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## 1. Statement of intent

Lokrum Fields understands that positive behaviour is essential for creating a safe environment and maximising learning potential for our students and recognises that exclusion of students may be necessary where there has been a serious breach, or consistent breaches, of the Lokrum Fields Behaviour Policy. Exclusion may also be required in instances where allowing the student to remain in school would be damaging to the education and welfare of themselves or others. In all cases, excluding students will only be used as a last resort.

Lokrum Fields has created this policy to clearly define the legal responsibilities of the headteacher, governing board and proprietor when responding to student exclusions, to ensure that they are dealt with fairly, lawfully, and in line with statutory guidance.

This policy also secures a student's right to an education despite having been excluded, by ensuring that appropriate arrangements are in place.

This policy is underpinned by the shared commitment of all members of Lokrum Fields community to:

- Ensure the safety and well-being of all members of Lokrum Fields community and maintain an appropriate educational environment in which all students can learn

and succeed.

- Avoid exclusions unless considered absolutely necessary.

There is a strong emphasis at Lokrum Fields on the implementation of a Behaviour Policy that includes a range of strategies to promote positive behaviour. The majority of students at Lokrum Fields have suffered a previous trauma, therefore exclusion is recourse to be taken with the utmost reluctance and only when all alternative strategies have been exhausted. This policy applies to all students attending Lokrum Fields.

## 2. About our policies

- 2.1. Prior to Lokrum Fields receiving its registration number from the Department for Education, nothing in our policies is intended to imply that Lokrum Fields is operating as a school or claiming to be a school. Any use of the word “school” should be interpreted to include any operation of Lokrum Fields in the pre-registration phase. For clarity, Lokrum Fields will not engage in any regulated activity prior to receipt of its DfE registration number.
- 2.2. Our policies have been developed to comply with all relevant legislation and associated guidance. Policies will be updated periodically as necessary.
- 2.3. Our policies are inter-related and are intended to be read, understood and used collectively.
- 2.4. All staff and governors are expected to be familiar with and abide by our policies.
- 2.5. The Office Manager is responsible for ensuring volunteers and visitors are familiar with any policies which are relevant to their involvement and for taking reasonable steps to ensure compliance.
- 2.6. The Headteacher is responsible for ensuring policies are implemented fairly, effectively, and consistently.
- 2.7. The Headteacher is responsible for identifying any training needs in relation to our policies. The Office Manager is responsible for arranging the required training. All staff are expected to engage in continuous learning and ongoing training appropriate to their roles.

- 2.8. The effectiveness of our policies and their implementation is monitored by the Governing Body. Unless otherwise stated, the Governing Body reviews each policy annually.
- 2.9. The Governing Body for Lokrum Fields is provided by Governing for Ambition, an independent community interest company. The Governing Body uses its expertise to monitor the performance of Lokrum Fields and to advise the Proprietor of any recommended actions. Responsibilities assigned to the Governing Body are limited to these advisory and accountability functions.
- 2.10. Lokrum Fields is owned by Wider Ambition Ltd, a subsidiary of Wider Plan Ltd. References to the Proprietor mean a Director of Lokrum Fields or a senior representative from Wider Plan with delegated authority.
- 2.11. The Lokrum Fields Senior Leadership Team (SLT) includes the Headteacher, Proprietor, and any member of staff to whom responsibility is temporarily delegated by the Headteacher or Proprietor.
- 2.12. All references to parents within our policies should be interpreted to include parent carers.

### **3. Roles and Responsibilities**

- 3.1. The Headteacher is responsible for:
  - 3.1.1. Implementing the Lokrum Fields Behaviour Policy to ensure all students can benefit from the opportunities provided by education and to minimise potential exclusions.
  - 3.1.2. Applying the civil standard of proof when establishing the facts in relation to an exclusion.
  - 3.1.3. Complying with their statutory duties in relation to students with SEND when administering the exclusion process, as outlined in the Special Educational Needs and Disability (SEND) Policy.
  - 3.1.4. Considering any contributing factors that are identified after an incident of unwanted behaviour has occurred, e.g. if a student has suffered bereavement, bullying or has a mental health issue.

