



Exclusions Policy

Document Control

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1. Aims and Ethos

At Fable House, we are absolutely committed to creating an environment where all students can feel safe, cared for and are able to access education.

- Many of our students have attended multiple educational establishments before joining us and several have experienced suspension and/or exclusion.
- Many of our students have had lengthy disruption to their prior education for reasons beyond their control.
- We recognise that a disproportionate amount of children and young people with Special Educational Needs experience exclusion from education. This is often due to their needs not being understood and/or met. Our ethos and approach to student behaviour is, “every behaviour communicates a need.” We endeavour to understand and meet our student’s needs at all times.
- We also recognise that suspension and exclusion should only be used as a sanction if appropriate to a student’s developmental understanding and needs.
- As a result of the above, suspensions and/or permanent exclusion will only be used as an absolute last resort in exceptional circumstances.
- Any suspensions or permanent exclusions will be carried out lawfully in line with the legislation outlined below.

2. Legislation and statutory guidance

This policy has been developed with reference to:

- Department for Education guidance ***School suspensions and permanent exclusions***, including the statutory guidance ***Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement***, where relevant to independent school practice.
- **The Education (Independent School Standards) Regulations 2014** (particularly Part 3 – Welfare, Health and Safety of Pupils).
- **The Equality Act 2010.**
- **The Children and Families Act 2014** (where applicable to SEND duties).
- **The SEND Code of Practice: 0–25 years** (where relevant).

3. Definitions

Suspension – when a student is removed from the provision for a fixed period. This was previously referred to as a ‘fixed-term exclusion’.

Permanent exclusion – when a student is removed from the provision permanently and their placement at Fable House is terminated. This is sometimes referred to as an ‘exclusion’.

Parent/carer – any person who has parental responsibility and any person who has care of the student

Placing authority- the local authority/agency responsible for placing the student or commissioning the service

Placing school- In the case of a student who is on roll at another school and placed to attend Fable House as part of their provision

4. Roles and responsibilities

4.1 The CEO

Deciding whether to suspend or exclude

Only the CEO can suspend or permanently exclude a student from attending Fable House. The CEO will only use permanent exclusion as an absolute last resort.

A decision to suspend a student will be taken only:

- If it is deemed to be appropriate to the student's developmental level and needs
- In accordance with the Fable House's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a student that their current behaviour is putting them at risk of permanent exclusion

Decisions will be made on a case by case basis, taking into account the needs and developmental understanding of the individual student.

A decision to exclude a student will be taken only:

- If allowing the student to remain at Fable House could seriously harm the welfare of others

Before deciding whether to suspend or exclude a student, the CEO will:

- Consider whether the behaviour may be a manifestation of an unmet special educational need or disability, and whether reasonable adjustments or additional support could prevent suspension or permanent exclusion.
- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the student to give their version of events
- Consider the student's SEND needs
- Consider whether the student is especially vulnerable (e.g. the student has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored

The CEO will consider the views of the student, before deciding to suspend or exclude.

Students who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/carer or support worker.

The CEO will not reach their decision until they have heard from the student, and will inform the student of how their views were taken into account when making the decision.

Informing parents/carers (or the student where they are 18 or older)

If a student is at risk of suspension or exclusion, the CEO will inform the parents/carers/students as early as possible, in order to work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place to improve the behaviour.

If the CEO decides to suspend or exclude a student, the parents/carers/student will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers/student will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or permanent exclusion

- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about the parents/carers'/student's right to make representations about the suspension or permanent exclusion to the Oversight Board and, where the student is attending alongside parents/carers, how they may be involved in this
- How any representations should be made
- That parents/carers/the student have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the CEO cancels the suspension or permanent exclusion, they will notify the parents/carers/student without delay, and provide a reason for the cancellation.

Informing the Oversight Board

The CEO will, without delay, notify the Oversight Board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a student
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

Informing the student's placing authority, placing school, social worker and/or virtual school head (VSH)

If a:

- **Student is placed at Fable House by a Local Authority (LA) as part of an EOTAS package** is at risk of suspension or permanent exclusion, the CEO will inform **the LA** as early as possible
- **Student is on roll at another school and placed at Fable House as part of their provision** is at risk of suspension or permanent exclusion, the CEO will inform **the placing school** as early as possible
- **Student with a social worker** is at risk of suspension or permanent exclusion, the CEO will inform **the social worker** as early as possible
- **Student who is a looked-after child (LAC)** is at risk of suspension or exclusion, the CEO will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place

If the CEO decides to suspend or permanently exclude a student placed by an LA as part of an EOTAS package, placed by another school, with a social worker/a student who is looked after, they will inform the student's social worker/the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the student
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- They have decided to cancel a suspension or permanent exclusion, and why

The LA, placing school, social worker/VSH will be invited to any meeting of the Oversight Board about the suspension or permanent exclusion. This is so they can provide advice on how the student's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks, and the student's welfare are taken into account.

