



## Equine Learning CIC (ELCIC) – Exclusion Policy

What kinds of exclusions are there? There are two types of exclusions:

1. fixed term exclusion: a student may be excluded for any period up to 45 days in any ELCIC school year.
2. permanent exclusion: excluded from the centre permanently.

Only the Director can exclude a pupil from ELCIC. They must notify the pupil's parent or carer without delay, and also confirm in writing how long the period of the exclusion is for, the reason for the exclusion and the proposed date of readmission.

Parental responsibilities during the exclusion period:

Parents/carers are responsible for their child's education. You must therefore ensure your child is not found in a public place in ELCIC hours. If your child is found to be in a public place, without reasonable justification, then a penalty notice may be issued by the local authority.

ELCIC's responsibility during the exclusion period:

The centre will provide work for periods of exclusion. There will be a re-entry interview when the pupil returns to ELCIC, which parents are encouraged to attend. The reason for, and the events leading up to the exclusion will be discussed. Any subsequent consequences of the behaviour will be reviewed and plan agreed to move forward positively will be agreed. Where appropriate, restorative justice will be arranged by the Education Programme Supervisor, between parties involved in the incident.

How many times can a student be excluded?

The law allows a Headteacher to exclude a pupil for up to 45 days in an academic year.

Fixed term exclusions

The Director has the power to exclude any pupil who has, in their view, committed a serious offence. No such decision will be taken lightly. After a fixed term exclusion, the pupil will return to ELCIC. If you are unhappy with the fixed term exclusion you may wish to consider making a complaint. Please refer to the Parental Complaints Policy and Procedure.

Permanent exclusion

If a pupil has received the maximum of 45 days exclusion in one year and then re-offends, the Director will have little choice but to permanently exclude. In the case of serious offences, the Director may decide to permanently exclude a student for the safety and wellbeing of other students and staff.

A non-exhaustive list of the sorts of behaviour that could merit exclusion includes:

- physical assault against pupils or adults
- verbal abuse/threatening behaviour against pupils or adults
- bullying (especially if it is severe or persistent)
- racist abuse

- sexual misconduct
- drug and/or alcohol misuse
- damage to property
- causing any harm to an animal
- theft
- persistent disruptive behaviour
- parental behaviour

What happens if my child is permanently excluded?

Once you have been informed of the exclusion and the incident(s) leading up to the decision, the centre will inform the following organisations:

1. The local authority
2. The sending agency if no separate from the local authority.
3. The partner school

The local authority or partner school will work with parents to find a new placement.

Can I appeal against the Director's decision to permanently exclude my child?

Complaints should be put in writing, within 15 working days, to the Director Any request for a review received after that time will not be considered. If the Director decides to confirm/uphold the decision to permanently exclude your child, you can then refer to the local authority. The details of how appeal to the local authority will be detailed in your letter from the Director (see appendix 1). If you are unsure of where to make the request you can contact the Director or Education programme Supervisor for advice.

What happens if I appeal to the Local Authority regarding a permanent exclusion?

You may be invited to attend a meeting of an Independent Review Panel (IRP). After considering your views, and the views of the Director of the centre, the IRP, or your personal contact, will make a decision and inform you of it. Having reviewed the decision of the Director to permanently exclude your child, the IRP or key contact can only:

- uphold the exclusion (your child will not be allowed back into that ELCIC)
- recommend the Director reconsiders the original decision (the Director may still come to the same decision and not allow your child back into ELCIC)

Once the exclusions process has completed, what education is my child entitled to?

If the Director has not reinstated your child they will be removed from the centre roll once the exclusions process has completed. Your child should then attend the provision the local authority has arranged for you.



Appendix 1 – Example exclusion letter

Dear.....

Unfortunately, I have decided to exclude ..... for a fixed period of ... day(s). The exclusion begins on.....and ends on.....

I realise that this exclusion may well be upsetting for .....and yourself, but the decision has not been taken lightly. The reason for the exclusion is.....

Please remember that..... should not be present in a public place during school hours during the exclusion period unless there is reasonable justification for this. We will set work for ..... to be completed on the day/s specified and returned to us on their return.

You and your child have the right to appeal this decision. To appeal you will need to contact Ms Nicola Hepburn, The Director at the centre as soon as possible.

You are advised that the following sources of advice are available to you:

- Coram Children’s Legal Centre. They provide free legal advice and information to parents on education matters. They can be contacted on 0808 802 008 or at <http://www.childrenslegalcentre.com>.
- The current Statutory Exclusion Guidance: <https://www.gov.uk/school-discipline- exclusions>.

You and ..... are requested to attend a re-entry interview on .....

Yours sincerely

Nicola Hepburn  
Director