



Education Policy and Procedure
Exclusion Policy

Reference Number	ED38
Version Number	1
Date of Issue	February 2020
Latest Revision	February 2020
Next review date	February 2021
Distribution	All Employees
Owner	DoEd
Policy Lead (s)	Headteachers
Department	Schools/College

Aims and Objectives

Kisimul schools/college cater for children/young people with severe learning difficulties, autism and challenging behaviour, or a combination of these. Following a child/young person's referral to us, relevant information is sought from several different sources, including parents or persons with parental responsibility, current school and children's home and respite facility, if appropriate. If the information indicates that a child/young person could be appropriately placed at a Kisimul school/college, then parents and other professionals involved with the child/young person are invited to the school to assess its suitability.

Assuming a placement is offered to a child/young person then it will be on the advice of external professionals and after the assessment carried out by representatives from Kisimul Group who feel confident that the child/young person's needs can be met. Despite the fact that the first term is considered to be part of the assessment period it is very unlikely that the school will change its opinion at this time, though the staffing level and interventions may require adjustment.

Sometimes, under very unusual circumstances, the needs of the child/young person change; either because of medical reasons or due to other factors beyond our control and it may be necessary to request that a change of school is sought. We would always act in the best interest of the child/young person and would give notice in line with the signed contract and would expect parents/ persons with parental responsibility or the authority to do the same should they wish to remove the child/young person.

Only in exceptional circumstances would we send children/young people home for fixed or variable periods of time because they exhibit challenging behaviour, indeed this is the prime reason for the child/young person being placed at Kisimul Group in the first place. This applies to children/young people accommodated under sections 17, 20 and 31. If a young person is unable to access their education alongside peers, or their behaviour pattern causes undue distress or disruption to others learning, in the first instance a reduced timetable, or alternative curriculum may need to be considered. Where appropriate, this may also include education and care staff planning and delivering an education programme within the residential provision, or offsite. In such cases a plan will be devised to reintegrate the child / young person back alongside their peers. At all times the local authority will be kept abreast of the educational support programme in place, and any use of alternative providers or reduction of full-time school hours.

It is to be expected that Kisimul schools will be best able to manage children who present with challenging behaviour as a consequence of their special educational need or related condition. Exclusion from a Kisimul school is very rare, and only happens in extreme circumstances.

Behaviour policies and strategies, partnership with parents, staff training and development in the management of complex and challenging behaviour will seek to avoid the need to exclude a child/young person. Where it is clear that there may be a possibility of a placement ending or becoming unfeasible due to changing needs or extreme behaviour patterns, then it should be discussed with placing authorities as soon as possible. This means that best interest decisions can be responsibly made, and cessation of any placement can be planned effectively rather than reactively.

A child/young person may only be excluded by the director of education after liaison with the Headteacher. Before a child/young person is excluded all other alternatives/strategies should be considered, and consideration of the impact of the exclusion on the young person. However, the safety, education and welfare of all children/young people and staff is of paramount importance and therefore exclusion may be an appropriate action.

