



QUORN HALL  
SCHOOL

# Exclusion Policy

(To be read in conjunction with the Covid Addendum Exclusion Policy, Positive Behaviour Support Policy, Physical Intervention Policy, Countering/Anti-Bullying Policy and Safeguarding Children Policy)

**Person Responsible:** Headteacher

**Last reviewed on:** September 2021

**Next review due by:** September 2022

**Created:** Date Sept 2020

**Revisions:** Annually

# Quorn Hall School – Exclusions of Pupils Policy

## What legislation does this policy relate to?

The principal legislation to which this policy relates is:

- The Education Act 2002, as amended by the Education Act 2011;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- The Education and Inspections Act 2006; and
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007;
- SEND Code of Practice 2014;
- The Equality Act 2010;
- DfE's latest guidance 'Exclusion from maintained school, academies and pupil referral units in England' which was effective from 1<sup>st</sup> September 2017 and including the COVID-19 updates which make provision for virtual reintegration and appeal meetings where appropriate.

## Who is this guide for?

- The Headteacher
- The Governance team
- The local authorities that place children in the care of Quorn Hall School
- Independent review panel members
- Parents, Carers & Families

This policy reflects the DfE Guidance for Exclusions (June 2012, plus all updates including Feb 2015 and October 2020).

## What follows gives:

- a) The main features of our own attitude and policy towards the exclusion of pupils and
- b) The procedures we follow in case this course of action becomes necessary.

## Our Attitude

1. We are a school which caters for children who have social, emotional and mental health issues. We accept that many of our pupils have particular behavioural difficulties. We accept our coping capacity and skills in behaviour management have to be sufficient to cope with most of the problematic behaviours we encounter.
2. We have many skills and resources which enable us to manage and support pupils who exhibit periods of provocation and difficult behaviours.
3. The notion of acceptance, effective management and therapeutic intervention are central to our philosophy. We accept that troubled children will often be troublesome to us.

4. We take the stance that the pupils we accept remain with us and we trust our admissions process. Their acceptance is not conditional upon 'good behaviour'. Their difficult behaviours are part of the presenting problems which have caused their referral. We work with these behaviours in a reparative sense.

5. Many of our pupils have been able to get themselves 'thrown out' of mainstream schooling as a consequence of troublesome behaviour. This makes us very cautious about following a similar course of action. This pattern, for the child's sake, has to be stopped. We are not intimidated by troublesome behaviour. Pupils are not allowed to turn away from the consequences of their actions, from their growth towards personal responsibility by getting themselves excluded.

6. We work with these challenging behaviours wherever possible and to the extremes of our professional tolerance. This is the nature of our therapeutic and educational resilience as experienced practitioners. It is part of our professional obligation in working with SEMH pupils.

7. Exclusion should be used only rarely and in exceptional circumstances. It should not be the first and only way of holding a boundary with young people. The decision to exclude can only be made by the Headteacher (DfE guidance, 2017). Exclusion can be very damaging to some of our children and can escalate rather than improve their behaviour; as the ultimate sanction it needs very careful consideration and it must be clear that other options have been tried, in line with our Behaviour Policy. It is critically important that the emphasis made to the child is that any escalation through stages of the Behaviour Policy is about maintaining safety.

## **Where Does Tolerance End?**

There is no easy answer to this question. Each situation must be assessed on its own circumstances; each pupil's individual reactions and needs must be taken fully into account. We have never adopted 'standard procedures' for all pupils in these situations. We do not generalise from the particular where our pupils are concerned; this is something that staff need to help children to understand when they challenge the fairness of the process.

Where we have concerns about the behaviour, or risk of exclusion of a pupil we will consider that additional support or alternative placement may be required. This will involve assessing the suitability of our provision against a child's SEN. We may consider requesting an annual review or interim/emergency review. There are circumstances, however, in which the only decision left to us (and sometimes the best course of action in the situation we face) is to make a decision to exclude the pupil. This policy now details some of the situations which might lead to an exclusion.

## **Possible Criteria for Considering Exclusion (Permanent and Fixed Term)**

In extreme circumstances, a fixed-term exclusion of between 1 and 5 days may need to be considered to allow the school to reflect with parents, carers, and social workers on the cause of the incident and to plan for a safe and successful reintegration for the student. Such extreme circumstances might include the following, which is not an exhaustive list, but individual needs, risk, and context will always be considered.

- a) Extreme violence or assault
- b) Peer on peer abuse
- c) Supplying an illegal drug
- d) Carrying an offensive weapon

The school will work with parents/carers and the child to prevent both fixed term and permanent exclusion and will only issue fixed-term or permanent exclusions in extreme circumstances. We will adhere to the DfE 2017 statutory guidance on exclusion and the additional guidance from August 2020 reflecting COVID-19. Whenever a fixed-term or permanent exclusion is issued, parents/carers and the placing Local Authority, including the social worker and Virtual Headteacher of any looked-after children, will be notified by phone and letter. Parents/carers will also be advised of their right to appeal and the process that will be followed should they choose to exercise this right.

These criteria are not the only factors which can contribute to decisions about exclusion. There may be deeper clinical and psychological considerations; periodic errors may occur in selection and assessment; there may be insuperable pressures from the family and home contact; unexpected deteriorations in a child's psychological condition can occur; and so on. Again, the important thing is to make careful and informed decisions which are in the best interest of the child, the school community and other pupils. These collective interests cannot always be reconciled, of course. We are well aware of this and we accept the fact that on some occasions the collective good will have to prevail over individual considerations.

