

Exclusion Policy

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This document relates to Article 28 (*Every Child has the Right to an Education*) of the UN Convention on the Rights of the Child.

This organisation is committed to safeguarding and promoting the welfare of children and young people.



Orbis Education & Care

Subject: Exclusions Policy

Orbis Education and Care consists of 5 Independent Special Schools that provide education for children/young people with autistic spectrum condition (ASC) and or Social, emotional and mental health difficulties (SEMH) aged 5 to 19 years. In some cases, younger children may be considered who would benefit from an earlier move to our specialist environment.

Exclusions

All staff working within our schools are committed to providing the very highest quality of service for pupils that attend the school. As a specialist school we recognize that in order to ensure a positive atmosphere based on a sense of community and shared values it may, on occasions, be necessary to exclude an individual or individuals for a fixed period when the safety or wellbeing of pupils and/or staff are being compromised. In such cases it may be necessary to follow the procedures outlined in this policy. It should be noted that the school reserves the right to cease any pupil's placement during their transition assessment period if it is felt that the placement is not appropriate for the pupil, or if other pupils are being put in danger as a result of the placement.

Strategies implemented for a stable school placement.

- Staff will be trained in the school's therapeutic model and follow this model at all times when working with the pupil.
- All pupils will have a detailed behavior support plan that highlights triggers and early warning signs, along with actions staff can take to ensure the pupil remains happy and engaged in school life.
- The school will work closely with parents/carers, the local authority and any external agencies involved
- The school will provide a curriculum that is engaging, bespoke and individualized to the pupils needs
- The school will have a flexible approach and the ability to adapt timetables and activities should the pupils presentation begin to change
- The school will consult with various clinical specialists such as clinical psychologists requesting advice and if appropriate, direct assistance.

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Pupils at risk of exclusion - Placement Disruption Meeting

The school aims to work in a pro-active way at all times. All incidents of challenging behaviour are recorded using the schools internal behaviour recording system. Reports recorded on the system are monitored by the school leadership team, the behaviour support team and the quality team. If there is a significant increase in episodes of physical aggression aimed towards staff and pupils, significant damage to the environment, or the pupils begins to behave in a way that is putting themselves or other at risk, the school may call an urgent placement disruption meeting. Parents/carers, the local authority and any other professional involved in the child's life will be invited to this meeting. During this meeting, all parties will work together to implement strategies to stabilize the placement, share information about possible external factors causing the increase in concerning behaviours and discuss any additional support that may be needed to maintain the school placement. A follow up meeting will then be set to review progress against actions set and the suitability of the placement.

Please see appendix 1

Pupils at risk of exclusion - Amendments to timetables

1. Part-Time/Reduced Timetables

Many of our pupils have not been in education for a long time and struggle with a full-time timetable. In addition, there may be many external factors that can affect them at various points in the school journey such as a break down in home placement/living arrangements, abuse, neglect, a change in social worker or professionals involved in their life. As such, there may be an increase in episodes of serious challenging behavior including physical aggression aimed pupils and staff and environmental damage. Whilst access to education cannot be sanctioned, pupils may need a flexible approach to their learning to reduce their risk of fixed term or permanent exclusion. In these instances, the school will work pro-actively with the pupil, parents/carers and local authority to adapt the program of learning and stabilize the school placement. This may include a part time-time table, virtual learning or an offsite program of activities.

In agreeing to a part-time timetable a school has agreed to a pupil being absent from school for part of the week or day and therefore must record it as authorized absence. Pupils on part-time timetables are therefore still incurring absences and for that reason every school must provide that information to the local authority upon request.

Where a timetable has been to be amended to prevent risk of exclusion, a review and expected end date must be assigned and all parties should be in agreement.

2. Safeguarding and Educational Entitlement

Schools will be aware that pupils on part-time timetables may also be vulnerable and at increased risk not only of social and educational failure, but also of physical, emotional and psychological harm. As a result, it is important

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that all schools share information with the local authority when pupils are placed on part-time/reduced timetables. This is so that actions can be taken to ensure the pupil receives their educational entitlement and also to ensure that any necessary welfare checks are carried out.

