



The Orchards

Exclusion Policy

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This policy will be reviewed every 12 months or in light of a change to local and Government legislation.

The Dunham Trust's Vision, Aims and Ethos

Together we will
Challenge the ordinary
Promote individuality
Be advocates for change

Across our schools we encourage cross-collaboration and the sharing of best practice. We believe that we are able to help our schools and their young people to aspire to, and achieve, success. We are committed to ensuring that every child and young person has a pathway to succeed and that:

- gives the best possible start in life
- equips them with creativity, spirit and confidence
- enables individuals to appreciate life and equip for further learning
- supports the child in becoming a responsible citizen and contribute to the local community
- celebrates the individual

The Dunham Trust aims to contribute positively to the self-improving school-led system in education across this locality. We believe in true collaboration; working in partnership, investing in people and building capacity for long term, sustainable success. There is both the expectation and opportunity for collaboration across individual Trust schools.

The five schools in The Dunham Trust are:

Acre Hall Primary School
Barton Clough Primary School
Elmridge Primary School
The Orchards Special School
Lime Tree Primary Academy

The Dunham Trust is a growing Trust with very clear educational aims and expectations. One of The Trust's primary aims is to transform the schools within The Trust into sustainable learning communities. We want to create a community of good and outstanding schools with the highest aspirations. The skills and expertise that exist within The Trust will ensure that our academies and young people aspire to, and achieve, success. We achieve this through a well-structured School Improvement Programme which is supported by The Trust's two Teaching Schools.



The Orchards school aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- ALL pupils in school are safe and happy

This statement is based on statutory guidance from the Department for Education: Exclusion from maintained schools, academies and pupil referral units (PRUs) in England.

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
- Sections 64-68 of the School Standards and Framework Act 1998

In addition, the statement 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

As a free school this statement complies with our funding agreement and articles of association.

Decision Making

The decision to exclude is can only be made by the head of school.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour statement, and/or
- 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 head of school 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 the impact of the special educational needs (SEN) on the incident(s)

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.

A permanent exclusion will be taken as a last resort. In the event of the a fixed term exclusion or permanent exclusion, the school will actively work with parents and Local Authority to support reintegration back to the school or to an alternative provision.

Informing relevant people including parents, governors and LA

The head of school 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
- 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 letter will include details that 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.

School may send work home for fixed term exclusions lasting longer than 1 day. The school will provide this within 48 hours via an agreed method.

Parents may wish to see children's details and information held on school file. This may help understand the basis of the exclusion and support cooperative working between home and school. Further information may be missing and therefore parents may be able to offer additional support to the school. Where information is requested, the school will confirm the request within 48 hours and deliver the required information within 7 school working days within term time.

Due to the children at The Orchards having SEND and supported by an EHC, the head of school will immediately notify the governing board and the local authority (LA) of:

- Any fixed term exclusion
- A permanent exclusion, including when a fixed-period exclusion is made permanent
- 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 all other exclusions, the head of school will notify the governing board and LA once a term.

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

Returning from a fixed-term exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents, 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:

- Agreeing a behaviour contract
- A discussion around the incident (s)
- Discussion with the pupil
- Discussion with parent
- Child agreed behaviour outcomes and a time frame for these to be completed
- Agreed home-school plan
- Agreed liaison between home and school
- Discussion of a suitable or a phased return
- Review of EHC and outcomes. Discussion about suitability of place

Monitoring arrangements

The Head of School reports to governors on a termly basis about any fixed term or permanent exclusions.

This policy will be reviewed September 2019

Links with other policies

This exclusions statement is linked to our

- Behaviour policy
- Emotional Regulation Statement
- Positive Handling Policy
- SEN statement and information report