

**Policy statement**

Intuition School is committed to providing optimum learning opportunities for all its students and supporting this provision through all difficulties experienced by students. Any fixed term or permanent exclusion in this context is a major decision and will be made within clear parameters. All decisions will be lawful, reasonable and fair.

Intuition School pays due regard to the principal legislation, namely:

- the 2011 Education Act
- the School Discipline Regulations 2012
- the Education and Inspections Act 2006
- the Education Act 1996
- the Education (Provision of Full-Time Education for Excluded Pupils) Regulations 2007, as amended by the Regulations 2014

**Scope and purpose**

We are mindful not to discriminate against students on any basis. Students with identified special educational needs and disabilities (SEND) will need more support to meet expectations, although they must not present a health and safety risk to staff or students and must be within the control of Intuition School. The Principal will pay due regard to the SEND Code of Practice when excluding a student with an identified need.

A student may be excluded for one or more fixed-term periods (up to a maximum of 45 school days in a single academic year) or permanently. Students can be excluded for full days or parts of a day.

If considering a permanent exclusion, the Principal may exclude on a fixed term basis for five days in the first instance to fully investigate any incident that may lead to the permanent exclusion. The academy has the duty to arrange for education from the first day of exclusion. The purpose of this policy is to provide clarity for all stakeholders.

**Roles and responsibilities****The Principal**

Only the Principal has the power to exclude a student and this is only on disciplinary grounds. When establishing facts, the Principal must apply the civil standard of proof: 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'. The Principal has the right to direct a student to off-site education. Parents will be informed initially by telephone and, if possible, in a face-to-face meeting. This will be followed up with a letter. The Principal must notify the Local Governing Body immediately in the case of a permanent exclusion or where an exclusion extends beyond five days. They must also inform the Local Authority of any permanent exclusion.

**Exclusion Policy****The parent/carer**

The parent may write to the Governing Body to ask them to review a fixed-term exclusion, although the Local Governing Body does not have the power to overturn such a decision if it is less than five days. Parents do have the right to be informed of any fixed-term exclusion and the right to attend a Pupil Disciplinary Panel (PDP). A parent may make representation if a fixed-term exclusion is more than five days. The parents have a duty to ensure their child is not in a public place at any time during the school day. Failure to comply with this could lead to a fixed penalty notice or prosecution. In the case of a permanent exclusion, a meeting will be arranged and the parent may arrange representation and/or bring a friend. Parents

discrimination.

### **The Local Governing Body**

The Local Governing Body PDP (comprising a minimum of any three Governors) must hold a Hearing within 15 days of receiving notification of a permanent exclusion. The PDP must also hold a hearing if parents / carers appeal a fixed term exclusion, although they cannot overturn such a decision if it is less than five days. The PDP will follow all protocols outlined in “Exclusion from maintained schools, academies and pupil referral units in England”, statutory guidance for those with legal responsibilities in relation to exclusion (September 2017). Trustees of the Apollo Partnership Trust Trustees will maintain oversight of exclusion rates through the termly CEO report. The Local Authority In the case of a permanent exclusion, the local authority must arrange suitable full-time education no later than the sixth day of exclusion.

### **An Independent Review Panel**

An independent review panel does not have the power to direct the Governing Body to reinstate an excluded student. If they consider the Local Governing Body’s decision is flawed, it can direct the Governing Body to reconsider its decision.

### **Prevention and procedures**

The academy will not exclude a student unless it is absolutely necessary to do so and if there is felt to be no other viable alternative, such as in response to serious or continuous breaches of the academy discipline policy or if allowing the student to stay would harm the education or welfare of other students or staff. Other than in the case of serious one-off incidents, the permanent exclusion of students will be the final sanction at the end of a lengthy series of procedures, which may include:

- restorative work
- counselling from staff
- lunchtime or after-school detentions
- supported individual study
- a review of the curriculum provision
- One to one / change to academic groups/fixed-term exclusions
- Pastoral Support Plans
- referral to Children and Adolescent Mental Health Service and SEND specialist providers
- work with Children and Families Wellbeing Service
- in the case of looked-after children, liaising with the Virtual School Head teacher

Additionally, for some students securing an alternative provision is an option. In the case of on-going difficulties, the parents will have been involved in meetings with the student’s keyworker and the Principal. Parents will be informed as regularly as possible and encouraged to support the school. The school will offer one to one support to any student seen as at risk of exclusion and, if appropriate, involve relevant external agencies. If there is no improvement, or there are persistent lapses in the student’s behaviour, then parents will be called in again. A formal warning should be issued at this stage, and the student will be informed that their place at the school is at risk. If there is no measurable improvement, the student will be referred to the Principal for a final warning. All stages of the procedure are documented, and parents are always informed of any action taken by the school. It should be noted that, in order to progress to this stage, the student must have seriously contravened the school’s regulations, either by a one-off exceptional circumstance where either the law is

Exclusions Policy  
broken or the student is  
'beyond the control of the school'  
Principal may take the decision to  
exclusion).

Written by: Anna Hulme

Date: July 2022

Signed by: Chair of Governors \_\_\_\_\_

### **Reintegration**

Following any exclusion, the academy will take reasonable steps to meet with parents and students to ensure there is clarity around the reasons for the action and also to discuss the student's reintegration. This meeting will be chaired by the Principal or, in his or her absence, another senior member of staff. At the meeting, the strategy for reintegration and managing the student's behaviour will be discussed.

### **The decision to permanently exclude**

There will be exceptional circumstances where, in the Principal's judgement, it is appropriate to permanently exclude a student for a first or 'one-off' offence.

Such offences might include:

- serious actual or threatened violence against another student or member of staff
- sexual or racial assault
- supplying or using an illegal drug
- carrying an offensive weapon

### **Review of policy**

This policy is reviewed every three years or as required by legislation. We will monitor the application and outcomes of this policy to ensure it is working effectively.