Part-time/Reduced timetable and/or Alternative Provision Form

3. Good Practice

If pupils are placed on a part-time timetable then the following safeguards should be put in place:

- Parents/carers should be fully informed and consent to an agreed part-time timetable.
- Parents/carers and pupils should be actively involved in planning and reviewing any part-time timetables.
- The Local Authority should be informed of any part-time arrangements.
- The school should assign a member of staff to liaise with parents/carers, pupils and the Local Authority.
- The Designated Safeguarding lead at the school should be included in planning and monitoring of part-time timetables.
- As part of the review process the effect of the part-time timetable on the pupil's educational achievement should be closely monitored.

The Decision to Exclude

This decision to exclude a pupil will only be made if:

- The physical or emotional safety of pupils or staff is being regularly compromised.
- A pupil has knowingly and frequently flouted school rules
- A pupil commits an act which may be deemed illegal in the eyes of the law, or which may bring the school into disrepute.
- A pupil has persistently bullied, intimidated, or caused physical, emotional or psychological hurt to another pupil or staff. This may include racial slurs and harassment
- The pupil has consistently caused significant environmental damage to the school and property

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The decision to exclude a pupil will only occur when:

- The Director of Education, school management team and staff believe that they have done all that they can for the pupils concerned.
- Exclusion can be on disciplinary grounds only. A pupil may be excluded either permanently or for a fixed period(s) that do not exceed 45 days in any one school year. A pupil may not be excluded for an indefinite period. This procedure applies to all of our pupils.

Factors to consider before making a decision to exclude.

Exclusion should not be imposed in the heat of the moment, unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to exclude a pupil, either permanently or for a fixed period, the Head of School should:

- Ensure that a thorough investigation has been carried out.
- Consider all the evidence available to support the allegations, taking account of the school's behavior and equal opportunities policies, and, where applicable, the Race Relations Act 1976 as amended and the Disability Discrimination Act 1995
- Allow the pupil to give his or her version of events in appropriate means of communication.
- Check whether the incident may have been provoked, for example by bullying, including homophobic bullying, or by racial or sexual harassment.
- If necessary, consult others, but not anyone who may later have a role in reviewing the Head Teacher's decision, for example a member of the Board of Directors.
- The standard of proof to be applied is the balance of probability, i.e., if it is more probable than not that the pupil did what he or she is alleged to have done, the Head Teacher may exclude the pupil. However, the more serious the allegation, the more convincing the evidence substantiating the allegation needs to be. This is not the same as requiring the criminal standard to be applied but it does mean that when investigating more serious allegations, Head Teachers will need to gather and take account of a wider range of evidence (extending in some instances to evidence of the pupil's past behavior), in determining whether it is more probable than not that the pupil has committed the offence. Where a police investigation leading to possible criminal proceedings has been initiated, the evidence available may be very limited. However, it may still be possible for the Head of the school to make a judgment on whether to exclude the pupil.

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Early intervention and alternatives to exclusion

The Multi-Disciplinary Team will adapt a wide range of preventative programs to enable us to refer pupils identified as being at risk of exclusion to appropriate support. Exclusion, whether fixed period or permanent, should be used as a last resort when all other alternatives have been exhausted, but there will be circumstances where exclusion is appropriate.

When exclusion is not appropriate Exclusion should not be used for:

- Minor incidents such as failure to do homework

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Poor academic performance

- Lateness or truancy
- Breaches of school uniform rules or rules on appearance (for example, relating to jewelry, body-piercing, hairstyles, etc.),
- Punishing pupils for the behavior of their parents, for example where parents refuse, or are unable, to attend a meeting.

Informing pupils and parents/carers about the exclusion

- Where a pupil exhibits continuing challenging behavior and strategies employed have had no effect, the Head of School should warn the pupil (if appropriate) and parent, of the possibility of a fixed period or permanent exclusion if our strategies for managing the behavioral difficulties do not appear to be effecting any change. This would also trigger an emergency meeting with parents/carers, staff, clinicians, social services and funding authorities.
- The Head of School or Executive Head of Education who excludes a pupil, will ensure that the parent is notified immediately, ideally by telephone. The initial telephone notification will be followed up by a letter within five days. Exclusion will normally begin on the next school day, but if it has arisen following a major incident it may take effect immediately in which case, the parents will be contacted, and the pupil collected or transported home by school staff. This is clearly dependent on whether the exclusion is for a residential or day pupil.
- If the Director of Education decides to extend a fixed period exclusion or to convert a fixed period exclusion into a permanent exclusion, they will notify the parents and Funding Authorities accordingly, in writing. The letter will explain the reasons for the decision, the parental right to make representations to the Board of Directors and state the means by which such representations may be made. All correspondence should be in plain language and avoid unnecessary jargon.

