

POLICY TITLE:	Exclusions
Policy Number:	ECS 37
Applies to:	Schools and Colleges only: England, Scotland, Wales
Version Number:	02
Date of Issue:	29/07/2020
Date of Review:	31/05/2021
Author:	Education & Children's Services Quality Team
Ratified by:	Charlie Rivers: Quality Improvement Lead, Education
Responsible signatory:	Bonny Anderson: Director of Quality Assurance & Improvement
Outcome:	This policy aims to ensure that exclusion, where used is fair and well managed, and complies with legal requirements.
Cross Reference:	ECS04: Positive Behaviour Management
EQUALITY AND DIVERSITY STATEMENT	
Priory Group is committed to the fair treatment of all in line with the Equality Act 2010. An equality impact assessment has been completed on this policy to ensure that it can be implemented consistently regardless of any protected characteristics and all will be treated with dignity and respect.	

In order to ensure that this policy is relevant and up to date, comments and suggestions for additions or amendments are sought from users of this document. To contribute towards the process of review, email LegalandComplianceHelpdesk@priorygroup.com

Exclusions

1 INTRODUCTION

- 1.1 In order to effectively implement this policy, each Education and Children's Service facilities will have local procedures in place where necessary, which explain how this policy is applied and put into practice at site level.
- 1.2 Template **ECS LP 37** is provided for this purpose and includes a key content checklist.

2 DEFINITIONS

- 2.1 **Types of exclusion:** There are 2 kinds of exclusion - fixed period (suspended) and permanent (expelled).
 - 2.1.2 **Fixed period exclusion:** A fixed period exclusion is where a child/young person is temporarily removed from school. A child/young person can only be removed for up to 45 school days in one school year, even if they have changed schools within that time.
 - 2.1.2.1 If a child/young person has been excluded for a fixed period, schools must set and mark work for the first 5 school days.
 - 2.1.2.2 If the exclusion is longer than 5 school days, the school must arrange suitable full-time education from the sixth school day.
 - 2.1.2.3 **'Internal exclusion'** (where a child is educated in isolation/away from their normal learning groups) is also a **formal fixed term exclusion** which must be treated as such and recorded and monitored in the same way as any other exclusion.
 - 2.1.3 **Permanent exclusion:** Permanent exclusion means that a child/young person is expelled and may no longer attend the school. The local authority must arrange full-time education from the sixth school day.
- 2.2 There is **no** provision for schools/colleges to implement an 'informal exclusion': (ie. when a child/young person is sent off the school premises, and where this is not officially recorded as an exclusion - e.g. where a child is sent home for a 'cooling off' period).
- 2.3 It is **unlawful** for a child/young person to be 'informally excluded' from school, even where the child's parent/s or carer/s agree to the exclusion.

3 USE OF EXCLUSIONS

- 3.1 The use of exclusions will always be considered as a last resort, where no other reasonable resolution has proved, or is reasonably likely to prove effective.
- 3.2 A school should not exclude a pupil with a statement of special educational needs (SEN) except in exceptional circumstances. Where a school has concerns about the behaviour, or risk of exclusion, of a child/young person with additional needs, or with a statement of SEN, an EHCP or a looked after child (LAC) it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of support for a pupil's SEN. Where a child/young person has a statement of SEN or EHCP, schools should consider requesting an early annual review or interim / emergency review.
- 3.3 Exclusions may only be agreed by the Headteacher, and must in every case be given approval by the Regional Operations Director, and in the case of permanent exclusion, the Regional Managing Director.

4 COMMUNICATION & RECORD KEEPING

- 4.1 Any incident where exclusion may be a consequence must be fully recorded and reporting according to group policy (Policy OP04), and a full record maintained in the child/young person's individual records. This means that every exclusion, whether fixed-term or permanent, must be recorded in Datix.
- 4.2 Headteachers, in liaison with their Regional Operations Director are responsible for ensuring that all exclusions are fully notified in writing to all relevant parties.
- 4.2.2 Where a child/young person lives in a children's home this will also include written notification of the exclusion to the Registered Manager of the home.

5 APPEALS, REPRESENTATION & COMPLAINTS

- 5.1 In accordance with national guidance, appeals may be made in writing against decisions to exclude: The Regional Operations Team will consider such appeals.
- 5.2 Appeals to reinstate may be made in writing in relation to exclusions: The Regional Operations Team will consider such appeals, and undertake to meet within 15 school days of receiving an appeal for reinstatement is made for an excluded pupil if:
- (a) The exclusion is permanent;
 - (b) It is a fixed period exclusion which would bring the child/young person's total number of school days of exclusion to more than 15 in term; or
 - (c) It would result in a child/young person missing a public examination.
- 5.2.2 The child/young person and their parent/carer (who may be accompanied by a friend should they so wish), together with any relevant placing authority representatives will be invited to such a meeting.
- 5.3 Any complaint in relation to an exclusion, once the representation and appeals process has concluded should be handled according to the group Complaints Policy (Policy OP03)

6 REINTEGRATION

- 6.1 Following any period of fixed-term exclusion Headteachers are responsible for working with the child/young person and their parents/carers to ensure a planned and carefully managed reintegration. This should be agreed at a reintegration meeting prior to the child/young person returning, and as a formal meeting this should be minuted, and a follow up letter confirming outcomes sent to all relevant parties.

7 MONITORING

- 7.1 School and College Governance will always include a review and learning points analysis on any occasion where a permanent exclusion has taken place.
- 7.2 Regional Operations Directors will always include a review and learning points analysis in site visit reports on any occasion where a fixed-term exclusion has taken place in the period leading up to the visit.

8 SAFEGUARDING

- 8.1 Headteachers are reminded of their responsibility to consider all relevant safeguarding issues in relation to all exclusions, and to follow all relevant requirements of the relevant Safeguarding Policy as applicable.

9 REFERENCES

- 9.1 Education (Independent School Standards) Regulations: 2014
Welsh Government: Exclusion from schools and pupil referral units (2019 update)

Associated Forms: Datix incident form (as found online)