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# Exclusion Policy

Policy date: September 2018 LABergin

Policy agreed by: Governing Body/SMT

Policy Review: September 2019

## Introduction

The difficulties that learners with a diagnosis on the autism spectrum experience mean that they may not always respond in an appropriate way to staff requests or interactions with their peers. The school will attempt to deal with any problems in respect of a learner before considering the use of formal exclusion procedures. Strategies explored will include personalised calming techniques, additional visual support or more frequent movement breaks. In the event of any situation or developing problem which is likely to lead to a temporary or permanent exclusion, the Head Teacher will emphasise to the parents and the Local Education Authority the steps which the Centre is taking to try to prevent the exclusion.

## Rationale

This policy deals with the policy and practice that informs LVS Oxford school's use of exclusion. The policy applies to all students at the school but does not cover cases when a student has to leave because of ill-health, non payment of fees, or withdrawal by his/her parents/carers. The decision to exclude a student will be taken in the following circumstances:

- a) In response to a serious breach (or several breaches) of the school's policies and/or
- b) If allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school

## LVS Oxford school policies

This policy is to be read in conjunction with other relevant policies:

- LVS Oxford Behaviour policy
- LVS Oxford Anti-bullying policy
- LVS Oxford Health and Safety policy
- LVS Oxford Admissions policy
- LVS Oxford Safeguarding policy
- LVS Oxford Complaints policy

These policies are available from the school office or from [www.lvs-oxford.org.uk](http://www.lvs-oxford.org.uk)

## The exclusion process

Before deciding whether to exclude a student, the head teacher will:

- make sure that an appropriate investigation has been carried out
- consider all the evidence available, taking into account the school's policies
- where practical, talk to the student to hear their version of events
- Obtain a report from staff and/or the Head of Behaviour, Deputy Head and/or Head of Sixth Form as appropriate
- Establish and record the facts of the behaviour in question on the day of the incident, or as soon as possible thereafter
- Gather all information including witness statements, CCTV footage, Team Teachh reports
- Not decide to exclude a student until he/she has all the facts and firm evidence, allowing as much time for staff to prepare paperwork/evidence as is practical;
- Consider the need for a review of the student's EHCP, and consider the merits of a request to the parents or Local Education Authority to withdraw the student from the school or to discuss a managed move pending the outcome of such a review.

## Investigation

If the Head Teacher decides to exclude a student he/she will:

Immediately notify the Local Authority and the parents/carers by telephone, and, within twenty-four hours of the exclusion, confirm to both the Local Authority and the parents by letter the fact of such exclusion, the reasons for it, and inform the parents (and if appropriate the Local Authority) of their rights to make representations.

Inform the Chair of Education Committee by letter as soon as reasonably practicable, and in the event of a permanent exclusion, or a fixed period exclusion exceeding five School days, within one school day following the exclusion;

On the day of the exclusion make arrangements with the parents or the Local Authority to return the student to the care of the parents or Local Authority as appropriate;

Work with the Local Authority to see if support can be made available for the student until the Trustees have considered representations made to them (if any), or if the EHCP can be changed to name another school;

## Rights to make representation

The parents of a student who has been excluded on a temporary basis for less than five school days, may, within five school days from the date of the Head Teacher's letter to them informing them of the exclusion, make written representations to the Director of Education upon the exclusion.

If a student has been excluded permanently, or for a fixed period exceeding five school days, or where the aggregate number of school days during which the student has been excluded in any one school term will as a result of the exclusion in question exceed five; the parents and the relevant Local Authority have the right to make written representations to the Director of Education, and to repeat such representations in person at the meeting convened to consider the exclusion.

## Director of Education

Following receipt of representations made by parents/carers, LVS will convene a meeting with the Director of Education to consider the action taken by the Head Teacher.

LVS will notify the parents, the Head Teacher and the Local Authority of the meeting.

The Director of Education will consider the action taken by the Head Teacher, hear any representations received from the parents and Local Education Authority in accordance with the procedures and time limits set out above and decide whether the student should be re-instated or the exclusion upheld.

In deciding whether to direct the re-instatement, the Director of Education should consider the parents' and the LA's representations, have regard to the appropriate use of exclusion and consider whether the Head Teacher has tried sufficient alternative approaches to improve a student's behaviour before resorting to exclusion and whether any further strategies might be an alternative to exclusion. In relation to permanent exclusion, the Director of Education should also satisfy him/herself that all possible strategies to improve a learner's behaviour were tried and have failed or whether a revision of the learner's EHCP is more appropriate than exclusion.

If a permanent exclusion is upheld, the Director of Education will notify parents and the Local Authority of the decision by letter within one school day of the decision.