



Policy No: 12a(3)

## OUR LADY'S ABINGDON (OLA) EXCLUSION POLICY

### Document Details

Information Sharing Category	School Domain
Version	1
Date Published	September 2022
Authorised by (if required)	Head
Responsible Area	Leadership Team

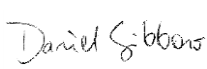


We comply with the Government guidance and regulations, currently in force, regarding COVID.

**Availability:** All who work, volunteer or supply services to our school have an equal responsibility to understand and implement this policy and its procedures both within and outside of normal school hours, including activities away from school.

### Monitoring and Review:

Reviewed: September 2022

Next Review: September 2023

Head	DSL	Chair of Governors
Mr Daniel Gibbons	Chrissi Sharkey	Freddy El Turk
Signed: 	Signed: 	Signed: 

### Monitoring and evaluating this policy

This policy will be reviewed biennially by the Full Governing Board.

### 1. Restorative approach

OLA prides itself on the positive behaviour of its pupils and on the good relationships which exist at all levels between pupils and teachers and between pupils themselves. The excellent pastoral systems and structures within OLA support pupils and promote positive behaviour. OLA adopts a restorative approach in its interactions and communications with pupils, and through the implementation of its Positive Behaviour Code. Restorative Practice is a way to be, not a process to follow or a thing to do at certain times. It's a term used to describe principles, behaviours and approaches which build and maintain healthy relationships and a sense of community and can resolve difficulties and repair harm where there has been conflict. A restorative approach is a culture or ethos with a practical goal: *to strengthen relationships through open and honest dialogue*. OLA allows time to listen to the voice of individuals, staff and families. It wants to hear people's stories, help them clarify their issues and needs, and empower them to find their own solutions to what is concerning them.

In Government studies, whole-school restorative approaches have shown the highest rating of effectiveness at preventing bullying. On a practical level, restorative approaches provide a structured and consistent response to the inevitable incidents of conflict that arise in the life of a school. The benefits of improved conflict resolution at OLA lead to reduced disruption of teaching and learning, improved relationships and a calmer school environment. Restorative approaches have also been shown to develop people's social and emotional competencies, such as increased empathy, improved self-discipline and more responsible decision-making. These benefits contribute to pupils' personal, social and moral development. Restorative Practice is a proactive way of working 'WITH' people, not doing things 'TO' them, not doing things 'FOR' them and 'NOT' being neglectful and doing nothing at all. Restorative approaches enable everybody's voice to be heard. They provide

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opportunity for those who have been involved in conflict to work with and alongside others to acknowledge the impact of what has happened and take steps to put it right.

Restorative Practice promotes empathy, compassion and understanding and works to bring a sense of closure/repair to difficult situations. It is not always appropriate to bring people together and it should not be seen as inferior to work with people separately. If individuals are willing to come together, have sincere motives and don't feel it will cause more harm, a restorative meeting is something that can be considered.

**The 5 core beliefs of restorative practice are:**

- Everyone has a unique perspective and a valued contribution to make – we need to hear what people have to say.
  - Our thoughts influence our feelings and what we do and say – we need to unpick what is going on behind behaviour.
  - Our actions and deeds impact on those around us – we need to consider the consequences of our actions.
  - All our actions are strategies we have chosen to meet our needs at the time – we need to be part of identifying what we need and identifying how our needs will be met.
  - The people who are affected by an issue or problem are those best placed to find ways forward in collaboration with each other – we need to be enabled and empowered to make positive and sustainable changes for ourselves.
- .....

## **2. Aims of Policy**

From time to time a pupil's conduct and behaviour will necessitate the imposition of a serious sanction. This policy is based on *Oxfordshire Safeguarding Children's Board guidance* and current legislation (<https://www.gov.uk/government/publications/school-exclusion>) and describes the arrangements that OLA follows regarding the exclusion of pupils. We recognise that exclusion of any pupil is a very serious matter and always an act of last resort. OLA will ensure that no exclusion decision will be reached without:

- fully exhausting working in partnership with parents,
- seeking Oxfordshire County Council advice,
- drawing on their guidance and resources available,
- consideration of equalities matters including special educational needs and ethnicity and trauma informed mental health and well-being assessment.

