



Policy on Fixed-Term and Permanent Exclusion (Whole School including EYFS)

Independent Day School

Our Lady of Sion School

Last Reviewed: May 2025

Frequency of Review: Annually

Next Review Due: May 2026

1. Statement of Intent

At Our Lady of Sion School, we understand that good behaviour and discipline are essential for promoting a high-quality education. Amongst other disciplinary sanctions, the school recognises that the exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the school's Behaviour Policy or Parent Contract. Exclusion may also be required when allowing the pupil to remain in school would be damaging to the education and welfare of themselves or others. In all cases, exclusion will only be used as a means of last resort.

This policy provides clarity on when the school's right to exclude a pupil may be exercised and ensures that our procedures are fair, proportionate, and promote natural justice. It does not apply to situations where a pupil must leave due to non-payment of fees or withdrawal by their parents.

2. Legal Framework

This policy has due regard to all relevant legislation and guidance, including but not limited to:

- Education Act 2002
- Education and Inspections Act 2006
- Education Act 1996
- The Education (Independent School Standards) Regulations 2014
- The European Convention on Human Rights (ECHR)
- Equality Act 2010
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2018) 'Mental health and behaviour in schools'

This policy operates in conjunction with the following:

- Parent Contract
- Behaviour Policy
- Anti-bullying Policy
- Pupil Code of Conduct
- SEND Policy
- Child Protection and Safeguarding Policy

3. Roles and Responsibilities

The governing board will:

- Ensure prompt review of permanent exclusions.
- Consider written parental representations within seven working days.
- Determine if a pupil may sit an exam despite exclusion.

The headteacher will:

- Apply the civil standard of proof ('balance of probabilities').
- Comply with duties relating to SEND, equality, and safeguarding.
- Ensure fair consideration of contributory factors such as bereavement or bullying.
- Engage parents and initiate multi-agency assessments if needed.
- Ensure lawful, fair, and proportionate exclusions.

Clarification: The role of the LA in this policy applies only in specific circumstances, such as where the child is looked-after, has an EHC plan, or is transitioning to a maintained school. Independent schools are not legally required to involve the LA in general exclusions.

4. Grounds for Suspension or Exclusion

The school will only suspend or exclude a pupil where absolutely necessary and after all other disciplinary options have been exhausted.

Examples of serious misconduct include:

1. **Physical Violence** – Assault, fighting, or threats
2. **Bullying** – Persistent bullying, harassment, cyberbullying
3. **Substance Abuse** – Drugs/alcohol possession, use, or distribution
4. **Theft or Vandalism** – Stealing or deliberate property damage
5. **Weapons** – Possession or threat of use of dangerous items
6. **Persistent Defiance** – Repeated rule-breaking, disruption
7. **Offensive Behaviour** – Discriminatory language, sexual misconduct, bringing the school into disrepute
8. **Breach of School Policies** – Health & safety, IT misuse, safeguarding breaches

Behaviour outside school may also result in exclusion if it affects the school's reputation or safety.

5. Headteacher's Authority

Only the headteacher can exclude or suspend a pupil. Lunchtime suspensions count as half a day. Informal exclusions (eg, to "cool off") are prohibited.

All exclusions are recorded on CPOMS and communicated promptly to parents. The school ensures decisions comply with the Equality Act 2010 and SEND Code of Practice.

6. Graduated Response Process

A graduated response means the school takes a step-by-step approach:

1. Identify needs
2. Implement targeted interventions
3. Monitor progress and adapt support
4. Involve specialists (eg, SENCO, counsellors)

Suspension or exclusion will only be considered after this process is exhausted, especially for pupils with SEND or SEMH. Exclusion will never be the first response for these pupils.

Where needs cannot be met at the school, detailed records will be kept and support will be arranged in consultation with the pupil's next setting.

7. Duty to Inform Parents

Parents will be informed immediately via phone or in person, followed by written communication including:

- Reasons and duration of exclusion
- Right to make representations
- Details of educational provision (if applicable)
- Restrictions on entering school premises
- Contact information for impartial advice

If additional fixed-term or permanent exclusion is issued, an updated notice will be provided.

8. Disciplinary Meeting

The headteacher may convene a meeting with the pupil, their parents, and supporting staff. Evidence will be presented, including:

- Incident reports
- Investigation findings
- School file documents

- This policy

Confidential information or identities of witnesses may be withheld.

9. Review of Exclusions

Parents may request a review by submitting written representation within three working days. Late requests are considered at the headteacher's discretion.

If granted, a panel of three governors with no prior involvement will conduct a review within ten working days. The decision may uphold or recommend reconsideration of the headteacher's decision.

This review is final; there is no additional internal appeals process. Parents may raise procedural concerns during the review.

10. Reaching a Decision

The panel will decide based on the balance of probabilities and assess proportionality. Written outcomes and recommendations will be provided within three working days.

The headteacher will respond within 24 hours. Discussions will be held with parents to determine the pupil's leaving status and future reference.

11. Monitoring and Review

This policy is reviewed annually. The next review is scheduled for **May 2026**.

All staff must familiarise themselves with this policy during induction.

Approved by Board of Governors May 2026