The bullet points below set out details of what will be included in letters about fixed periods and permanent exclusions, content of the Director of Education letter to parent notifying of the pupil's fixed period exclusion

- The period of the fixed period exclusion (in school days) and the date and time when the pupil should return to school.
- The reasons for the exclusion and the circumstances surrounding the decision, including the steps taken to try to avoid an exclusion.
- The arrangements/conditions for enabling the pupil to continue at the school and the revision of any behavior programs and strategies.
- The parent's right to make representations to the company Board of Directors
- Who to contact if the parent wishes to make representations to the Board of Directors, with any deadline for receipt of written representations.

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Content of the letter to parent notifying of the pupil's permanent exclusion

- The date the permanent exclusion is effective from
- The reasons for the exclusion and the circumstances surrounding the decision, including the steps taken to try to avoid an exclusion.
- Any relevant previous warnings, meetings, fixed period exclusions or other disciplinary measures e.g., Signed Positive Behavior Support Plans, incident forms.
- The parent's right to make representations to the Board of Directors
- Who to contact if the parent wishes to make representations to the Board of Directors with any deadline for receipt of written representations.
- Include any photographic evidence to support the rationale for exclusion such as damage to property including vehicles

Informing relevant Authorities

The Head of School or Executive Head of Education will inform relevant agencies involved in the child immediately of all exclusions. All exclusions, for whatever period, will be formally recorded in a formal log with supporting evidence.

For each exclusion the school will provide:

- the name of the pupil
- the length of the exclusion
- the reason(s) for the exclusion
- whether the pupil is looked after by the Local Authority
- In the case of a 'looked after child' their local social services department will be informed.

Appeals against a permanent exclusion.

The responsibility for constituting the appeal panel and appointing the members and a clerk rest with the company.

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Considerations following a fixed period exclusion.

- The school's obligation to provide education continues while the pupil is on the roll and must be met during a fixed term exclusion. In all cases of more than a day's exclusion, work should be set and marked. The Head of School or Executive Head of Education when considering whether to exclude a pupil for a longer fixed period, for example for more than 15 school days, should plan:
- How the pupil's education will continue during the period of exclusion
- How the time might be used to address the pupil's problems

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What educational arrangements will best help with the pupil's reintegration into the school at the end of the exclusion?

- The Head of School will arrange a reintegration meeting with parents/ social worker following the expiry of a fixed period exclusion. This should be an opportunity to discuss how best the pupil can return to school. However, a fixed period of exclusion should not be extended if such a meeting cannot be arranged in time or the parents do not attend, as such a meeting is not a statutory requirement.

Equality Impact Statement

All relevant persons are required to comply with this policy and must demonstrate sensitivity and competence in relation to Age, Disability Gender reassignment, Marriage and Civil partnership, Pregnancy and Maternity, Race, Religion or belief, Sex and Sexual Orientation. If you, or any other groups, believe you are disadvantaged by this policy please contact the Regional Manager for the service.

Policy Review Date: January 2025

Signature:  (Director of Education)

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Appendix 1

Pupils with an EHCP/IDP at risk of exclusion

When a school has concerns about a pupil with an EHCP/IDP in relation to exclusions the school should call a placement disruption meeting

The school should invite the following as appropriate: parent, carers, social worker, LA representative, therapist, any other professional involved

- The placement disruption meeting should
1. review what the school and others are doing to meet these needs currently.
 2. identify what the change in needs are for the pupil.
 3. Focus on looking at the pupils needs and what provision and support could be put in place to meet outcomes.
 4. Parents/pupil views

Following a period of invention and evaluation, amendments might be made to the EHCP/IDP plan if required. A decision may be made to source an alternative/more appropriate school provision

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