



Elliot Foundation Academies Trust

Guidance to Principals re Permanent Exclusion

October 2017

Document control

Date	Revision amendment details	By whom
22nd June 2012	Adopted by TEFAT board	Hugh Greenway
Sept 2017	Revised in line with statutory updates and reviewed by Senior Regional Director and Head of Governance and Policy	Jem Shuttleworth
13th Oct 2017	Presented to TEFAT board for adoption	Jem Shuttleworth
Oct 2019	Proposed date for review subject to statutory update as required	Jem Shuttleworth

Protocol prior to decisions about permanent exclusion

Elliot Foundation academies will only exclude as a last resort. All children in our academies are entitled to a safe and orderly learning environment, and all of our staff are entitled to work in an environment free from violence and disruption. Each academy's individual behaviour policy is designed to ensure such a safe environment and to promote good behaviour. Permanent exclusion will only be considered when the Executive Principal or Principal's risk assessment concludes that the welfare and safety of other members of the academy community cannot be assured.

If a child may possibly be permanently excluded, the Executive Principal or Principal must take account of DfE guidance [Exclusion from maintained schools, Academies and pupil referral units in England – A guide for those with legal responsibilities in relation to exclusion](#) (Sept 2017)

The guidance says in paragraph 16 that a decision to permanently exclude a pupil should only be taken:

- In response to a serious breach, or persistent breaches, of the school's behaviour policy; **and**
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school

Children with SEND

The guidance refers to pupils with a statement of SEN, and applies to pupils who have Education, Health and Care plans (EHCPs)

While schools may exclude pupils with EHCPs or statements of SEN, paragraph 23 of the guidance explains that these pupils are especially vulnerable to the impact of exclusion. Principals should, as far as possible, avoid permanently excluding these pupils.

Paragraph 25 adds:

- Where a school has concerns about the behaviour or risk of exclusion of a child with additional needs, including a pupil with a statement of SEN / EHCP ... it should, in partnership with others (including the local authority as



necessary), consider what additional support or alternative placement may be required.

- This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has a statement of SEN / EHCP, schools should consider requesting an early annual review or interim/emergency review.

Elliot Foundation Guidance to Executive Principals or Principals:

1. Ensure that support for the pupil is in line with the academy Behaviour Policy and 'reasonable expectations' of provision.
2. Ensure that all behaviour incidents are fully recorded and documented in ScholarPack
3. Where a pattern of high risk / violent behaviour emerges, refer to the LA to flag the concern and seek additional support from locality / social care services e.g. by convening a 'Child In Need' meeting.
4. Refer high risk / violent behaviour as a potential Child Protection issue to be investigated by the relevant local authority agency / team.
5. Record any fixed term, lunchtime or permanent exclusions on ScholarPack and discuss with Regional Director.
6. Ensure that all notes record the impact on other children and staff, including photographs of any injuries.
7. If a child has a statement of SEND or an EHCP seek an early annual review
8. Having done the above, if there is no improvement (or no additional support) inform the LA that the child is at risk of permanent exclusion and seek a meeting with the appropriate (senior) officer to find a way forward. Notify Regional Director and Head of Governance and Policy of risk.
9. If no resolution or improvement the Executive Principal or Principal should take action in line with DfE guidance on exclusion.