusion.

6. POST EXCLUSION

The Head will arrange a reintegration interview with the parents/carers of the excluded pupil to welcome them back into school for a 'fresh start' and confirm expectations around behaviour for learning. The pupil should be present for all or part of the interview.

For some pupils a phased re-integration into school may be appropriate to ensure that they have maximum chance of going forward successfully and this can be discussed during the reintegration meeting. Return and on-going support strategies will also be discussed and in some cases pupils may still be required to complete reparation or restorative tasks regarding the exclusion incident.

7. BEHAVIOUR OUTSIDE SCHOOL

Behaviour outside school, whilst on school trips, placements or other visits, are covered by the school's Behaviour for Learning policy and this Exclusions policy. Behaviour, which is considered to be unacceptable, will be dealt with as if it had taken place in school.

A pupil may still be excluded if the pupil was outside school and not on school business, if there is a clear link between that behaviour and maintaining good behaviour and discipline amongst the school body as a whole.

8. REMOVING PUPILS FROM SCHOOL SITE

In addition to exclusions there are four circumstances outlined in national legislation where a pupil may be required to leave the school site:

- The pupil is accused of a serious criminal offence, which took place outside the school's jurisdiction. The Principal and Head of Education may decide in the interest of the pupil and the wider school community, for the pupil to be educated off site for a limited period. The pupil's education must continue under periodic review, whilst off site. This is not an exclusion.
- The pupil has been offered leave of absence by the Principal and Head of Education to remedy breaches of the school's rules on appearance or uniform. This should be no longer than necessary to remedy the breach. This is an authorised absence. If the pupil continues to breach the uniform rules, the absence may be recorded as unauthorised. This is not an exclusion.
- For a medical reason. The pupil's presence on the school site may represent a serious risk to the health or safety of others. This is not an exclusion.

- Section 154 of the Education and Skills Bill 2008 amended Section 29(3) of the Education Act 2002 - this now allows pupils to attend off-site provision specifically aimed at improving behaviour. This process must be kept under regular review. This is not an exclusion.

9. PERMANENT EXCLUSION

The school does not permanently exclude students as part of the ethos. Should there be extreme circumstances where it is deemed the only outcome the following would apply:

- Warning must be given by the Principal and/or Head of Education to parent stating that permanent exclusion is possibility if behaviour does not improve.
- Multi Agency Meeting or Child Concern Meeting prior to permanent exclusion should be convened if child has statement of need, is in an ethnic minority group, is a looked after child, the pupil's health or domestic circumstances is causing concern.
- Letter to contain information as for fixed term exclusions.
- All this information should be covered in the exclusion letter

10. APPEALS AGAINST EXCLUSION

- The Shires is responsible for arrangement appeals.
- Appeals must consider broad interest of those in school as well as that of the excluded pupil.
- If decision is to reinstate, date to be determined by panel but no more than 5 school days from decision date.

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