



EXCLUSION POLICY

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1. Informing parents, carers and other relevant parties

EXCLUSION POLICY

Lake Haven is committed to safeguarding and promoting the welfare of children and requires all staff to act in the best interests of our children at all times.

1. Introduction

Lake Haven recognises its duty under the [Education and Inspections Act 2006](#) to establish and maintain a behaviour policy for the school that promotes self-discipline, respect for others and proper regard for authority; and to make arrangements to ensure that functions are carried out with a view to safeguarding and promoting the welfare of children in accordance with the [Education Act 2002](#).

We also comply with [The Education \(Independent School Standards\) Regulations 2014](#) and have regard to the [‘Timpson Review of School Exclusion’ \(May 2019\)](#) and DfE guidance [‘Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England including pupil movement’ \(July 2022\)](#) and [‘Behaviour in Schools Advice for headteachers and school staff’ \(July 2022\)](#).

2. Definitions

Exclusion involves a child not being allowed to attend school for a defined period of time. There are two kinds of exclusion:

A **suspension** (also known as a **temporary exclusion** or **fixed period exclusion**) is where a child is temporarily removed from school and is not allowed to return for a specified number of days.

Permanent exclusion means a child’s name will be removed from the school register and they will not be allowed to return to that school at all.

3. Decision to suspend/exclude

The decision to suspend or temporarily exclude a child rests with the **Head Teacher** and provides an opportunity to change the dynamics of particular relationships and/or defuse a situation. Moreover, it affords all interested parties the time and space necessary to consider the available options and strategies for reintegrating the child into the school setting.

The decision to permanently exclude a child is a last resort and will only be considered after consultation with one of the Proprietors and a full range of

alternative strategies have been tried and have failed or would be likely to fail, and only:

- in response to a serious breach or persistent breaches, of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education and/or welfare of the pupil or others in the school, including children and/or staff.

The Head Teacher must take account of their legal duty of care when sending a pupil home following an exclusion.

Only the Head Teacher has the authority to suspend or temporarily exclude a pupil, but, where practical, the Head Teacher should also take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so.

The Head Teacher should inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil should be given support to express their view, including through advocates such as parents, carers, or any other adult with parental responsibility (e.g., social worker). Whilst an exclusion may still be appropriate, the Head Teacher should also take account of any contributing factors identified after a relevant incident has occurred.

As the children at Lake Haven all have EHCPs for Autism with some form of EBSA attached to their needs, we understand that children may use their behaviour as part of their communication. We will endeavour to investigate all avenues of 'why' this behaviour is occurring and ask the children to share their thoughts through their Pastoral sessions or with a member of staff or an adult that they trust. This is a form of recognising double empathy (as outlined by the National Autistic Society) where the children can identify their own behaviours and the effects on others around them.

Lake Haven acknowledges that all children have a right to education and will take reasonable steps to set and mark work for pupils during the first five school days of an exclusion.

A pupil may be suspended or temporarily excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year. However, if a child reaches 15 days of (cumulative) suspension, the Head Teacher will consult with the Proprietor.

The purpose of this consultation is to:

- identify and explore the child's behaviours of concern, associated functions, and the known/potential consequences.
- review and evaluate the responses used to date, taking care not to overlook effective strategies.
- scrutinise the child's Education, Health and Care (EHC) Plan and current provision; and
- identify and record any possible amendments to the provision and/or alternative strategies.

4. Informing parents, carers and other adults with parental responsibility

When excluding a child, the Head Teacher must notify the parents, carers, and any other adult with parental responsibility (e.g., social worker) of the period of suspension/temporary exclusion and the reason(s) for it, **without delay**.

The Head Teacher will also notify the parents, carers and any other adult with parental responsibility that, during the first 5 days of exclusion, they must ensure that the child is not present in a public place at any time during school hours, unless there is a good reason. Any parent/carer who fails to comply with this duty, without reasonable justification, commits an offence and **may be given a fixed penalty notice or be prosecuted by the local authority**.

For further information on **Informing parents/carers and other relevant parties**, see Appendix 1.

5. Reintegration meeting

We will always support a child to reintegrate successfully into school life and full-time education following a period of suspension. Lake Haven will design a reintegration strategy that:

- offers the pupil a fresh start.
- helps them understand the impact of their behaviour on themselves and others.
- teaches them how to meet the high expectations of behaviour in line with the school culture.
- fosters a renewed sense of belonging within the school community; and
- builds engagement with learning.

The reintegration strategy should be clearly communicated at the reintegration

meeting, as should the fact that the child is valued, **belongs** and is **respected** and that their previous behaviour will not be seen as an obstacle to future success.

The Head Teacher will arrange a reintegration meeting at a time, date and location that is convenient to parents/carers, local authority representatives and other interested parties. This must not cause unnecessary delay in reintegrating the child into school.