Exclusion - Procedure

- A decision to exclude will only be taken in response to serious breaches of the school's behaviour policy or if allowing the pupil/student to remain in school would seriously harm the education or welfare of the pupil/student or staff in the school.
- A decision to exclude should not be taken reactively unless there is an immediate risk to the safety or welfare of the pupil/student or of other persons.
- Exclusion will not be appropriate for minor incidents such as poor academic achievement, lateness or truancy. Pupils should not be excluded for exhibiting behaviour related to their SEND, unless there is a serious risk to the safety and welfare of other pupils and staff.
- Before deciding the type of exclusion, a full investigation will take place with senior management of the setting, considering all facts and evidence from all parties concerned. It would be an expectation that MDT processes have been in place and there is evidence of alternative support and intervention, including additional therapy input where necessary. This will also consider the Kisimul policy on Equal Opportunities, checking whether the incident appears to be provoked by discriminatory practice and, if necessary, consultation with others but not involving anyone who may later take part in the review of the decision. The child/young person should be enabled to participate to give their version of events where possible.
- Exclusions can be either fixed, normally for a period of not more than 15 days to allow for a 'cooling off' period or to allow for the provision of additional resources. Permanent exclusion is an extreme measure made after consultation when the school can no longer meet the child/young person's needs, whatever the level of resources that might be made available.
- A fixed period exclusion shall not exceed a total of 45 school days in any academic year.
- The pupil shall be returned to the care of the parent or placing Authority as appropriate.
- The school will provide work for the pupil/student to undertake and/or guidance with regard to activities and occupation of time during the period of a fixed term exclusion.
- A meeting will be convened at the earliest opportunity with the placing authority.
- The outcome of this meeting will be a strategy plan to be adopted for the pupil/students return.
- In the case of a child/young person who is looked after by the Local Authority the Headteacher and Head of Care will convene an urgent review meeting to agree the next steps.
- If a child/young person is to be temporarily excluded for more than 5 school days in one term, the Headteacher must plan how to enable them to continue their education; how to use the time to address the problems, and in conjunction with the LA, what arrangements will best help the child/young person to re-integrate into the school at the end of the exclusion.
- Within 15 days of any exclusion, a meeting will be held to outline the conditions for return, emphasising the need for appropriate behaviour/school rules considering the degree of control the child/young person has to modify their behaviour and their understanding of why they were excluded (dependent on the pupil's level of

understanding). If the exclusion will cause the child/young person to miss a public examination or curriculum test all reasonable steps will be taken to meet before the exam date.

- If a fixed term exclusion is to be extended for any reason, the Headteacher must write again to the parent(s) explaining the change.
- Permanent exclusion is only appropriate when the school cannot meet the pupil's needs whatever the level of resources that might be made available. The Headteacher and Head of Care will consult with the School's Senior Management Team, parent(s) and the placing authority. It is particularly important that parent(s) are encouraged, at an early stage to play a positive part in the resolution of the difficulties. The school will plan how to enable the child/young person to continue their education if they remain on roll throughout the appeal process.
- The Headteacher will inform the LA immediately of all permanent exclusions, and all exclusions which result separately or in total of the child/young person missing more than five schools' days in any one term, or which deny the child/young person the chance to take an examination.
- The Headteacher and who excludes should notify the parent(s)/guardian immediately by telephone, followed by a letter within one school day. Exclusion should normally begin on the next day. The letter should explain: why the decision was taken, steps to enable the pupil/student to continue their education and the right and how to appeal.

Appeals Exclusion Panel Review Meeting

- Applications for a review must be made within 15 school days of the notice given to the parents / placing Authority of its decision not to reinstate a child/young person.
- Directors will not be involved directly in the exclusion process unless and until receipt of a notification from placing authority and/or parent(s) wishing to make representation about an appeal against a decision made by the school to exclude. Directors will then set up an Exclusion Review Panel consisting of at least three directors/Asst directors.
- The panel review meeting will be held between 7 and 21 days after receipt of the notification of appeal. Written invitations to attend will be sent to the parent(s) and purchasing authority including details of the date, time, venue enclosing any statements or evidence to be produced at the panel review meeting.
- The Directors will notify the Head teacher, placing authority and parent(s) of the Exclusion Review Panel's decision, with reasons, within 5 days of the meeting. If it is not possible to give a final decision (for example if further investigation is necessary), an interim response will be given within 5 days explaining the delay and timeframe for a final decision.
- Decisions will be based on all relevant facts including whether or not the exclusion process was in accordance with policy and procedure and fairly implemented.
- The needs and interests of all other children/young people and staff in the school will be considered as well as those of the excluded child/young person.
- The appeal hearing will consider whether or not there was consistency in terms both of other exclusions (if any) on similar grounds in similar situations and in terms of sanctions imposed on other children/young people involved in that case (if relevant).
- The Chair will welcome and introduce all parties, explain in which order the parties will be heard, and explain that there will be an opportunity for questions to be raised after each party has spoken.
- The conduct of the proceedings is based on fairness and informality. •
- The meetings will not be tape recorded unless there is a good reason for it and all parties agree. Minutes will be taken.