



‘Improving the quality of family life’

Exclusion Policy

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Policy

Snowflake School will do everything in its power to ensure that it does not discriminate against students on any unlawful basis in considering any form of exclusion. This policy is aligned with the Equality Act 2010 and the SEND Code of Practice: 0 to 25 years (2024), the Children and Families Act 2014, the Independent School Standards Regulations 2014, and DfE statutory guidance on Suspension and Permanent Exclusion (2023) ensuring that all decisions regarding exclusion are made lawfully, fairly, and with due regard to pupils' individual needs.

Autism-Specific Ethos and ABA Framework

As a specialist autism provision using Applied Behaviour Analysis (ABA), the school recognises that behaviour is a form of communication. Exclusion will only be considered after reasonable adjustments, functional behaviour assessment (FBA), positive behaviour support (PBS), and individualised intervention strategies have been implemented, reviewed, and documented.

Safeguarding and Exclusion

Before any exclusion decision is made, the DSL will be consulted and a safeguarding and welfare review will be undertaken to consider whether the behaviour is linked to unmet needs, trauma, mental health, or safeguarding concerns. Exclusion will never replace appropriate therapeutic or safeguarding intervention.

Removal of students on health and safety grounds

The Head Teacher may decide to send a pupil home, after consultation with that pupil's parents/guardians and a health professional as appropriate, where because of a diagnosed illness such as a notifiable disease the pupil poses an immediate and serious risk to the health and safety of other students and staff. This is not an exclusion and will be for the shortest possible time.

Students with special educational needs/disability (SEND)

The school recognises its duties under the Equality Act 2010 to make reasonable adjustments for disabled pupils, including autistic pupils whose behaviours may arise from their disability. The school will review the pupil's EHCP, Behaviour Support Plan, and therapeutic input before considering exclusion. Where appropriate, an emergency EHCP review will be requested with the Local Authority.

It is recognised that statutory guidance on identifying, assessing and making provision for pupils with SEND, including those with behavioural, social and emotional needs, is provided in the SEND Code of Practice: 0 to 25 years, which supports the Children and Families Act 2014 and was most recently updated in 2024. Snowflake School will have regard to this guidance. The Board of Trustees has a statutory duty to do its best to ensure that the necessary provision is made for any pupil who has a special need.

Where a child is permanently excluded, the Head Teacher will use the period between his or her initial decision and the meeting of the Board of Trustees to work with the pupils' Local Authority and/or parents to see whether more support can be made available or whether the statement should be changed to name a new school. If either of these options is possible, the Headteacher will normally withdraw the exclusion.

It is extremely important that parents/guardians of pupils with SEND who are excluded from school receive advice on the options available for their child's future education. Advice and information on SEND is available through local SEN Parent Partnerships. The Parent Partnership will also be able to provide details of voluntary agencies that offer support to parents/guardians, including those that can offer advice concerning exclusions.

The decision to exclude

A decision to exclude a pupil will only be taken in response to serious breaches of the behaviour policy and where allowing the pupil to remain in school would seriously harm the education, safety, or welfare of the pupil or others. Exclusion will not be used for behaviour that is a direct manifestation of a pupil's disability without clear evidence that reasonable adjustments and specialist interventions have been exhausted.

A decision to exclude a child **permanently** is a serious one. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies, which have been tried without success.

There will, however, be exceptional circumstances where, in the Headteacher's judgement, it is appropriate to permanently exclude a child for a first or 'One off' offence. These might include:

- Serious actual or threatened violence against another student or a member of staff
- Sexual abuse or serious assault
- Carrying an offensive weapon

The Head Teacher must consider whether to inform the police where such a criminal offence has occurred. They will also consider whether to inform other agencies.

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the Snowflake School community.

In cases where the Head Teacher has permanently excluded a student for:

- One of the above offences; or
- Persistent behaviour that presents a serious and ongoing risk to the safety or education of others, despite documented reasonable adjustments and therapeutic interventions.

The Secretary of State would not normally expect the Board of Trustees or an Independent Appeal Panel to reinstate the student.

