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Exclusions Policy

1. Aims

The aim of exclusion is to provide an ultimate sanction against unacceptable behaviour, whereby any pupil who seriously or repeatedly breaches the school's behaviour policy making the school unsafe, unpleasant or an environment where other pupils are no longer able to learn, may be excluded from the school on a temporary or permanent basis.

Our school aims to ensure that:

- Exclusion is used as a last resort
- The exclusions process is applied fairly and consistently
- The exclusions process is understood by trustees, staff, parents and pupils
- Pupils do not become NEET (not in education, employment or training)

2. Definitions

Exclusion means the removal of a student from the school premises either temporarily (formerly known as Suspension) or permanently (formerly known as Expulsion).

A **temporary exclusion** may occur for a specific length of time, from 1 day up to a maximum of 15 days within a school term.

A **permanent exclusion** may occur following a serious incident or accumulation of incidents.

For the purposes of exclusions, **school day** is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

3. Legislation and statutory guidance

This policy has been prepared to meet the standard in Schedule 6 of the [Education \(Independent School Standards\) Regulations 2014](#); paragraph 3 requires the school to have a written exclusions policy.

4. The decision to exclude

4.1. Only the School Management Team (SMT), can exclude a pupil from school. A permanent exclusion will be taken as a last resort, and taken in response to serious or persistent breaches of the school's behaviour policy, **and if** allowing the pupil to remain in school would seriously harm the education or welfare of others.

4.2. The school holds a 'Behaviour Log', recording incidents and sanctions given. This may be used to aid any decisions of repeated and serious incidents, and whether sanctions imposed were effective in encouraging the pupil to cooperate and adhere to the Behaviour Policy. Please see the School's Behaviour Policy for more information.

4.3. If the initial sanctions and consequences as set out in section 7 of the Behaviour Policy are not effective in managing behaviour, or if an incident is deemed so serious as to warrant the ultimate sanction, then SMT (along with the DSL/SENCo/class teacher wherever appropriate) may take the decision to exclude, either temporarily or permanently. This will be in consultation with 'exclusions officers', whose responsibility it is to know this policy thoroughly and be confident in applying it correctly and giving advice to all involved.

4.4. Exclusion from an independent school derives from the contract between the school and the parents and pupils. In addition to serious misbehaviour, a child may be excluded for other breaches to the contract between the parents and school. This includes failure to pay school contributions, and parents causing serious or repeated nuisance on school premises

5. Procedure for temporary exclusion

5.1. A group of at least 2 teachers (not including assistants) and an exclusions officer will meet to draw together all the relevant information and decide whether there is sufficient cause to temporarily exclude a pupil or not. Reasons for temporary exclusion may include:

- Repeated breaches of the school rules
- Persistent disruptive behaviour
- Bullying, especially if severe or persistent
- Sexual misconduct
- Vandalism
- Theft
- Fighting
- Smoking, drugs or alcohol use.
- Racist, sexist, homophobic or other discriminatory behaviour
- Possession of any prohibited items.

5.2. A temporary exclusion may be put in place with immediate effect if there is clear evidence or a strong suspicion regarding any of the above and in order to ensure the safety of other pupils and of staff. The decision to exclude with immediate effect can only be taken with the agreement of two exclusions officers and in consultation with the DSL/SENCo/class teacher, where relevant.

5.3. In the event of an immediate exclusion being imposed, the pupil concerned will be expected to wait in the office to be collected by his/her parents. If more than one pupil is involved, they will wait in separate spaces.

5.4 The school will contact the parents immediately when a decision has been taken to exclude a pupil, explaining the following:

- a) why the school has decided to exclude the pupil;
- b) the steps taken to try to avoid exclusion;
- c) the arrangements for setting and marking the pupil's work during their absence from school;
- d) the parents' right to state their case to the School Management Team or Trustees;
- e) their right to see their child's school record.
- f) a provisional date when the pupil may return to school.

5.5. Appropriate investigations will be carried out and all evidence to support/refute any allegations will be considered. The pupil will be allowed to give his/her version of events and where relevant the school will check whether the incident was provoked, for example by bullying or racial/sexual harassment. Deliberate withholding or falsification of information, or non-cooperation by the pupil/pupils concerned may delay their return to school.

5.6. During the pupil's absence, the teaching staff and parents will meet to review the pupil's behaviour, any existing Individual Development Plans and develop or update a Behaviour Plan for

the pupil. The Behaviour Policy has a section on Sanctions/Consequences that should be used in conjunction with this policy.

5.7. To ensure pupils do not fall behind, teachers will make best endeavours to provide suitable work for any pupil who is excluded from school, even if only excluded for one day. If the temporary exclusion is greater than three days, the class teacher will make relevant work available for the pupil to complete at home. It will be the parents' responsibility to collect this work and return it to the school.

5.8. During the course of a temporary exclusion, the pupil is not allowed on the school premises and responsibility for supervision during such exclusion rests with the parents.

5.9. On returning to school, sanctions or a Behaviour Plan may be applied and the pupil's behaviour will be closely monitored using a report card. The parents will be kept informed.