We will use the Early Help Assessment when concerns emerge prior to exclusion.

## **3. Roles and responsibilities**

The governing board and the head of OLA are committed to the provision of a broad and balanced curriculum for all pupils. They are also responsible for promoting good behaviour and discipline on the part of the whole school community and for securing an orderly and safe environment for pupils and staff in order to ensure that the curriculum is delivered, and pupils are able to realise their full potential.

The head has the discretion to deal with pupils who are displaying challenging behaviour but will do so consistently in the context of OLA's Positive Behaviour Code. That policy and other relevant documents include a number of different strategies designed to promote the continued inclusion of pupils into the school. Exclusion is the most drastic step that any school can take because it runs against OLA's commitment to inclusion and is of necessity reserved for the most serious cases.

Exclusion itself can take many different forms and these may include:

- Time out within the class imposed by the teacher
- Time out in another teacher's class
- Lunchtime exclusion
- Fixed term exclusion
- Permanent exclusion

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This policy deals with lunchtime, suspensions and permanent exclusions and has been developed in accordance with the Statutory Guidance when dealing with exclusions from schools (2020).

#### **4. Before considering exclusion**

OLA recognises that parents/carers are profoundly affected by the exclusion of their children and will work with them closely to ensure that the pupil's circumstances are fully understood and that parents have the ability to support OLA and pupil. Pupils at risk of being excluded are likely to have had a history of disaffection and to have had a variety of interventions before the question of exclusion arises. In formulating these plans a number of different agencies may be engaged to support the pupil and OLA to avoid exclusion, for example the LCSS, Early Help Team, and the Educational Psychology Service. In all cases the involvement of these agencies will be with parents' consent and, in many instances, they will have made direct contact with parents/carers.

#### **5. Pupils who have Special Educational Needs**

The exclusion of pupils with SEN Support or with EHCPs does not fit with our inclusive ethos and will be avoided wherever possible. Assessment of a pupil's needs will often assist in identifying the underlying causes of unacceptable behaviour. In the case of a pupil with an EHCP, an emergency review will be convened with parents, school and other professionals.

#### **6. Pupils from minority ethnic backgrounds**

OLA is aware that pupils from minority ethnic backgrounds are more likely to be excluded across England. This does not meet our inclusive ethos and requirements for OLA. We will work with families, community leaders and other professionals to address any real or potential bias.

#### **7. To prevent the need for exclusion**

Where a risk of exclusion is identified, OLA will:

- advise parents/carers in writing that the pupil is at risk of exclusion;
- arrange a meeting with the parents to plan how to support the pupil and avoid the need for exclusion;
- take account of the views of the pupil;
- keep written notes of all actions and interventions with the pupil and advice to parents and carers;
- involve specialist professionals

#### **8. When exclusion may be unavoidable**

Exclusion will not be our default response to serious breaches of the Positive Behaviour Code and breaking the law will not automatically result in exclusion. However, exclusion may be considered, for the benefit of the pupil in terms of better managing their own behaviour, and the OLA community, will only be taken if:

- there have been serious breaches of OLA's Positive Behaviour Code and
- there is a danger that allowing the pupil to remain in school will seriously harm the education or welfare / health and safety of the pupil or others and
- a range of alternative strategies has been tried before excluding the pupil.

It is highly unlikely, but a permanent exclusion may be considered for a one-off matter. Before reaching the decision to exclude a pupil, the head will:

- consider all the relevant facts and such evidence as may be available to support the allegations made, taking into account the school's special educational needs, behaviour and equal opportunities policies and the need to apply those policies consistently;
- allow the pupil to give his or her own version of events;
- check whether the incident may have been provoked, for example, by racial or sexual harassment;
- consult others, if necessary, being careful not to involve anyone who may have a role in any statutory review of the decision to exclude.

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If the head is satisfied, on the balance of probabilities, that the pupil did what he or she is alleged to have done and that exclusion is the appropriate sanction given the nature of the issue, the head may exclude the pupil. (Only the head or, in his/her absence, a senior teacher acting with the head's authority, can exclude a pupil from school).

Exclusion is not an appropriate sanction for dealing with:

- minor incidents such as failure to do homework or to attend a detention;
- poor academic performance
- lateness or truancy
- breaches of school uniform policy
- the behaviour of the pupil's parents/carers, for example, parental violence or abuse against members of the school community.

The head must ensure that exclusion is dealt with consistently and that there is no discrimination against any minority group. There is no stepped approach that leads to an exclusion and all cases will be dealt with individually, subject to the consistent application of all relevant policies and procedures.

## **9. Parent information**

Each parent agrees to accept the rules of OLA.

- OLA reserves the right to suspend or permanently exclude any pupil whose conduct or work is, in the opinion of OLA, unsatisfactory. There shall be no repayment of the unexpired portion of fees (or supplemental charges) for any pupil so dismissed or suspended. The deposit will be forfeited meaning that OLA will retain the deposit.
- Neither OLA nor its staff shall be required to divulge to parents any confidential information which has led to the decision.
- Parents of any pupil suspended or permanently excluded by OLA are entitled to have any disciplinary matters or decisions taken by OLA and/or Head, reviewed. Any such review is undertaken by the Governing Board and outlined in this policy.
- Scholarships and Bursaries are awarded subject to a satisfactory standard of work. They may be withdrawn if a pupil's conduct is, in the opinion of OLA, unsatisfactory.
- Parents may be required at any time to remove a pupil if, after consultation with parents, OLA is of the opinion that the conduct or progress of the pupil has been unsatisfactory, or a parent has treated OLA or its members of staff unreasonably.
- If parents are required to remove their child from OLA as a result of the Head exercising his/her discretion then fees in lieu of notice are not payable and any prepaid fees and/or supplemental charges for the term following the removal (including the deposit, where applicable) will be refunded.

## **10. Internal suspension**

A pupil may be suspended internally for a day or part of a day as a more serious sanction beyond a detention. Work will be set by subject teachers and the pupil will work in the pastoral space. Work will be collected at the end of the day and returned to subject teachers for marking. The Assistant Heads or Deputy Head will contact parents and inform of them of the sanction and a letter will be sent to parents giving reasons for the sanction.

## **11. Suspension**

### **a) Temporary exclusion – external suspension shorter than 15 days**

This is normally only used when all other avenues, such as detentions have been explored, or used for a serious offence such as stealing or if the child is subject to a police investigation. It is acknowledged that temporary exclusion can have a positive effect upon the pupil concerned, but that further and longer exclusions are usually to benefit or safeguard the quality of education provided to the rest of OLA. Exclusions of more than 2 days would only be used rarely.

Longer exclusions are likely to make it more difficult for students to re-integrate into OLA and we believe that once a child has completed an external suspension the matter is not referred to again unless the pupil's future conduct warrants it. After a suspension, the pupil is encouraged to move forward and ensure that they meet the normal expectations of OLA for work, conduct and behaviour. The Head (or in his absence the Deputy Head) will contact the parents of a pupil who is to be suspended.

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If the student is to be externally suspended, school work will be arranged to be completed at home and will be marked until the pupil's return to OLA. Parents will be notified in writing of the reason for the suspension; the letter will explain the arrangements for setting and marking of work set. Arrangements for re-admitting students after suspension will include receipt of work completed during suspension. Pupils and their parents will normally report to the Head at 8.30am on their day of return to OLA.

#### **b) Temporary exclusion – external suspension longer than 15 days**

If a pupil is excluded for more than 15 days, a plan for re-integration will be drawn up for whenever the pupil is due to return to OLA by the appropriate Head of Section. If the disciplinary offence is a very serious one, the Head may decide that the suspension given constitutes a final warning and that any further offence of a similar gravity would result in expulsion. The Head will put such a warning in writing to the parents.

Pupils may only be excluded for a period of up to 45 days in a school year. However individual suspensions will be for the shortest time necessary, because any suspension makes it difficult for the pupil to reintegrate back into OLA and damages positive home/school relationships. Any suspension over 5 days requires OLA to provide full time education elsewhere for the duration of the suspension.

### **12. Reintegration back to school**

The head will convene a planning meeting to discuss and make plans for the reintegration of the pupil after any suspension. The meeting will make the necessary preparations for the pupil's return to school and will involve the parents/carers and the pupil. Parents/carers will be invited to come with a friend or supporter. The meeting will consider all aspects of reintegrating the pupil, including any modifications to the timetable or the provision of additional support. Any previous plans will be revised, and new outcomes agreed. If there were no plans prior to the suspension one will be drawn up. All plans will include elements of a contract between the parties involved so that OLA and pupil will know how to achieve success, the school, parents and pupil will set realistic targets and review dates will be set. The meeting will also re-consider whether the pupil has special educational needs and whether enough is being done to support those needs. A restorative approach will be adopted to secure successful reintegration.

### **13. Permanent exclusion**

A decision to expel a pupil will only be taken as a last resort when all other strategies have been employed to no avail or where a pupil has committed a serious one-off offence. When an expulsion is under consideration, the following procedures will normally be followed:

- The pupil concerned will initially be suspended.
- The Head will contact the Chair of Governors to inform them of the situation and will keep the Chair updated throughout
- The Head will have a meeting with the pupil's parents to discuss the situation and obtain their views, prior to deciding to expel the pupil. The Head will write a letter following the meeting to confirm the decision to expel the pupil.
- The expulsion will take effect immediately, and the pupil will not be re-admitted to the school premises. Any personal effects belonging to the pupil will be collected by the appropriate Head of Section and returned to the parents. The Head's decision is final, but the parents have the right of appeal to the Board of Governors. Permanent exclusion is an extremely serious step to take. The head will normally only consider such action if:
  - the pupil presents a significant health and safety risk to him/herself and/or others or has been responsible for a single event that presents a serious threat to the health and safety of students and the OLA community
  - where applicable, the pupil has been offered a full range of services and strategies designed to maintain that pupil's inclusion in OLA
  - where applicable, there is evidence that previous plans and strategies have been consistently applied but brought about no significant improvement in the behaviour of the pupil.

#### **When a pupil has been permanently excluded**

Once the head excludes a pupil, the parents/carers will be notified immediately, by telephone, text or other means. Within one school day, a letter will follow. This letter will include details about:

- the reasons for the exclusion

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- the nature of the exclusion
- the name and telephone number for the Advisory Centre for Education helpline
- details about how parents/carers can make representations about the exclusion to the Discipline Committee.

#### **Education of permanently excluded pupils**

In all cases where a pupil is suspended for more than a day, work will be set and marked for the pupil concerned. If a pupil is suspended for more than 5 consecutive school days, the head will plan:

- how the pupil's education will continue during the period of exclusion;
- how the pupil will be successfully reintegrated back into the school community;

#### **14. Appeals against exclusion**

- If parents seek to appeal the decision, they must notify the Clerk to the Governing Board within 21 days from receipt of the letter informing them of the permanent exclusion. Parents should set out their reasons for why the decision should be overturned.
- A panel will be appointed and the Clerk to the Governing Board will notify the parents of the names of the panel members.
- The Panel will consist of at least three persons who are unaware of the details of the case and one of whom shall be independent of the management and running of OLA. Each of the Panel members shall be appointed by the Governing Board. The Clerk to the Governing Board, on behalf of the Panel, will then acknowledge the request and schedule a hearing to take place as soon as practicable and normally within ten working days.
- If the Panel deems it necessary, it may require that further particulars of the incident or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties normally not later than five working days prior to the hearing.
- All parties will be asked to provide any relevant documents in advance and in good time before the panel hearing date. A failure to comply may result in a postponed hearing.
- The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Panel will come to a decision without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
- After due consideration of all facts they consider relevant, the Panel can:
  - Re-instate the pupil to OLA immediately
  - Uphold the permanent exclusion;
  - Change the decision from permanent exclusion to a fixed term suspension;
  - Recommend changes to OLA systems/procedures to ensure that problems of a similar nature do not recur.
- The Panel will write to the parents informing them of its decision and the reasons for it as soon as practicably possible and normally within five working days of the hearing. The decision of the Panel will be final.
- A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents and to the Head as well as the Chair of Governors. Parents can be assured that the appeal against the decision to exclude a child permanently will be treated seriously and confidentially.

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