



The London Oratory School

1863

Exclusion Policy 2020

The Headmaster is charged by the Governing Body to oversee the Behaviour Policy and Disciplinary Statement.

The Governing Body regards the good order of the School as of primary importance in allowing pupils to develop fully their academic, religious, musical and sporting education. Pupils who regularly infringe the good order of the School to the detriment of their fellow pupils may be excluded.

The Governing Body is mindful that the School is regularly oversubscribed. The impact of poor behaviour can, in the experience of the Governing Body and the School, be exacerbated in a busy, crowded school community. The Governing Body and the School will take account, as an important and material factor in the exercise of the Exclusion Policy, of the impact of poor behaviour on the overall School community.

The Headmaster's decision to permanently exclude a pupil will be considered by an Exclusion Review Committee of the Governing Body ("the Committee"). In certain circumstances, the Committee may also need to review fixed-term exclusions.

The Committee will consider the interests and circumstances of the excluded pupil, the circumstances of the exclusion(s) and have regard to the interests of other pupils and staff at the School.

The School will have regard to the public sector equality duty to eliminate unlawful discrimination and to advance equality of opportunity. The Headmaster and Governing Body will take account of their statutory duties in relation to special educational, medical and other needs when administering the exclusion process.

The School will take account of statutory and non-statutory guidance where appropriate in seeking to identify preventative measures which will reduce the instances of permanent exclusions.

The Headmaster may consider the use of a multi-agency for pupils who demonstrate persistent disruptive behaviour. Where a pupil has received multiple exclusions or is approaching the legal limit of 45 school days of fixed period exclusion in an academic year, the Headmaster may consider whether exclusion is providing an effective sanction.

The School will – so far as it is able and without impacting upon the education of other pupils in the School – avoid excluding permanently pupils with Educational Health and Care Plans, other recognised Special Educational Needs (SEN) issues, or those who are looked-after children. The School will engage proactively and in partnership with parents, foster parents, home workers and local authorities as appropriate in supporting the behaviour of pupils with additional needs. It may consider additional support, alternative placements and early, interim or emergency reviews of a pupil's needs.

In deciding whether or not to exclude, the Headmaster may take account of any contributing factors such as bereavement or bullying which may have caused, wholly or partially, the incident(s) of poor behaviour. He will have regard to any safeguarding matters reported by the School's Designated Safeguarding Lead (DSL). In discharging their responsibilities with regard to all exclusions, fixed-term and permanent, the Headmaster and the Governing Body will follow the provisions set out in the Department for Education (DfE) document;

“Exclusion from maintained schools, academies and pupil referral units in England: Statutory guidance for those with legal responsibilities in relation to exclusion. September 2017.” [<https://www.gov.uk/government/publications/school-exclusion>]

Exclusion Review Committee:

The Committee will be made up of three Governors. The Governing Body would not normally ask a Staff Governor to serve but may ask a Parent Governor to sit on a committee. Parent Governors who know the pupil, or who know of the circumstances of the exclusion, will be expected to recuse themselves from the Committee.

The Committee will be one of inquiry; it will not be adversarial. Parties who attend are required to do so in order to assist the Committee to establish those facts that it needs in order to review the Headmaster's decision to exclude.

The School will circulate written evidence in advance of the meeting, including any witness statements and other relevant information.

The normal procedure to be followed at the hearing will be:

- the Chairman will outline the purpose and conduct of the meeting
- the Headmaster will explain the reasoning behind his decision to exclude the pupil
- the committee will pose questions to him to elucidate any matters of fact
- the parents and/or their representative will be invited to make submissions as to why the pupil should be reinstated
- the Committee will ask the parents or their representative for questions which they wish to put to the Headmaster through the Chair of the Committee
- the Committee will ask the Headmaster for questions which he may wish to put to parents or their representative through the Chair of the Committee
- the Committee may ask questions of any party at any point

Minutes will be taken by the Clerk to the Committee. They may be made available to all parties on request. They are not a public document.

The Committee will adjourn to consider its decision. It will decide whether the decision to exclude was lawful, reasonable and procedurally fair, taking account of the Headmaster's legal responsibilities. The Committee's findings will be made on the burden of proof on the balance of probabilities. A written decision will be sent to the parents as soon as practicable.



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