

# Exclusion policy

## Oracle School Congleton

**Approved by:**

Headteacher  
Simon Ashurst

**Date:** 4<sup>th</sup> December 2020

A handwritten signature in black ink, appearing to read 'S Ashurst', is positioned below the printed name of the headteacher.

**Last reviewed on:**

May 2021

**Next review due by:**

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## 1. Aims

Our school aims to ensure that:

- › The exclusions process is applied fairly and consistently
- › The exclusions process is understood by members of the Governance Committee, staff, parents/carers and pupils
- › Pupils in school are safe and happy
- › Pupils do not become NEET (not in education, employment or training)

## 2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education:

It is based on the following legislation, which outline schools' powers to exclude pupils:

- › Section 52 of the Education Act 2002, as amended by the Education Act 2011
- › The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- › Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- › Section 579 of the [Education Act 1996](#), which defines 'school day'
- › The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

## 3. The decision to exclude

Only the Headteacher, or acting Headteacher, can exclude a pupil from school. Permanent exclusions are not usually considered for pupils attending Oracle School. However, if the school considers that a pupil's place at school may no longer be safely maintained then the school will work closely with placing authorities, social workers, parents/carers to review the suitability of the education placement.

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to exclude a pupil will be taken only:

- › 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

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

- › Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- › Allow the pupil to give their version of events
- › Consider if the pupil has special educational needs (SEN)

## 4. Definition

For the purposes of fixed-term '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.

## **5. Roles and responsibilities**

### **5.1 The Headteacher**

#### **Informing parents/carers**

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

- The reason(s) for the exclusion
- The length of a fixed-term exclusion
- Information about parents'/carers' rights to appeal the exclusion to the Governance Committee
- How any appeals should be made.

The Headteacher will also notify parents/carers that they are legally required to ensure that their child is not present in a public place during school hours without a good reason.

Parents/carers will also be provided with information regarding work to be provided for the child during the course of an exclusion.

#### **Informing the Chair of the Governance Committee and the pupil's LA**

The Headteacher will notify the Governance Committee and the LA of:

- Any fixed-term exclusion
- Fixed-term exclusions which would result in the pupil missing a formal examination

### **5.2 The Governance Committee**

Responsibilities regarding exclusions are delegated to the Chair of the Governance Committee, consisting of at least 3 members.

The Governance Committee has a duty to consider the reinstatement of an excluded pupil if an appeal is raised (see section 6).

### **5.3 The LA**

For all fixed-term exclusions, the LA must be notified as indicated above. A meeting should be arranged to discuss how best to continue to support pupils on their reintegration to school

## **6. Appeals**

All correspondence regarding an exclusion from the school will inform parents/carers of their right to appeal to the Chair of the Governance Committee against the decision to exclude. The person who should be contacted to initiate an appeal is the Chair of the Governance Committee. Guidance for parents/carers relating to the appeal process can be found in Appendix 1. An appeal may be considered if:

- the fixed-term exclusion exceeds 5 days
- the total number of days missed totals 15 or more across an academic term
- a formal examination may be missed
- school work has not been provided for the duration of the exclusion

## **7. Returning from a fixed-term exclusion**

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents/carers, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a pupil returns from a fixed-term exclusion:

The points below are suggestions only and may be adapted in relation to specific circumstances.

- Agreeing a behaviour contract
- Planned 'Intensive Support'
- Phased reintegration

## **8. Monitoring arrangements**

The number of exclusions are monitored regularly and reported to The Governance Committee through reports and KPI process. All exclusions are reported to the local authority to school will ensure suitable education is provided for excluded pupils for the duration of their exclusion.

This policy will be reviewed by annually. At every review, the policy will be shared with the Governance Committee and agreed with the Headteacher.

## **9. Links with other policies**

This exclusions policy is linked with the school's Behaviour and Sanctions Policy

## Appendix 1: The School's Appeal Process

School will make "reasonable endeavours" to arrange an exclusions panel meeting at a date and time that is convenient to all parties and is within the relevant statutory time limits, should a parent/carer wish to appeal against a fixed-term exclusion.

The time limit is 15 working school days for:

- fixed-term exclusions of pupils who have been excluded for a period of more than 5 school days in one period
- fixed-term exclusions of pupils who have been excluded for more than 15 days in one academic term
- fixed-term exclusions that would result in a pupil missing a public examination or National Curriculum test

Initially, we would hope that all queries in reference to fixed-term exclusions would be addressed to the Headteacher and a satisfactory conclusion agreed. However, in any instances where this is not possible then any appeal should be made, in writing, and addressed to the Chair of the Governance Committee

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