ED05 EXCLUSION POLICY

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RATIONALE

The purpose of this policy is to explain the school's use of exclusion. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

1) to ensure the safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed

2) to realise the aim of reducing the need to use exclusion as a sanction through the school's commitment to meeting the needs of each child and working closely with parents or carers

INTRODUCTION

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

(a) In response to a serious breach of conduct

(b) If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Head, the Deputy Head who may be acting in that role).

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct:

- Attack on staff
- Attack on pupils
- Indecent behaviour
- Serious damage to property
- Misuse of drugs – including bring smoking or vaping paraphernalia into school
- Theft
- Sexual abuse or assault.
- Carrying an offensive weapon
- Arson.
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.

This is not an exhaustive list and there may be other situations where the Head Teacher makes the judgment that exclusion is an appropriate sanction.

FIXED TERM EXCLUSION

Most exclusions are of a fixed-term nature and are of short duration (usually between one and five days).

- The DFE regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

- Following exclusion, parents are contacted immediately where possible. A letter will be sent giving details of the exclusion and the date. Parents have a right to make representations to the Governing Body / and the LA as directed.

- A return to school meeting will be held following the expiry of the fixed term exclusion and this will involve the parent/carer, child, the Head Teacher (or, in the absence of the Head, the Deputy Head) and other staff where appropriate.

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

PERMANENT EXCLUSION

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

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour, bullying, repeated aggressive or threatening behaviour.

2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another pupil or a member of staff.
- Sexual abuse or assault.
- Carrying an offensive weapon *.
- Arson

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

** Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him."*

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects discipline in the school and wellbeing of staff and pupils.

General Factors Considered

Before deciding whether to exclude a pupil either permanently or for a fixed period the Head will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations/incident
- Allow the pupil to give her/his version of events
- Check whether the incident may have been provoked
- Consider whether there are any safeguarding concerns

If the Head is satisfied that on the balance of probabilities the pupil did what he or she is alleged to have done, exclusion will be the outcome. Cross reference should be made with the Positive Behaviour Policy and the Child Protection Policy.

Exercise of Discretion

In reaching a decision, the Head will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Head will consider:

a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of conduct

b) the effect that the pupil remaining in the School would have on the education and welfare of other pupils and staff.

ALTERNATIVES

The school will work closely with other agencies to undertake 'managed moves' where such a course of action would be of benefit to all those concerned.

BEHAVIOUR OUTSIDE SCHOOL GROUNDS

Pupils' behaviour and conduct, outside of school but whilst on school business, for example school trips and journeys, or at school sports events, will be subject to the same expectations as within school. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in school.

SCHOOL RECORDS

All records in relation to exclusions are kept in the pupil's file.

PARENT RESPONSIBILITIES DURING FIXED TERM EXCLUSION

For the first 5 days of any single exclusion:

- Parents have a legal duty to ensure that their child is not present in a public place during school hours unless they can prove reasonable justification for this. Parents may be prosecuted or given a fixed penalty notice if they do not comply with this duty.
- It is the parents' responsibility to ensure that any work that has been set for the exclusion period is completed and returned to the school

PUPILS WITH SEND

- All pupils attending Amberley Court School (ACS) have a SEN. Parents or carers of children with SEN who are excluded from school will receive advice on the options available for their child's future education. The local SEN team and/or the Parent Partnership should also be able to provide details of voluntary agencies that offer support to parents, including those that can offer advice concerning exclusions.

- An exclusion of a SEN or disabled pupil for a reason directly related to their disability can only be justified if there is a 'material' and 'substantial' reason for it and the Headteacher can show that there were no 'reasonable steps' that could have been made to avoid the exclusion. Maintaining order and discipline in the school could be a 'material' and 'substantial' reason if there was a specific incident that gave rise to the exclusion.

  Reasonable steps in response to the pupil's disability could include developing strategies to prevent the pupil's behaviour. For example, in the first few weeks following admission, ACS will undertake a thorough assessment of a pupil to create a suitable Individual Positive Behaviour Support Management Plan and write and implement a Pupil Risk Assessment, if one is not already provided. A missing persons document will also be kept on file incase of absconding.

  The normal school ratio of adults to children at ACS is 1:2 although this includes ancillary staff; trips will be risk assessed and discretion will be made in consideration with numbers, location, risks etc. Further support may be sought if it is deemed unsafe to work within the expected ratio: ***Due care and consideration must always be taken to ensure the safety and wellbeing of all others***.

- Appeals against permanent exclusion, where discrimination is alleged to have taken place, or the disabled pupil has allegedly been placed at a substantial disadvantage by the exclusion procedures, may be heard by an Independent Appeal Panel. Claims alleging discrimination in respect of fixed period exclusions may be heard by the SEN and Disability Tribunal (SENDIST).

THE ROLE OF THE GOVERNING BODY

The governors' role is essentially one of reviewing the headteacher's exclusion decisions. The Head Teacher will inform the them of any exclusions.

If it is apparent to the governing body that the purported exclusion is not for a disciplinary matter, it is unlawful and cannot stand, and they do not need to investigate further, this will be done in a timely manner. The governors have a role in the consideration of any complaint a parent or carer may make about the unlawful exclusion, but that ***should be considered separately via the school's complaints procedure***.

If the governing body decides to establish a discipline committee it should consist of at least three members. The governing body should appoint a clerk to the committee. The headteacher may not be a member.

- In cases of:
  - permanent exclusions and fixed-period exclusions converted to permanent exclusions;
  - all fixed-period exclusions totaling more than 15 school days in any one term;
  - a single fixed-period exclusion, totaling more than five school days, where the parent expresses a wish to make representations to the governing body;
  - exclusions that would result in the loss of an opportunity to take a public examination.

- the governing body (or discipline committee) must meet to:
  - consider the circumstances in which the pupil was excluded;
  - consider any representations about the exclusion made by the parent and by the LA;
  - consider whether the pupil should be reinstated immediately, reinstated by a particular date or not reinstated at all.

END

POSITION	**Headteacher**	**NAME**	**James Eagle**	**SIGNATURE**	***J Eagle***	**DATE**	**01/09/2026**
POSITION	**Governor**	**NAME**	**Dave Johns**	**SIGNATURE**	***D Johns***	**DATE**	**01/09/2026**
POSITION		**NAME**		**SIGNATURE**		**DATE**	