Factors that will be considered before deciding to exclude

Exclusion will not be imposed in the heat of the moment unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to exclude a pupil, either permanently or for a fixed period, the Head Teacher will:

- Ensure that a thorough investigation/review has been carried out
 - Allow the pupil to give his or her version of events, as far as it is possible
 - Check whether the incident/s may have been provoked and check that all procedures have been followed correctly
 - Consider whether the incident is linked to SEND, communication needs, or sensory regulation
- Consider all the evidence available to support the allegations on the balance of probabilities, taking account of Snowflake School's behaviour and equal opportunities policies, and, where applicable, the Equality Act 2010
- Review behaviour data and ABA intervention records
- Conduct or review a Functional Behaviour Assessment (FBA)
- Work with the parents, therapists and outside agencies to try to resolve issues
- Ensure that school staff and parents have met to plan/offer a modified timetable/curriculum for a set period to try to positively change behaviour (behaviour data and other assessments will be shared with parents to help this process)
- If necessary, consult others i.e. the Carbone Clinic Consultants (but not anyone who may later have a role in reviewing the Head Teacher's decision, for example a member of the Board of Trustees)

The standard of proof to be applied is the balance of probabilities. However, the more serious the allegation, the more convincing the evidence substantiating the allegation will need to be. This is not the same as requiring the criminal standard to be applied but it does mean that, when investigating more serious allegations, the Headteacher will gather and take account of a wider range of evidence (extending in some instances to evidence of the pupil's past behaviour), in determining whether it is more probable than not that the pupil has committed the behaviour/alleged offence.

Where a police investigation leading to possible criminal proceedings has been initiated, the evidence available may be very limited. However, it will still be possible for the Head Teacher to make a judgment on whether to exclude the pupil.

Suspension (fixed term exclusion)

Suspension (fixed-term exclusion) will be used only as a last resort and for the shortest time possible.

Snowflake School will not give a suspension (fixed-term exclusion) for longer than a total of 45 days in any school year.

Suspensions (fixed-term exclusions) will be for a set period, typically 1 – 3 days

The Head Teacher will telephone the pupil's parents/guardians on the day a Suspension is given and follow up with a letter that explains the period of exclusion, the reasons for it and who to contact if parents/guardians would like to give their views

Pupils will be Suspended only if their presence at school would harm other pupils or seriously disrupt the learning of others

Reintegration planning, including updated behaviour and therapeutic strategies, will be mandatory following any suspension.

Considerations following a fixed period exclusion

The Head Teacher will consider:

- How the time might be used to address the pupil's difficulties/problems and plan for a re integration into the school
- b) Together with pupil's maintaining LA, what educational arrangements will best help with the pupil's reintegration into Snowflake School at the end of the exclusion

A reintegration meeting will be held with parents, clinical/ABA staff, and relevant professionals. A revised Behaviour Support Plan, risk assessment, and reasonable adjustments will be agreed to support a successful return to school. This may well involve the establishment of an individual home school contract.

Parental co-operation

If efforts to resolve the issue with the parents/guardians are unsuccessful the Head Teacher will consider whether to contact the Education Welfare Service and seek the advice of the LA about available options.

In cases where a child in the care of the local authority or 'looked after' is excluded, the legally defined parent will have the right to make representations and to appeal. The definition of a parent for the purposes of the Education Acts is broadly drawn and includes any person who has parental responsibility (which includes the Local Authority where they have a care order in respect of the child) and any person (for example, a foster parent) with whom the child lives. These are in addition to the child's birth parent(s). This means that there could be several people whom the Headteacher must notify about exclusions and who will have the right to make representations and appeal.

Even where the Local Authority does not have parental responsibility, the child's social worker (if appropriate) will be informed about any exclusion.

Permanent exclusions

Permanent exclusion is a last resort and will only occur after all reasonable adjustments, therapeutic interventions, and multi-disciplinary reviews have been exhausted, unless there are exceptional circumstances involving serious risk to safety.

When a child has been permanently excluded:

- The school's Board of Trustees will be required to review the Headteacher's decision, and the parents may meet with them to explain their views on the exclusion
- If the Board of Trustees confirms the exclusion, the parents have the right to request an Independent Review Panel (IRP). The panel will be independent and will not include Trustees or other individuals involved in the original decision, in accordance with best practice and procedural fairness requirements.
- The Head Teacher will explain in a letter to the parents about how to make an appeal
- All local authorities have made a commitment to provide a child with a full-time education after a permanent exclusion - they will discuss the options with the parents once informed of the exclusion

Record Keeping and Governance

The school will maintain detailed records of all exclusions, including equality impact considerations, SEND analysis, behaviour data, and intervention history. The Proprietor and Board of Trustees will monitor exclusion patterns to ensure they are lawful, proportionate, and non-discriminatory.

Equality and Reasonable Adjustments (Added Compliance Clause)

The school will actively consider whether the behaviour leading to exclusion is a manifestation of the pupil's autism or disability and will evidence all reasonable adjustments made prior to exclusion, including environmental adaptations, communication supports, and therapeutic interventions.

Review Cycle

This policy will be reviewed annually or sooner in response to changes in legislation, DfE guidance, Ofsted/ISI inspection feedback, or developments in specialist autism and ABA best practice.

Revision

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Review due	March 2027
Reviewed By	Tara Morgan
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