

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 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 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 \(2012\)](#).

The guidance says in paragraph 15 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 20 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 24 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 ... 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, schools should consider requesting an early annual review or interim/emergency review.



Elliot Foundation Guidance to 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
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. Ensure that a 'Critical Incident' report is made to TEFAT for all serious incidents
6. Record any fixed term exclusions on ScholarPack and discuss with Regional Director
7. Ensure that all notes record the impact on other children and staff, including photographs of any injuries
8. If a child has a statement of SEND or an EHCP seek an early annual review
9. Having done the above, if there is no improvement (or no additional support) inform LA that the child is at risk of permanent exclusion and seek a meeting with the appropriate (senior) officer to find a way forward
10. If no resolution or improvement the Principal should take action in line with DfE guidance on exclusion.