## **Some Potential Advantages of Exclusion**

1. It can take pressure off the school atmosphere, other pupils and off the staff allowing the staff to regroup, reflect and adapt their approach.
2. It can give a child a 'breathing space' away from the immediate pressure they face. It can offer a chance for emotional relaxation and personal recovery in a context less fraught with situational anxiety.
3. It can give a pupil a chance to reconsider his present attitudes and his future intentions.
4. It gives the school a chance to involve parents/carers and other agencies in the problem and its resolution.

5. The investigation process is sometimes better conducted away from the school setting, away from the pressure of recent difficulties.
6. Exclusion can lead to a more realistic formulation of goals and a better working relationship based on negotiation between the school, pupil and the family (we refer here to exclusions of a temporary nature).
7. Precipitous actions, taken in the heat of very difficult situations, can be avoided if we know that exclusion is a viable alternative within the school's procedures. This can provide an alternative to serious confrontation with some pupils.
8. For many children, who genuinely like the school, the possibility of being excluded holds no attractions. It can be a real deterrent to bad behaviour for some pupils.

## **Some Disadvantages of Exclusion**

Exclusion can create many additional pressures and difficulties for the child.

1. It takes the child out of the educational and therapeutic support of the school.
2. It may increase attachment difficulties and reduce the child's trust in the school.
3. It often places the family or carers under additional difficulties.
4. It can create parental resentments.
5. It can damage the child's place in the family and lead to a further breakdown in family relationships.
6. It may place the child in a home situation where there is less ability to handle their behaviour than there is at the school.
7. A permanent exclusion may place the referring agencies (LA, Social Services, Psychological Services) under increased pressure.
8. It may encourage the notion amongst other pupils that bad behaviour provides a possible 'way out' from the school.
9. Being seen to be 'sent home' is a very attractive idea to a few pupils. There are some who might even see it as a 'reward' for bad behaviour.
10. It could prove to be totally counter-productive if it is used too frequently. This might produce a tendency to 'off-load' problems rather than to contain them and work them through.

## **Roles and responsibilities**

### **The Headteacher**

Should exclusion become necessary on balance however, it is important to follow our internal procedures. These will help to limit adverse effects and protect the pupil, the school and the family.

#### **Informing parents**

The headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

The reason(s) for the exclusion

The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent

Information about parents' right to make representations about the exclusion to the governing board and how the pupil may be involved in this

How any representations should be made

Where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

The start date for any provision of full-time education that has been arranged

The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant

The address at which the provision will take place

Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the governing board and local authority

The headteacher will immediately notify the governing board and the local authority (LA) of:

A permanent exclusion, including when a fixed-period exclusion is followed by a decision to permanently exclude a pupil

Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term

Exclusions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

For all other exclusions, the headteacher will notify the governing board and LA once a term.

## **The governing board**

Responsibilities regarding exclusions are delegated to the governing board consisting of at least 3 governors.

The governing board has a duty to consider the reinstatement of an excluded pupil

Within 14 days of receipt of a request, the governing board will provide the secretary of state and relevant local authority with information about any exclusions in the last 12 months.

For a fixed-period exclusion of more than 5 school days, the governing board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion.

For secondary schools only:

Provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

## **The LA**

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

## **Procedures for Exclusion (Fixed Term)**

1. There must be an investigation and overview of any precipitating circumstances. This process will include senior staff, together with any other staff member involved and any other child involved. In cases of alleged sexual/physical/drug abuse the Designated Safeguarding Lead (DSL) will make the initial assessment and then communicate with appropriate outside agencies.
2. Our usual recording procedures must be followed. The proper documentation of events, decisions and action is essential.
3. Sometimes exclusion has, unavoidably, to be arranged urgently. Even then proper arrangements must be made. Parents and Local Authorities must be informed and appropriate travel provisions made.
4. A planned reintegration meeting should take place following any fixed term exclusion. This will involve teaching staff, a member of SLT, the young person, parents/carers and any other agency representative deemed appropriate.
5. The child's Behaviour Plan should be updated to reflect changes in the way the school will support the young person to succeed.

## **Procedures for Exclusion (Permanent)**

1. There must be an investigation and overview of any precipitating circumstances. This process will include senior staff, together with any other staff member involved and any other child involved.
2. Our usual recording procedures must be followed. The proper documentation of events, decisions and action is essential.
3. Precipitous action should be avoided whenever possible. Permanent exclusions **MUST** follow proper consultation and communication with parents, the Local Authority and any other referring or supportive agencies.
4. Whenever possible agreement should be reached in consultation with these people, about the exclusion decision. Local Authorities can only provide alternative arrangements (and/or secure alternative school placements) if they are given adequate notice of exclusion proceedings.
5. Proper written follow up (reports etc) should be sent to all parties; it may be helpful to other agencies for us to liaise with them regarding choice of placement etc.
6. Further meetings for consultation, planning and decision making may need to be arranged.
7. The school based decision about exclusion will ultimately rest with the Headteacher in consultation with other senior staff. The opinions of other members of staff involved with the child (i.e. teachers and teaching assistants) should be taken into account but cannot drive the decision.

8. In cases of alleged sexual/physical/drug abuse the Designated Safeguarding Lead (DSL) will make the initial assessment and then communicate with appropriate outside agencies.

9. Sometimes exclusion has, unavoidably, to be arranged urgently. Even then proper arrangements must be made. Parents and Local Authorities must be informed and appropriate travel provisions made.

## **Conclusion**

We expect to use the above procedures very infrequently. It is, however, a response which we reserve the right to use in certain circumstances. It will always be used in a constructive spirit with careful attention paid to striking a balance between the needs of the pupil concerned, their family, the school, our staff and our other pupils.