Cancelling suspensions and permanent exclusions

The CEO may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun. Where there is a cancellation:

- The parents/carers (or the student if they are 18 or older) and Oversight Board will be notified without delay

- Where relevant, the LA, placing school, social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- Parents/carers (or the student if they are 18 or older) will be offered the opportunity to meet with the CEO to discuss the cancellation, which will be arranged without delay
- The student will be allowed back to Fable House without delay

Education during a suspension

Fable House will take reasonable steps to minimise disruption to a student's education during any period of suspension. Where appropriate, accessible work, online learning or other suitable educational activities will be provided, taking account of the student's individual needs and circumstances. Where a student is placed by a local authority or another school, Fable House will work with the commissioning body to agree appropriate educational arrangements during the period of suspension.

4.2 The Oversight Board

The Proprietor has delegated responsibility for reviewing suspensions and permanent exclusions to the Oversight Board.

Monitoring and analysing suspensions and exclusions data

The Oversight Board will review, challenge and evaluate the data on the Fable House's use of suspension and exclusion

The Oversight Board will consider:

- How effectively and consistently the behaviour policy is being implemented
- Instances where students receive repeat suspensions
- Interventions in place to support students at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded students, and why this is taking place

5. Appeals Process

Parents/carers and/or students (where they are over the age of 18) can request an appeal of the suspension or permanent exclusion.

The process will be:

- The parent/carer and/or student (where they are over the age of 18) will put a written request for an appeals meeting to the CEO
- A meeting with the CEO will be arranged without delay. This can be face to face or remotely depending on the preference of the parent/carer/student.
- The parent/carer/student are welcome to arrange for an independent representative e.g. social worker, support worker, advocate to attend this meeting.

- If an agreement cannot be reached at the meeting and the parent/carer/student (where they are older than 18) would like to escalate their case, a meeting with the Oversight Board can be requested.
- A Oversight Board meeting will be organised without delay. The parent/carer/student are welcome to arrange for an independent representative e.g. social worker, support worker, advocate to attend this meeting. The CEO, and where relevant the LA, placing school, social worker and VSH will also be invited to attend.
- The decision of the Oversight Board is final within the school's internal procedures. This does not affect the right of parents, carers or students to use the school's complaints procedure or to pursue any other legal remedies available to them

The Oversight Board can either:

- Decline to reinstate the student, or
- Direct the reinstatement of the student immediately, or on a particular date

In reaching a decision, the Oversight Board will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the CEO followed their legal duties
- The welfare and safeguarding of the student and their peers
- Any evidence that was presented to the Oversight Board

All relevant parties will be informed of the decision made by the Oversight Board in writing without delay.

6. Returning from a suspension

6.1 Reintegration strategy

Following suspension, or cancelled suspension or exclusion, Fable House staff will put in place a strategy to help the student transition successfully back into provision.

The following measures may be implemented, as part of the transition strategy, to ensure a successful reintegration for the student:

- Trusted, familiar member of staff to keep regular contact with the student throughout the period of suspension
- Additional pastoral support offered on return to the setting
- Regular reviews with the student and parents/carers to praise progress being made and raise and address any concerns at an early stage
- Student and parents/carers will be offered information about any external support which may be of benefit

6.2 Reintegration meetings

Fable House staff will clearly explain the reintegration strategy to the student in a reintegration meeting before or on the student's return to school. During the meeting staff will communicate to the student that they are getting a fresh start and that they are a valued member of the Fable House community.

The student, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents/carers in the event that they cannot or do not attend.

For a student over the age of 18, the parents/carers do not need to attend, although can do so with the permission of the student.

7. Monitoring arrangements

Fable House will collect data on suspensions and permanent exclusions.

The data will be analysed from a variety of perspectives including:

- By age group
- By time of day/week/term
- By protected characteristic
- By SEND areas of need

Fable House will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of students are identified by this analysis, Fable House will review its policies in order to tackle it.

This policy will be reviewed by the CEO every year and shared with the Oversight Board.

11. Links with other policies

This policy is linked to our:

- Behaviour policy
- SEND policy
- SEND information report
- Equality Policy