

## **Exclusion Policy**

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**Reviewed by: Mark Hunter**

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## EXCLUSION POLICY

**We are committed to finding resolutions to problems that fall short of exclusion wherever possible.**

This policy should be read in conjunction with the school's **Behaviour Policy** and **Anti-bullying. Policy**.

Having followed the above policies, the school may decide that a temporary, short-term or permanent exclusion may be an appropriate course of action.

### Temporary Exclusion

A temporary exclusion may be considered for a child who has been unable to show an acceptable level of behaviour during a particular activity, such as a class trip, forest school or other off-site activity. The child may therefore be excluded from school for a future period of that activity. Parents would be asked to bring/collect their child at a time to match this exclusion period. The length of the exclusion would depend on the individual circumstances of each case.

### Short-term Exclusion

- A short-term exclusion may be considered for very serious incidents where the behaviour of the child has affected the learning of others, they have presented a danger to themselves or others or where there has been an abuse of school facilities and/or damage to the reputation of the school or a member of staff. The length of the exclusion would depend on the individual circumstances of each case. In all cases the maximum length of any exclusion would *not exceed five consecutive school days*.
- A short-term exclusion may also be considered for a child who has acted aggressively or violently or used threatening behaviour or language towards another child or member of the school community. In these circumstances a parent will be contacted to arrange for their child to be removed from school for the remainder of the day. The school may also decide that the exclusion will be extended for a period *of up to five consecutive school days*, depending on the circumstances.
- Parents have a responsibility to support the school's behaviour policy and accept that no refund of fees would be made for period of exclusion imposed as part of this policy.
- We acknowledge the parent's need to be kept informed of disciplinary measures relating to their child and especially where there is a risk of exclusion.
- A short-term exclusion constitutes a clear warning about continued membership of the School and this warning should be regarded as a serious sanction which if repeated could result in permanent exclusion.

### Permanent Exclusion (removal from the School Register)

- The School reserves the right to remove any child from the School Register (expel) in certain circumstances e.g. when their behaviour or conduct has become incompatible with the well-being of the school, is seriously affecting the learning of others, the child presents a serious danger to themselves or others or where there has been gross abuse of school facilities and/or damage to the reputation of the school or a member of staff.
- Some parents may prefer, after due consideration, to voluntarily withdraw their child rather than the School imposing Permanent Exclusion. However, it must clearly be understood that the Principal reserves the right to insist on Permanent Exclusion. (see **Required Withdrawal** below)
- The school will undertake to consider all measures before making a decision that a child will be given a permanent exclusion.
- Parents will be informed immediately if the school has made the decision to remove a child from the school register. Removal from the school register will always have immediate effect. Parents will be informed by email and by a letter in the post, giving the reason for this decision.
- Parents may appeal to this decision by requesting an **Appeal Panel Hearing** as described below.

### **Required Withdrawal (removal at the request of the school)**

- Parents may be required, during or at the end of a term, to remove a child, without refund of fees, from the School if, after consultation with a parent, the Principal is of the opinion that the conduct or progress of the pupil has been unsatisfactory or if the pupil, in the judgement of the Principal, is unwilling or unable to benefit from the educational opportunities offered (or a parent has treated the School or members of its staff unreasonably) and in any such case removal is considered to be warranted.
- Fees in lieu of notice will not be charged but all outstanding fees and extras will be payable in full.

### **Appeal Panel Hearing (Permanent Exclusion)**

- The proprietors have the final authority over who is on the school's register provided school policies and procedures have been followed correctly and that they have acted responsibly.
- Parents may request an **Appeal Panel Hearing** where they consider there are grounds for an appeal against a decision to remove a child from the school register.
- Grounds for an appeal will be limited to ensuring that the school's policies and procedures have been correctly followed including adherence to the school's Equality and Disability statement, and that, within this parameter, the proprietors have acted responsibly.
- The request for a panel hearing must be made as soon as possible and in any event *within 5 working days* of the date that parents were informed of the decision to expel a pupil. (For a definition of *working days* - please see the **Working Days** in the **Complaints Procedure**). Parents must give a full written explanation regarding the reason that they consider there are grounds for an appeal.
- The Proprietor will appoint a panel that will consider the appeal *within 15 working days* of the receipt of the request. Parents will be notified *with at least five working days' notice* of the date of the panel hearing. Parents will be informed of the format and procedure to be followed at the hearing.
- The panel will consist of at least three people and include one member independent of the management and running of the school (see **Complaints Procedure** regarding the appointment of an independent member of the panel). Panel members shall be appointed by the Proprietors.
- Parents may attend and be accompanied at a panel hearing if they wish. Parents do not have to attend the hearing.
- The panel will consider the School's decision and the parents' grounds for requesting an appeal. The panel may carry out further investigations and/or interviews as appropriate.
- The panel will aim to reach a final decision on the appeal, normally *within 5 working days* and in any event *no more than 15 working days* after the panel hearing.
- The panel will record in writing its findings on the appeal. The panel response will be limited to recording whether it considers school policies and procedures have been followed correctly and that the proprietors have acted responsibly and within their rights.
- If it is decided that the school has not followed the school's policies and procedures correctly or have not acted responsibly or within their rights, the proprietors agree to reconsider their decision to remove the child from the school register and respond in writing within 48 hours. In the absence of a significant procedural irregularity, the Proprietors' decision will then be final.
- Parents agree that when requesting a panel hearing they will respect its findings without recourse to further actions or redress. Parents should consider this when requesting a panel hearing.

## **Special Educational Needs and Disabilities**

The school will make 'reasonable adjustments' for managing behaviour which is related to a child's special educational need or disability. In making decisions about exclusion, the Principal will take into account the 'reasonable adjustments' that have been made and whether despite these adjustments the behaviour or conduct of the pupil remains unacceptable, is seriously affecting the learning of others, is presenting a serious danger to themselves or others or where there has been gross abuse of school facilities and/or damage to the reputation of the school or a member of staff. Provided these considerations have been made, the Principal can exercise their right to exclude any pupil as a proportionate means of achieving a legitimate aim (Equality Act, 2010).

## **Refund of fees**

When a child's name is removed from the school register, no refund of fees already paid (or outstanding) to the school for the term will be made. All outstanding fees and charges must be made immediately. However, the normal notice period will be waived when a parent is asked to remove a child from the school.

The local authority will be informed in accordance with the school's **Admission and Attendance Registers Policy**.

## **Monitoring and review**

This policy is monitored by the Proprietors and staff of the school and will be reviewed for changes in procedures and statutory guidelines in accordance with the school's policy review guidelines.