5.10. If there is not sufficient improvement in a pupil's behaviour on returning to school following a temporary exclusion of a pupil, then the school may need to consider excluding the pupil either on a further temporary basis or on a permanent basis.

6. Procedure for Permanent Exclusion

6.1. Permanent exclusion is a last resort. It may be used:

- a) When the pupil is not responding positively to measures put in place following temporary exclusion, so that the learning environment of others is compromised in a prolonged and unacceptable way;
- b) As a consequence of any single serious, dangerous incident carried out without reasonable provocation and with intent – e.g. arson, serious injury or intent to injure another person. c) As a consequence of compromising the health & safety of others, such as through dangerous acts which may harm others and including the bringing into school of drugs or alcohol, or through the supply of the same to others.

Parents & pupils should be aware that criminal acts will be notified to the police.

6.2. Before taking a decision to permanently exclude a pupil:

- a) Staff will discuss any recent events with the parents; notes will be taken.
- b) Staff will talk to the pupil, ideally in the presence of his/her parents, but if the pupil requests a meeting without the parents, then this may also be agreed. Notes will be taken.
- c) The views of the parents and the pupil will be presented to the teachers responsible for the pupils' education. Minutes to the meeting will be taken.
- d) The School Management Team will review the whole situation and take a decision. Minutes to the meeting must be taken.

6.3. Once a decision to permanently exclude a pupil from the school has been taken, two teachers will meet with the parents to inform them of the decision, who will also be given in a written letter at the same time. If parents refuse or are unable to attend this meeting, a letter will be posted to the parents, informing them of the decision and their right to appeal.

6.4. Except in the circumstance whereby a pupil poses an immediate threat to health and safety of others, the school may consider on a case-by-case basis, whether to defer a permanent exclusion in order to allow the parents time to find an alternative school.

7. The right of appeal against a decision to permanently exclude a pupil

In the event of a permanent exclusion, parents have the right to appeal and must do so as soon as possible (within 7 days) after being informed of the decision. In the event of an appeal, the school will establish an independent panel incorporating a member of teaching staff (not involved in the

decision), a trustee and one other, who may be another trustee, or a member of staff not involved in the decision to exclude.

The purpose of such an appeal hearing is for the independent panel to decide whether:

- The pupil actually committed the disciplinary offence or series of behaviours believed to be compromising the health, safety, wellbeing or education of others
- Other reasonable adjustments and options have been exhausted
- Permanent exclusion was therefore a reasonable response

Parents, the pupil and any staff involved will each have the opportunity to present their views to the panel, and then the panel will withdraw to come to a decision in privacy. The decision will ideally be one where the panel can make a unanimous decision; if not they may choose to make a majority decision. If the panel decide to uphold the original decision to exclude a pupil, the parents will be informed within 48 hours, unless advised by the panel of an alternative timescale before or during the hearing.

9. Exclusions due to parental breach of contract

Pupils may also be excluded because of a fundamental breach of contract by the parents, including:

- a) Parents who fail to pay agreed fees, refuse to discuss their circumstances, wilfully deceive in the provision or withholding of financial information, and/or fail to pay a re-negotiated fee which takes into account a family's current financial difficulties;
- b) Parents consistently refusing to meet their child's teachers when so requested to do so.
- c) Parents who fail to support the school in upholding the school rules in ways which significantly compromise the school's ability to keep pupils safe and educate their or other children; for example through inappropriate clothing, food and supervision when in the parents care on school premises.

The school will always be reluctant to exclude a pupil in the circumstances of unpaid fees; however as the school receives no state funding, the school is totally dependent upon the financial contribution of each parent in order to fulfill its side of the contract to provide a Steiner education to their child/children. Thus, in the absence of the agreed funding, a fundamental breach of contract is considered to have taken place, which if not quickly rectified, undermines the school's ability to provide the education. Parents will be offered a chance to withdraw the child.

10. Links with other policies

This exclusions policy is linked to our

- Behaviour policy
- Anti-bullying policy
- SEN policy and information report
- Child Protection and Safeguarding

Appendix 1: Front Cover for Exclusion File (This acts as both a contents page and checklist)

Name of Pupil

Parents names and contact details

Reason/s for decision (*please attach supporting documentation e.g. copies of behaviour incident forms*)

(Signatures from 3x staff taking the decision to exclude)

Information given to parents at time of exclusion (checklist)

- why the school has decided to exclude the pupil
- the steps taken to try to avoid exclusion
- the arrangements for setting and marking the pupil's work during their absence from school
- the parents' right to state their case to the School Management Team or Trustees
- their right to see their child's school record
- a provisional date when the pupil may return to school

Record of meetings and and major points from meetings (*please list dates and attendees of meetings, and attach full records*)

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Work set? (*Please attach*)

Provisional date for return: _____

Behaviour plans in place for return (*please attach copies of Behaviour plan, signed by parents, child and Class teacher*)

Statement from pupil showing they understand the reasons for exclusion and expected behaviour on return