

Exclusion Policy

At The Llewellyn School the safety and well-being of our pupils and staff members are paramount. To maintain an appropriate educational environment in which all can learn, succeed, excel and be proud of all achievement.

The Llewellyn School seek to avoid exclusions unless considered necessary. There is a strong emphasis at our school on the implementation of positive behaviour that ensures a range of strategies to promote this.

All pupils at The Llewellyn School have special educational needs and therefore exclusion is recourse to be taken with the utmost reluctance and when all alternative strategies have been tried and failed.

This policy applies to all pupils attending the school.

Key Principles

The School Leader-CEO will consult with the Senior Leadership Team and they all must agree that it meets the statutory requirements for the exclusion.

The Llewellyn School recognises that exclusion is a serious matter and has the potential to affect the pupil's life in a significant way. Decisions, with respect to exclusions, must not be taken lightly but only after careful consideration of the circumstances.

Pupils will only be excluded after all the relevant factors have been considered and when the School Leader-CEO is satisfied that there is no alternative way to move forward.

The School Leader-CEO must ensure that:

1. A thorough investigation has been carried out.
2. All the evidence has been considered.
3. Where appropriate, statements have been taken from witnesses.
4. Consideration of pupils SEN diagnosis and any environmental concerns.
5. The welfare and impact on pupils and staff at the school.

The nature of the period of exclusion shall be proportionate having regard to the incident and other circumstances leading up to it. Fixed term and permanent exclusions are used when other strategies and sanctions have not been effective over time or when there has been a single clear and serious breach of discipline.

A serious offence could by itself justify a pupil's exclusion and there may be other situations where the School Leader-CEO makes the decision that exclusion is an appropriate sanction. This may include, but is not limited to, an aspect of any of the following:

- Physical/Verbal abuse, or offensive language towards an adult or child
- Bullying
- Frequent high-level of disruption to lessons or frequent high level of non-compliance
- Frequent high levels of disrespect to adults who work in The Llewellyn School.
- Unacceptable behaviour, which intervention and support has been unsuccessful in modifying over time

- Serious breach of positive behaviour policy
- Actions which bring The Llewellyn School into disrepute
- Damage to property or equipment
- Theft
- Carrying an offensive weapon
- Arson
- Spitting in pupils/staff faces

Procedure for Fixed Term Exclusion

The School Leader-CEO would have had meetings with the parent/carers of the pupil prior to fixed term exclusion when all other interventions have been carried out and the outcome is still unsuccessful. The External school governors will be kept informed and collectively the decision will be made.

Parent/carers will be contacted immediately and be asked to attend a meeting to discuss the decision and once a decision has been made to exclude a child. A formal letter will be sent by post giving details of the exclusion and the start / end dates of the exclusion.

On a pupil's return to The Llewellyn School following fixed term exclusion the School Leader-CEO will devise a Plan and it will be drawn up and implemented. This will be discussed and agreed with parent/carers and, where appropriate, the pupil.

During a fixed term exclusion, the child is not allowed on the school premises, and it is the responsibility of the parent/carers to arrange daytime supervision for their child.

For any fixed term exclusion that exceeds 6 consecutive days alternative educational provision must be arranged for the child. Fixed term exclusions cannot exceed, when accumulated, a total of 45 School days in any one academic year.

Procedure for Permanent Exclusion

The decision to exclude a pupil permanently is a serious one. There are two main types of situations in which permanent exclusion may be considered:

The first is a final, formal step in a concerted process for dealing with unacceptable behaviour following the use of a wide range of other strategies (that may also include involvement of other professional agencies) which have been used over time without success

The second is an acknowledgement that all available strategies have been exhausted and is normally used as a last resort. The second is where there are circumstances of extreme behaviour causing a serious risk to either the pupil concerned, adults or other pupils.

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others, or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the School Leader-CEO will ensure that appropriate investigations are carried out of this Policy.

The parent/carers will be immediately informed and where appropriate be asked to come into The Llewellyn School to meet with the School Leader-CEO.

A formal letter will be sent in the post providing details of the reason for the permanent exclusion and outlining the formal procedures for permanent exclusion, provide details of organisations that support and provide exclusion information to parents and their right to appeal.

The letter will also include a date for the meeting of a panel of External School Governors who will consider, based on all available evidence, the decision made by the School Leader-CEO to permanently exclude a pupil. Parent(s) and their representatives are invited to this meeting.

The School Governors can make one of two decisions they may either:

1. Allow the child to return to The Llewellyn School by overturning the exclusion (a date will be agreed for the pupil to return), or
2. Uphold the School Leader's recommendation for permanent exclusion.

Independent Appeal Panel following Permanent Exclusion

Where a pupil has been permanently excluded and that decision has been upheld by the panel of School Governors, parents have a right of appeal to the Independent Review Panel.

The decision letter of the panel of School Governors will contain the relevant information for exercising that right of appeal and the relevant timeframes for doing so.

Full details of the Independent Review Panel process are set out in the Secretary of State's Guidance on exclusions and can be found on their website at the following link:
www.gov.uk/government/publications/school-exclusion

None of the Independent Review Panel will be employees of The Llewellyn School. The Llewellyn School Leader-CEO will usually delegate the task of forming the Independent Review Panel.

Any Independent Review Panel will be impartial, constituted in accordance with the Secretary of State's Guidance on exclusions and will have regard to that guidance when exercising its functions.

- Whether or not a school recognises that a pupil has special educational needs (SEN), all parents (or pupils if aged 18 or over) have the right to request the presence of a SEN expert at an independent review panel. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion; e.g. whether the school acted reasonably in relation to its legal duties when excluding the pupil.
- Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, considering their age and understanding.

Statutory guidance to SEN experts on their conduct during an independent review panel

- The SEN expert's role is analogous to an expert witness, providing impartial advice to the panel on how special educational needs might be relevant to the exclusion. The SEN expert should base their advice on the evidence provided to the panel. The SEN expert's role does not include assessing the pupil's special educational needs.
- The focus of the SEN expert's advice should be on whether the school's policies which relate to SEN, or the application of these policies in relation to the excluded pupil, were legal, reasonable and procedurally fair. If the SEN expert believes that this was not the case he / she should, where possible, advise the panel on the possible contribution that this could have made to the circumstances of the pupil's exclusion.
- The Independent Review Panel's decision is final and binding at The Llewellyn School.

Following The Llewellyn School's implementation of the Independent Review Panel's recommendation, if the parents or carer remain dissatisfied, they may seek a judicial review of the decision.

Accountability

The Llewellyn School is rigorous in the recording and reporting of the number of exclusions (fixed term and permanent) on a termly basis.

Policy Reviewed by:	Suzy Hollett (HR Manager)
Date:	30/05/2022

Policy Verified by:	Sara Llewellyn (School Leader-CEO)
Date:	01/06/2022

Date for Next Review:	30/05/2023
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