- 3.1.5. Considering what personalised support/provision may be needed to identify and address the needs of the student
- 3.1.6. Engaging effectively with parents in supporting the emotional regulation of students with additional needs.
- 3.1.7. Ensuring any decision to exclude is lawful, rational, reasonable, fair and proportionate.
- 3.1.8. Ensuring they have considered their legal duty of care when sending a student home following an exclusion.
- 3.1.9. Making the decision to exclude based on the evidence available at the time, regardless of any police investigation and/or criminal proceedings.
- 3.1.10. Notifying a student's parents without delay where the decision is taken to exclude the student, including the days on which the parents must ensure the student is not present in a public place at any time during school hours, as well as any other necessary information statutorily required.
- 3.1.11. Ensuring that all information provided to parents is clear and easily understood.
- 3.1.12. Notifying the chair of governors of their decision to exclude a student where appropriate, as well as the student's home authority if required.
- 3.1.13. Notifying the governing body once per term of any exclusions.
- 3.1.14. Notifying the proprietor of any exclusions immediately.
- 3.1.15. Organising suitable work for excluded students.

## **4. Grounds for exclusion**

- 4.1. Lokrum Fields will only exclude a student where it is absolutely necessary.
- 4.2. Behaviour which may underpin Lokrum Fields's decision to exclude a student includes, but is not limited to:
  - 4.2.1. Any incident which poses a risk to other students or members of staff, e.g. bringing a weapon onto the premises
  - 4.2.2. Any incidents which breach the law
  - 4.2.3. Persistent and severe bullying
  - 4.2.4. Verbal or physical abuse
  - 4.2.5. A single, serious incident, e.g. serious assault on another individual leading to injury

- 4.3. Students can be excluded on a fixed-period basis or permanently excluded.
- 4.4. In all cases, the headteacher will decide which exclusion period a student will be subject to, depending on what the circumstances warrant.

## **5. The power to exclude**

- 5.1. Only the headteacher and proprietor have the authority to exclude a student from Lokrum Fields on a fixed-term basis.
- 5.2. Only the proprietor has the authority to exclude a student from Lokrum Fields on a permanent basis.
- 5.3. The headteacher or proprietor are able to consider a student's behaviour outside of Lokrum Fields premises (for example, during an offsite visit) as grounds for exclusion, in accordance with Lokrum Fields's Behaviour Policy.
- 5.4. Any decision made to exclude a student will be lawful, proportionate, and fair.
- 5.5. All exclusions will be formally recorded on ScholarPack.
- 5.6. When sending a student home following any exclusion, the headteacher will ensure that they exercise their duty of care at all times and will always inform the parents.
- 5.7. The headteacher or proprietor will apply the civil standard of proof when responding to the facts relating to an exclusion, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true.
- 5.8. At all times, the headteacher or proprietor will take into account their legal duties under the Equality Act 2010 and the Special educational needs and disability code of practice: 0 to 25 years, ensuring that they do not discriminate on the grounds of any protected characteristic, and will not increase the severity of a student's exclusion on these grounds.

## **6. Duty to inform parents**

- 6.1. Following the decision to exclude a student, the headteacher will inform the parents immediately, in person or by telephone, of the period of the exclusion and the reasons behind it.
- 6.2. The headteacher will inform the parents in writing of:
  - 6.2.1. The reason(s) for the exclusion
  - 6.2.2. The length of the fixed-period exclusion or, for a permanent exclusion, the fact that it is permanent

6.2.3. Their right to raise any representations about the exclusion to the governing board, including how the student will be involved in this and how the representations will be made.

## **7. Procedure for Fixed Term Exclusion**

- 7.1. The parent collecting the student will be provided with details of the exclusion and the start / end dates of the exclusion in writing and the parents invited into Lokrum Fields to discuss the reasons for the exclusion.
- 7.2. School work is always provided for a student to cover the period of a fixed term exclusion.
- 7.3. On a student's return to Lokrum Fields following a fixed term exclusion, the parent(s) are asked to accompany their child to meet with the Headteacher or member of the Senior Leadership Team.
- 7.4. During a fixed term exclusion, the student is not allowed on Lokrum Fields premises and it is the responsibility of the parent(s) to arrange daytime supervision for their child.

## **8. Procedure for Permanent Exclusion**

- 8.1. There are two main types of situation in which permanent exclusion may be considered:
  - 8.1.1. A final, formal step in a concerted process for dealing with unacceptable behaviour following the use of a wide range of other strategies which have been used over time without success. It is an acknowledgement that all available strategies have been exhausted and is normally used as a last resort.
  - 8.1.2. Where there are circumstances of extreme behaviour causing a serious risk to either the student concerned, adults or other students.
- 8.2. A letter will be sent in the post, or via email, providing details of the reason for the exclusion and outlining the formal procedures for permanent exclusion.