The purpose of the meeting is to:

- talk about why the child was excluded and the steps taken to try and avoid it.
- discuss ways in which the child can be supported to change their behaviour.
- seek the views of the parents/carers, child and local authority representatives; and
- agree on a strategy for reintegrating the child into school and for managing their future behaviour.

6. Cancelling a temporary or permanent exclusion

In accordance with the latest DfE guidance³, the Head Teacher may, **in exceptional circumstances**, cancel a temporary exclusion that has already begun. Where an exclusion is cancelled, the:

- parents, carers, any other adult with parental responsibility (e.g., social worker) and other local authority representatives should be notified without delay.
- parents, carers, any other adult with parental responsibility (e.g., social worker) should be offered the opportunity to meet with the Head Teacher to discuss the circumstances that led to the exclusion being cancelled.
- the pupil should be allowed back into school.

Given that a decision to permanently exclude a child is an absolute last resort, the Head Teacher would not cancel a permanent exclusion.

7. Managed moves

Where at all possible, Lake Haven will not permanently exclude any child but will work with the referring/placing authority to secure a placement that better meets the needs of the child. This is referred to as a 'managed move'.

A managed move is a process whereby a child permanently transfers to another school or setting. The Head Teacher is not authorised to engage in any discussion about a managed move, without approval of The Proprietor.

Managed moves must only be undertaken in the best interests of the child and should be agreed by all parties involved where possible, including the parents, carers, and any other adult with parental responsibility (e.g., social worker).

8. Equality and diversity

The decision to suspend or exclude a pupil must be lawful, rational, reasonable, fair and proportionate. Our exclusion criteria are applied consistently to every child, irrespective of any protected characteristic including disability, gender reassignment, pregnancy and maternity, race, religion, belief, sex or sexual orientation.

9. Multi-agency partnership

We are committed to working with parents, carers, local authority representatives, the police and other interested parties in a positive and constructive relationship to support children who may be at risk of suspension/exclusion.

Where we have concerns about a child's behaviour, we will seek to identify any contributory factors and intervene as early as possible, to reduce the need for suspension/exclusion.

We take appropriate steps to escalate concerns, including with the placing and host local authority and the child's allocated social worker (where appropriate) and the police.

10. Seeking the views of children, parents, carers, local authorities and staff

Regular enquiries are made of all children as to how safe they feel at Lake Haven and ways in which services and outcomes can be improved. The views of parents, carers, local authorities and staff are also sought through existing mechanisms for consultation and feedback. Records are kept of these enquiries as well as any associated actions.

11. Safeguarding and child protection

Lake Haven will always consider whether a child's behaviour gives cause to suspect that they are suffering, or is likely to suffer, significant harm; or whether their behaviour might be the result of unmet educational or other needs. All child protection concerns will be addressed in accordance with our 'Safeguarding Policy'.

12. Behaviour outside of Lake Haven's premises

Where serious misbehaviour outside of our premises including online, is observed by and/or reported to staff, a decision whether or not to suspend/exclude the child will be made by the Head Teacher.

13. Police involvement

Careful, child-centred decision-making is made about reporting their behaviour to the police, though appropriate notifications are always made and clearly documented.

If the behaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.

A decision whether or not to involve the police will be made by the Head Teacher.

14. Complaints

Children, staff, parents, carers, and any other adult with parental responsibility (e.g. social worker) or other local authority representatives are all able to complain to Lake Haven if they are unhappy with any aspect of the education or care provided (including exclusions). All complaints are taken seriously and will be dealt with without delay. For further information, see our 'Complaints Policy'.

All complaints concerning allegations of child abuse will always be addressed in accordance with our 'Safeguarding Policy'.

15. Implementation, monitoring, evaluation and review

The designated senior member of staff with overall responsibility for the implementation, monitoring and evaluation of the 'Exclusion Policy' is the Head Teacher.

The designated member of staff is also responsible for ensuring that all children, staff, parents, carers and placing local authorities are aware of our policy. Additional support would also be provided to any parent or significant person, wishing to know more about the policy and procedures outlined above. A copy of this policy document is available for inspection on the premises during office hours (term time only) and an electronic copy is posted on our website: www.lakehavenschool.co.uk

This policy document will be reviewed and published in writing, at least annually and, if necessary, more frequently in response to any significant incidents or new

developments in national, local and organisational policy, guidance and practice.

Appendix 1

Informing parents/carers and other relevant parties

When suspending/temporarily excluding a child, the Head Teacher must notify the parents/carers of the period of exclusion and the reason(s) for it, **without delay**.

This will normally only be done by telephone, and the telephone call will be followed by a letter posted First Class within one school day.

The letter will include information about:

- the reason(s) for the exclusion and the steps taken to try and avoid it.
- the duration of a suspension (fixed period exclusion).
- the arrangements for holding a reintegration meeting to review the situation;
and
- the arrangements for the continuing education of the pupil, including setting and marking of work.