



Stella Maris School

Exclusions Policy

Updated: Sept. 2025
Review Date: Sept. 2026

Stella Maris School is committed to Safeguarding and promoting the welfare and well-being of all members of the school. All school staff and volunteers who work in the school are expected to share this commitment and vision.

This Policy was written in consultation with the Trustees, Headteacher and the staff of Stella Maris School with due regard to our mission statement.

Our Mission Statement:

“At Stella Maris we endeavour to put the children at the centre of everything we do. Our mission is to educate, nurture and instil traditional values and cherish our children. We inspire them to achieve their best in every aspect of their lives.”

Aims

Stella Maris School aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by Trustees, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become NEET (not in education, employment or training)

Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department of Education.

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'

The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

The Decision to Exclude

Only the Headteacher, can exclude a pupil from school and will only be taken at the end of the processes outlined in our Behaviour and Discipline Policy. It is something which the school feels would only be used in extreme circumstances when all other measures have been exhausted. A permanent exclusion will be taken as a last resort.

Stella Maris School is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to exclude a pupil will be taken only:

In response to serious or persistent breaches of the school's Behaviour Policy, **and**

If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the Headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has Special Educational Needs and Disability (SEND)

Roles and Responsibilities

The Headteacher

Informing Parents

The Headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the exclusion
- The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the exclusion to the Board of Trustees and how the pupil may be involved in this
- Where there is a legal requirement for the Board of Trustees to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The Headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

- The start date for any provision of full-time education that has been arranged

- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start.

The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the Board of Trustees and the Local Authority

The Headteacher will immediately notify the Board of Trustees and the Local Authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is made permanent
- Exclusions which would result in the pupil being excluded for more than 5 school days

The Board of Trustees

Responsibilities regarding exclusions is delegated to the full Board who will nominate 3 Trustees to oversee the matter.

The Board of Trustees has a duty to consider the reinstatement of an excluded pupil.

The Local Authority

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

Considering the Reinstatement of a Pupil

The Board of Trustees will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a fixed-term exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term
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If requested to do so by parents, the Board of Trustees will consider the reinstatement of an excluded pupil.

The Board of Trustees can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the Board of Trustees will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the Headteacher followed the legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The Board of Trustees will notify, in writing, the Headteacher and the Parents of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent their decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
 - The date by which an application for an independent review must be made
 - The name and address to whom an application for a review should be submitted
 - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion
 - That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require an SEN expert to attend the review
 - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
 - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
 - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review

An Independent Review

If parents apply for an independent review, the Board of Trustees will arrange for an independent panel to review their decision not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by Board of Trustees of its decision to not reinstate a pupil.

The independent panel will decide one of the following:

- Uphold the Board's decision
- Recommend that the Board reconsiders reinstatement
- Overturn the Board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the Chair has the casting vote.

School Registers

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the Board of Trustees will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Returning from a Fixed-Term Exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

Agreeing to a Behaviour Contract will be implemented when a pupil returns from a fixed-term exclusion.

Monitoring Arrangements

The Headteacher will have responsibility for monitoring the number of exclusions every term and reporting back to the Board at Trustee Meetings.

This Exclusions Policy will be reviewed by the Headteacher every year. At every review, the Exclusions Policy will be shared with the Board of Trustees for their approval.

Links with other Policies

This Exclusions Policy is linked to:

- Behaviour and Discipline Policy
- SEND Policy