



Exclusion Policy

Lead Governor: Chair

Senior Leadership Team Link: Mr Hemmings

Previous Review: September 2019

Next Review Due: September 2021

Ratified by Governors: 19th September 2019

PURPOSE AND RATIONALE

Oakmoor School has high expectations and believes that all students are entitled to an education that is free from disruption in a safe environment. Therefore the school recognises that in order to ensure such a positive atmosphere on occasions it may be necessary to exclude an individual or individuals either for a fixed period or in exceptional circumstances, permanently.

This policy provides brief guidance on the legal requirement in relation to fixed and permanent exclusions as set by the DfE and how it applies in the context of Oakmoor School.

This policy should be read in conjunction with the DfE 2012 (updated February 2015) guidance "Exclusion from Maintained Schools, Academies and Pupil Referral Units in England – a guide for those with legal responsibilities in relation to exclusion". Copies are held in the Exclusions File in the Headteacher's Personal Assistant office.

ROLES AND RESPONSIBILITIES

Governing Body/Academy Trust

The Governing Body¹ must review the decision of the Headteacher in the case of all permanent exclusions and fixed term exclusions amounting to over 15 days in any one term they may delegate this to the Local Governing Body. The quorum is 3Governors/ Trustees or CEO's delegated representative with the Clerk to the Governors. Individuals appointed will constitute the Governors' Discipline Committee (GDC). Subject to the availability of individual GDC, review meetings should be held within a period of 15 days from the date of exclusion.

For fixed term exclusions of 6 to 15 academy days the GDC must meet to consider any representations from the parent if received.

Fixed term exclusions totalling 5 or fewer academy days must be reported to Governors termly. The Governing Body ²can agree to set up a meeting with the parent(s) if they make

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representations about one of these exclusions but does not have to do so, though it must consider any representation made by the parent.

After any GDC review hearing, the Clerk to the Governors must inform the parties in writing about the result, with reasons for the decision.

If a permanent exclusion is upheld, the GDC must inform the parent of their right to seek an independent review of the decision reached by Governors, and the deadline for seeking a review. They also have the right to have a SEN expert attend the independent review panel meeting.

Headteacher

Only the Headteacher, or Deputy Headteacher in their absence, for fixed term exclusions, may externally exclude a student.

Whenever the Headteacher excludes a pupil they must, without delay, notify all parent(s)/responsible adult(s) of the period of the exclusion and the reasons for it.

They must also, without delay, provide parents with the following information in writing:

- the reason(s) for the exclusion;
- the period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent;
- the parents' right to make representations about the exclusion to the governing body³ and how the pupil may be involved in this;
- how any representations should be made; and
- where there is a legal requirement for the governing body⁴ to consider the exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.

Written notification can be provided by delivering it directly to the parents; leaving it at their last known address; or by posting it to this address.

Where a student is given a fixed period of exclusion of a duration of 6 days or longer the academy will arrange suitable full time education provision from and including the 6th day of the exclusion.

The Headteacher must, without delay, notify the CEO of the Trust and the Chair of the governing body and the local authority of:

- a permanent exclusion (including where a fixed period exclusion is made permanent);

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- exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term; and
- exclusions which would result in the pupil missing a public examination or national curriculum test.

For all other exclusions the Headteacher must notify the local authority and governing body once a term.

For a permanent exclusion, if the pupil lives outside the local authority in which the school is located, the Headteacher must also advise the pupil's 'home authority' of the exclusion without delay.

The Senior Leadership Team (SLT)

The SLT will present cases that may require exclusion to the Headteacher and if exclusion is the correct action will inform Parent(s)/Responsible adult(s) of the time, duration and reason for the exclusion.

SLT will arrange the re-integration of the student and, if necessary carry out a risk assessment. A meeting with parent(s)/responsible adult(s) and their child will be arranged following an exclusion as part of the readmission process and a reintegration plan will be agreed.

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The Pastoral Team

Academic and Pastoral Leaders may be delegated the task of informing parent(s)/responsible adult(s) of the decision to exclude a student and give details of the time, duration and reason for the exclusion.

Academic and Pastoral Leaders will ensure that at all stages of a student's progress towards possible exclusion records are kept of all conversations, telephone calls and investigations. This should include statements from the student facing exclusion and from witnesses of any incidents, where necessary.

Academic and Pastoral Leaders will meet a student and parent(s)/responsible adult(s) following exclusion as part of the readmission process and agree a reintegration plan.

Academic and Pastoral Leaders will ensure all students are set work during exclusion. The exclusion letter should outline that work can be collected from the academy's reception if the exclusion is greater than 1 day.

OPERATION AND PROCEDURES

Types of Exclusion

Fixed Term Exclusion

Fixed Term Exclusions should be kept to a minimum length and used sparingly after all strategies have been considered. They will be used for significantly unacceptable behaviour either as a one-off or for cumulative poor behaviour, perhaps climaxing in an unacceptable incident. Please refer to the behaviour policy for further details.

Fixed Term Exclusions should total no more than 45 days in an academic year.

Parents must be informed by telephone to arrange and explain the exclusion and this will be followed up with a letter as soon as possible. The Exclusions File is kept in the Headteacher's Personal Assistant office. The Headteacher's PA will complete the administrative tasks related to recording the exclusion and writing and sending the letter.

Permanent Exclusion

A decision to exclude a student permanently should only be taken:

- in response to a serious breach, or persistent breaches, of the academy's behaviour policy; and where allowing the student to remain in the academy would seriously harm the education or welfare of the student or others in the academy.

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The Headteacher is the only person with the legal power to permanently exclude a student in the absences of the Headteacher, the Deputy Headteacher should use a fixed term exclusion, initially for 5 days, pending a decision by the Headteacher.

Independent Reviews

Oakmoor School is responsible for managing independent reviews against permanent exclusion and external agencies will be used for this purpose. The review must be heard within 15 school days from the date when the parent(s)/responsible adult(s) appeal. Parent(s)/responsible adult(s) have the right to a SEN expert attending the independent review panel meeting.

RATIFICATION DATE AND CHAIR'S SIGNATURE

Ratified/Signature:

Print Name:

Date: