Policy No: 84.00

Policy and Procedure on

Exclusion

Red Rose School

Policy Author / Reviewer	Bill brown / Susan Harvey
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Version No	2
Policy Level	Day Schools/colleges
Staff Groups Affected	ALL STAFF

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1. Monitoring and Review

1.1. The Proprietor will undertake a formal review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than three years from the date of approval shown above,

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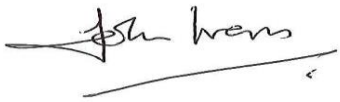
or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

1.2. The local content of this document will be subject to continuous monitoring, refinement and audit by the Head of Service.

Signed:



John Ivers
Proprietor, Cambian Group
December 2019

Tony Wray
Headteacher
December 2020

2. Terminology

2.1. Our aim is to use consistent terminology throughout this policy and all supporting documentation as follows:

'Establishment' or 'Location	this is a generic term which means the Children's Home/school/college. Red Rose school is a school
Individual	means any child or young person under the age of 18 or young adult between the ages of 18 and 25. At Red Rose School we have young people attending and/or residing between the ages of 11-18.
Service Head / Head of Service	This is the senior person with overall responsibility for the Location. At Red Rose School this is the Headteacher who is Tony Wray.
Key Worker	Members of staff that have special responsibility for Individuals residing at or attending the Establishment.
Parent, Carer, Guardian	means parent or person with Parental Responsibility
Regulatory Authority	Regulatory Authority is the generic term used in this policy to describe the independent regulatory body responsible for inspecting and regulating services. At Red Rose School this is Ofsted
Social Worker	This means the worker allocated to the child/family. If there is no allocated worker, the Duty Social Worker or Team Manager is responsible.
Placing Authority	Placing Authority means the local authority/agency responsible for placing the child or commissioning the service
Staff	Means full or part-time employees of Cambian, agency workers, bank workers, contract workers and volunteers.

3. Legal Status:

3.1. Regulatory Requirements, Part 3, Paragraph 9 and Exclusion Element of Part 6 (24)(3) of the Education (Independent School Standards) (England) Regulations 2010

Applies to:

3.2. the whole Location, out of school care and all other activities provided by the Location, inclusive of those outside of the normal hours;

3.3. all staff (teaching and support staff), students on placement, the proprietor and volunteers working in the Location.

Availability

3.4. This policy is made available to parent/guardian/carer, staff and pupils in the following ways: via the Location website, and on request a copy may be obtained from the Location Office.

4. Policy

4.1. Ultimate sanctions are Fixed Term and Permanent Exclusions. Neither sanction is used lightly. Only the Headteacher has the power to exclude a child. If the Head of Service excludes an Individual, the parent/guardian/carer are informed immediately, giving reasons for the exclusion. At the same time, the Head of Service makes it clear to the parents that they can, if they wish, appeal against the decision to the Proprietors. Parents are given information on how to make any such appeal.

Serious Offences and Exclusions

4.2. Serious offences are those that may have a significant impact on the individual or others at the Location. Examples include:

- extreme or persistent bullying, racism or harassment;
- stealing;
- extreme or persistent violence, actual or threatened, against a pupil or member of staff;
- sexual abuse, assault or activity;
- smoking, illegal drugs (possession and/or use) or alcohol (consumption or possession)
- significant vandalism;
- going out of bounds;
- persistent misbehaviour when normal disciplinary measures have failed;
- carrying an offensive weapon.

Fixed Penalty Exclusion and Permanent Exclusions

4.3. We will apply our behaviour policies in a consistent, rigorous and non-discriminatory way and all areas of application of these policies will be monitored routinely. Ultimate sanctions are:

- Suspension = Fixed Term Exclusion
- Expulsion = Permanent Exclusion

4.4. Neither sanction is used lightly. The power to suspend or expel an Individual can only be exercised by the Head of Service. If the Head of Service excludes a pupil, the parent/guardian/carer are informed immediately, giving reasons for the exclusion. At the same time, the Head of Service makes it clear to the parent/guardian/carer that they can, if they wish, appeal against the decision to the Cambian Board. The location informs the parent/guardian/carers how

to make any such appeal. It is the responsibility of the Proprietor to monitor the rate of exclusions, and to ensure that the school policy is administered fairly and consistently.

5. Procedure

- Parent/guardian/carers must be informed immediately by phone with a follow up letter.
- A copy of a sheet entitled 'Advice for Parents/Carers' will be attached to the letter.
- Parent/guardian/carers must be notified of their right to appeal.
- Ensure that arrangements are in place for work to be sent home.
- Arrangements will be made for a return to school interview that includes the parents/carers.
- A re-integration support plan will be put in place.

5.1. All cases of exclusion will be treated in the strictest confidence on a need to know basis and are not to be discussed outside the school

Responsibilities of the Location

5.2. If the Location commences an investigation which may lead to a fixed term temporary exclusion or to permanent exclusion the Head of Service must inform the parent/guardian/carers without delay. Before resorting to exclusion the Location will normally try alternative solutions (for example, a restorative justice process - whereby the harm caused to the 'victim' can be redressed. This will ideally be done by telephone and the telephone call will be followed by a letter within one school day. The letter will include information about:

- the nature of the offence and the results of any investigation to date;
- that the sanction of a fixed term temporary exclusion or permanent exclusion may be imposed;
- the parent/guardian/carers' right to state their case to the Headteacher and if that is not satisfactory then to the Advisory Board and whom they should contact to do this, including the latest date that the parent/guardian/carers may give a written statement to the discipline committee;
- the parent/guardian/carers right to see their child's record and the Headteacher must comply with such a request within 15 school days, although in exclusion cases compliance should be prompt.

5.3. Where reasonable adjustments to policies and practices have been made to accommodate a pupil's needs and to avoid the necessity for exclusion as far as possible, exclusion may be justified if there is a material and substantial reason for it. A specific incident affecting order and discipline in the Location may be such a reason. The decision to exclude for a fixed term will be notified to the parent in writing with reasons. If the Location determines that a child should be excluded for a fixed period, the Headteacher will provide the parent in writing with information as to:

- the period of the Fixed Term Exclusion;
- the arrangements, such as setting work, to allow the child to continue their education during the Fixed Term Exclusion.

5.4. If the Location decides (after completing the investigation or as a result of new evidence and further investigation) that it is necessary to extend a fixed period Temporary Exclusion or to convert it into a Permanent Exclusion, the Headteacher will write again to the parent/guardian/carers with the reasons for this decision. The decision to exclude a pupil permanently will only be taken as a last resort when a wide range of strategies for dealing with disciplinary offences has been employed to no avail or is an exceptional 'one-off' offence has been committed.

parent/guardian/carers co-operation forms part of the contract between the Location and all the parent/guardian/carers at the Location. The correspondence will be easily intelligible and in plain English.

Appeals

5.5. If parent/guardian/carers wish to appeal the exclusion then they must do so in writing to the Proprietors, in writing, within one week of the letter notifying the parents or guardians of the exclusion. The Proprietors will establish an Appeal Panel to consider the appeal.

5.6. The Appeal Panel will normally convene within three weeks of the receipt of the letter requesting the appeal. The parents or guardian may bring a representative to the meeting. All letters and documents relied on by the Headteacher, shall be made available to the parents or guardian prior to the hearing. The parents or guardian or their representative may ask questions of the Headteacher or may raise any relevant matter for the consideration of the Panel. The Panel may call for any further information it requires. No evidence or argument shall be presented to the Panel in the absence either of the parents or guardian or their representative, or in the absence of the Headteacher, who is the Proprietor. At the conclusion of the hearing, the Panel shall retire to consider what recommendation it may make. The Panel may recommend:

- The exclusion is confirmed
- The exclusion is rescinded
- The exclusion be rescinded and replaced with an alternative sanction.

5.7. However, the final will always rest with the Location Proprietors, who may or may not accept the recommendations of the panel.

5.8. The recommendation shall be communicated to the parent/guardian/carers and the Headteacher. Every child has a right to confidentiality – it will be kept in the strictest confidence and only disclosed to those who need to know. We appreciate that such sensitive matters must be dealt with in confidence. If the Location decides (after completing the investigation or as a result of new evidence and further investigation) that it is necessary to extend a fixed period temporary exclusion or to convert it into a permanent exclusion, the Headteacher will write again to the parent/guardian/carers with the reasons for this decision.

5.9. Tyldesley School:

- requires all staff to use positive strategies for handling any unacceptable behaviour by helping Individuals find solutions in ways that are appropriate for their ages and stages of development;
- acknowledges that such solutions might include, for example, acknowledgement of feelings, explanation as to what was not acceptable and supporting Individuals to gain control of their feelings so that they can learn a more appropriate response;
- ensures that there are sufficient resources and activities available so that Individuals are meaningfully occupied without the need for unnecessary conflict over sharing and waiting for turns;
- supports each child in developing self-esteem, confidence and feelings of competence;
- avoids creating situations in which Individuals receive adult attention only in return for unacceptable behaviour;
- explains the effect of unacceptable behaviour, making it clear to the child that it is the behaviour that is unacceptable, and not the person.

5.10. When Individuals behave in unacceptable ways, we help them to understand the outcomes of their actions and support them in learning how to cope more appropriately. We provide opportunities for Individuals to learn how to interpret and cope with feelings, listening to them and offering the necessary support to enable them to verbalise their own frustrations, hurts and disappointments. We do not shout or raise our voices in a threatening way to

respond to Individual's unacceptable behaviour. We do not use techniques intended to single out and humiliate individual Individuals. Corporal punishment, which is strictly forbidden at Tyldesley School, is a criminal offence.

6. Relevant Documents:

6.1. Anti-bullying

6.2. Safeguarding - Child Protection Policy

6.3. Behaviour Management including Discipline and Sanctions Policy