



**REDDAM**  
— HOUSE —

BERKSHIRE

## **Exclusions Policy**

*Reddam House Berkshire is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, students and visitors to share this commitment.*

*All outcomes generated by this document must take account of and contribute to safeguarding and promoting the welfare of children and young people at Reddam House Berkshire.*

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Version 2: minor edits and clarification that the Head of School will communicate home in the case of fixed term exclusions.

## Introduction

Our school aims to ensure that:

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

## Legislation and statutory guidance

Although Independent Schools are exempt, this policy is based on statutory guidance from the Department for Education in order to meet best practice: [Exclusion from maintained schools, academies and student referral units \(PRUs\) in England](#).

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

- Section 52 of the [Education Act 2002](#), as amended by the [Education Act 2011](#)
- [The School Discipline \(Student Exclusions and Reviews\) \(England\) Regulations 2012](#)
- Sections 64-68 of the [School Standards and Framework Act 1998](#)

## The Decision to Exclude

Only the Principal, or in his absence Head of School, can exclude a student from school. A permanent exclusion will be taken as a last resort.

A decision to exclude a student will be taken only in response to serious or persistent breaches of the school's behaviour, rewards and sanctions policy, and if allowing the student to remain in school would seriously harm the education or welfare of others

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

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

If the Principal reaches the conclusion that suspension is the appropriate sanction, there will be no refund of school fees and the Student will assume responsibility for the missed schoolwork. After returning to school any subsequent infringement of this Code may lead to the permanent exclusion of that Student after a Disciplinary Hearing.

## Breaches which could merit exclusion

A non-exhaustive list of the sorts of behaviour that could merit permanent exclusion includes the following:

- Physical assault against students or adults;
- Verbal abuse/threatening behaviour against students or adults;
- Bullying;

- Any behaviour which has elements of or is motivated by race, religion/ belief, disability, sexuality, Special Education Needs(etc.);
- Sexual misconduct;
- Drug and alcohol misuse;
- Damage to property;
- Theft;
- Persistent disruptive behaviour which is to the detriment of the learning of others.

Further clarification, including an explanation of the school's demerit system are found in the Behaviour, Rewards and Sanction policy.

## Alternatives to Exclusion

Reddam House reserves the right to impose alternative sanctions other than that of temporary exclusion of a Student at the discretion of the Principal and Heads of School and notwithstanding that there has been no accumulation of Demerits. Such discretionary sanctions include the removal of a Student from a leadership position, a written warning, community service on or off Reddam House premises, police or other community-sector intervention, a temporary or permanent ban on the Student to represent Reddam House in future academic, cultural, sporting or other events, a declaration of ineligibility of the Student to obtain or retain awards and/or colours, a declaration of ineligibility of the Student to retain a scholarship, a declaration of ineligibility of the Student to be part of the Junior or Senior Executive, suspension from school activities or a selection. See Behaviour and Counter-Bullying Policies.

## Roles and Responsibilities

The Principal and Heads of School

### Informing parents

The Principal (or Heads of School for temporary exclusions) will immediately provide the following information, in writing, to the parents of an excluded student:

- 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 (must be in writing) about the exclusion to the Principal (fixed term exclusions) or governing board (permanent exclusions) and how the student may be involved in this.
- If parents are not satisfied with the outcome of the representation to the Principal on a fixed term exclusion, they should follow the school complaints policy.
- Where there is a legal requirement for the governing board to meet to consider the reinstatement of a student, 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 Principal or Head of School 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 internal suspension is being arranged, the following information will be included when notifying parents of an exclusion:

- The start date for any provision of a supervised room has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- Any information required by the student to know where they should report to on the first day

### Informing the Governing Board

The Principal will immediately notify the governing board:

- A permanent exclusion, including when a fixed-period exclusion is made permanent
- Exclusions which would result in the student being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the student missing a public examination

For all other exclusions, the Principal will notify the governing board once a term.

### The Governing Board

The governing board has a duty to consider the reinstatement of an excluded student (see section 6)

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

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

## Considering the Reinstatement of a Student

The governing board will consider the reinstatement of an excluded student within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a fixed-term exclusion which would bring the student's total number of school days of exclusion to more than 15 in a term
- It would result in a student missing a public examination

If requested to do so by parents, the governing board will consider the reinstatement of an excluded student within 50 school days of receiving notice of the exclusion if the student would be excluded from school for more than 5 school days, but less than 15, in a single term.

Where an exclusion would result in a student missing a public examination the governing board will consider the reinstatement of the student before the date of the examination. If this is not

practicable, the governing board will consider the exclusion and decide whether or not to reinstate the student.

The governing board can either:

- Decline to reinstate the student, or
- Direct the reinstatement of the student immediately, or on a particular date

In reaching a decision, the governing board will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the principal followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the student's educational record.

The governing board will notify, in writing, the Principal, and parents of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent the governing board's decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
  - The date by which an application for an independent review must be made
  - The name and address to whom an application for a review should be submitted
  - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the student's SEN are relevant to the exclusion
  - That, regardless of whether the excluded student has recognised SEN, parents have a right to appoint a SEN expert to attend the review
  - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
  - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That if parents believe that the exclusion has occurred because of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

## An Independent Review

If parents apply for an independent review, the school will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded student. Applications for an independent review must be made within 15 school days of notice being given to the parents by the governing board of its decision to not reinstate a student.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors' category and 2 members will come from the principal category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or principals during this time
- Principals or individuals who have been a Principal within the last 5 years

A person may not serve as an independent member of a review panel if they:

- Are a member of the governing board of the excluding school
- Are the Principal of the excluding school, or have held this position in the last 5 years
- Are an employee of the governing board, of the excluding school (unless they are employed as a principal at another school)
- Have, or at any time have had, any connection with the school, governing board, parents or student, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

## School Registers

A student's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the student and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a student's name from the register.

Where alternative provision has been made for an excluded student and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded students are not attending alternative provision, code E (absent) will be used.

## Returning from a fixed-term exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the student (s), a member of senior staff and other staff, and where appropriate, parents.

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

- Agreeing a behaviour contract
- Putting a student 'on report'
- Additional supervision

## Monitoring arrangements

The Principal monitors the number of exclusions every term and reports back to the Governors as appropriate.

This policy will be reviewed by The Principal every two years. At every review, the policy will be shared with the governing board.