



Damage and Exclusion Policy

Policy Reviewed by:	Suzy Hollett (HR Manager)
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Policy Verified by:	Sara Llewellyn (School Leader-CEO)
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Date for Next Review:	01.09.2027

At Maple Haven School the safety and well-being of our pupils and staff members are paramount. To maintain an appropriate educational environment in which all can learn, succeed, excel and be proud of all achievement.

Maple Haven School seeks to avoid exclusions unless considered necessary. There is a strong emphasis at our School on the implementation of positive behaviour that ensures a range of strategies to promote this.

All pupils at Maple Haven School have special educational needs and therefore exclusion is recourse to be taken with the utmost reluctance and when all alternative strategies have been tried and failed.

If a pupil causes damage to school property accidentally the cost to replace will not be charged, however if the damage is deemed intentional the cost to replace any item will be charged to parents/carers.

This policy applies to all pupils attending the school.

Key Principles

The school Leader will consult with the Senior Leadership Team and they all must agree that it meets the statutory requirements for the exclusion.

Maple Haven School recognise that exclusion is a serious matter and has the potential to affect the pupil's life in a significant way. Decisions, with respect to exclusions, must not be taken lightly but only after careful consideration of the circumstances.

Pupils will only be excluded after all the relevant factors have been considered and when the school Leader is satisfied that there is no alternative way to move forward. The school Leader must ensure that:

1. A thorough investigation has been carried out.
2. All the evidence has been considered.
3. Where appropriate, statements have been taken from witnesses.

The nature of the period of exclusion shall be proportionate having regard to the incident and other circumstances leading up to it. Fixed terms and permanent exclusions are used when other strategies and sanctions have not been effective over time or when there has been a single clear and serious breach of discipline.

A serious offence could by itself justify a pupil's exclusion and there may be other situations where the school Leader makes the decision that exclusion is an appropriate sanction. This may include, but is not limited to, an aspect of any of the following:

- Physical abuse / Verbal abuse, or offensive language towards an adult or child.
- Bullying.
- Frequent high-level disruption to lessons or frequent high level of non-compliance.
- Frequent high levels of disrespect to adults who work in Maple Haven School.
- Unacceptable behaviour for which intervention and support has not been successful in modifying over time.
- Serious breach of positive behaviour policy.
- Actions which bring Maple Haven School into disrepute.
- Damage to property or equipment.
- Theft.
- Carrying an offensive weapon.
- Arson.
- Spitting in pupils/staff faces.

Procedure for Fixed Term Exclusion

The school Leader would have had meetings with the parent/carers of the pupil prior to fixed term exclusion when all other interventions have been carried out and the outcome is still unsuccessful. The Safeguarding Panel will be kept informed and collectively the decision will be made.

Parent/carers will be contacted immediately and be asked to attend a meeting to discuss the decision and once a decision has been made to exclude a child. A formal letter will be sent by post giving details of the exclusion and the start / end dates of the exclusion. If possible.

On a pupil's return to Maple Haven School following fixed term exclusion the school leader will devise a Plan and it will be drawn up and implemented. This will be discussed and agreed with parent/carers and, where appropriate, the pupil.

During a fixed term exclusion, the child is not allowed on the school premises, and it is the responsibility of the parent/carers to arrange daytime supervision for their child.

For any fixed term exclusion that exceeds 6 consecutive days alternative educational provision must be arranged for the child. Fixed term exclusions cannot exceed, when accumulated, a total of 45 School days in any one academic year.

Procedure for Permanent Exclusion

The decision to exclude a pupil permanently is a serious one. There are two main types of situations in which permanent exclusion may be considered:

- The first is a final, formal step in a concerted process for dealing with unacceptable behaviour following the use of a wide range of other strategies (that may also include involvement of other professional agencies) which have been used over time without success.

- The second is an acknowledgement that all available strategies have been exhausted and is normally used as a last resort. The second is where there are circumstances of extreme behaviour causing a serious risk to either the pupil concerned, adults or other pupils.

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others, or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the school Leader will ensure that appropriate investigations are carried out into this Policy.

The parents/carers will be immediately informed and where appropriate be asked to come into Maple Haven School to meet with the school Leader.

A formal letter will be sent in the post providing details of the reason for the permanent exclusion and outlining the formal procedures for permanent exclusion, provide details of organisations that support and provide exclusion information to parents and their right to appeal.

The letter will also include a date for the meeting of a panel of School Governors who will consider, based on all available evidence, the decision made by the School Leader to permanently exclude a pupil. Parent(s) and their representatives are invited to this meeting.

The School Governors can make one of two decisions they may either:

- Allow the child to return to Maple Haven School by overturning the exclusion (a date will be agreed for the pupil to return).
- Or uphold the School Leader's recommendation for permanent exclusion.

Independent Appeal Panel following Permanent Exclusion

Where a pupil has been permanently excluded and that decision has been upheld by the panel of School Governors, parents have a right of appeal to an Independent Review Panel.

The decision letter of the Safeguarding panel will contain the relevant information for exercising that right of appeal and the relevant timeframes for doing so.

Full details of the Independent Review Panel process are set out in the Secretary of State's Guidance on exclusions and can be found on their website at the following link: www.gov.uk/government/publications/school-exclusion

None of the Independent Review Panel will have links with Maple Haven School. Maple Haven School will usually delegate the task of forming the Independent Review Panel and clerk to an independent clerking service.

Any Independent Review Panel will be impartial, constituted in accordance with the Secretary of State's Guidance on exclusions and will have regard to that guidance when exercising its functions.

An independent review panel does not have the power to direct the safeguarding panel to reinstate an excluded pupil.

However, where a panel decides that the safeguarding panel's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct the panel of School Governors to reconsider its decision.

If the Safeguarding Panel does not subsequently offer to reinstate a pupil, the panel will be expected to order that the school makes an additional payment of £4,000. This payment will go to the local authority towards the costs of providing alternative provision.

- Whether or not a school recognises that a pupil has special educational needs (SEN), all parents (or pupils if aged 18 or over) have the right to request the presence of a SEN expert at an independent review panel. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion; for example, whether the school acted reasonably in relation to its legal duties when excluding the pupil.
- Excluded pupils should be enabled and encouraged to participate in all stages of the exclusion process, considering their age and understanding.

Statutory guidance to SEN experts on their conduct during an independent review panel

- The SEN expert's role is analogous to an expert witness, providing impartial advice to the panel on how special educational needs might be relevant to the exclusion. The SEN expert should base their advice on the evidence provided to the panel. The SEN expert's role does not include assessing the pupil's special educational needs.
- The focus of the SEN expert's advice should be on whether the school's policies which relate to SEN, or the application of these policies in relation to the excluded pupil, were legal, reasonable, and procedurally fair. If the SEN expert believes that this was not the case, he / she should, where possible, advise the panel on the possible contribution that this could have made to the circumstances of the pupil's exclusion.

The Independent Review Panel's decision is final and binding at Maple Haven School.

Following Maple Haven School's implementation of the Independent Review Panel's recommendation, if the parents or carer remain dissatisfied, they may seek a judicial review of the decision.