

# EXCLUSIONS POLICY

## Introduction

The DCSF guidance on exclusions does not apply to independent schools.

“The right to expel a pupil at an independent school derives from the contract between the school and the fee payer (normally the parent(s)). The necessary terms may have to be inferred, if they are not expressly stated in the contract. The decision of an independent school to exclude a pupil is not open to any public law remedy. (Butterworths’ Law of Education 1996)”

For most students at The Shires at Oakham the fee payer is the local authority. In some cases the students’ fees are shared by education, health and social care. In others the fees are paid entirely by the education department. The standard contract (NASS contract) between The Shires and local authorities outlines the legal parameters that should be considered if an exclusion is to be made.

## The Shires at Oakham’ Philosophy on exclusions

For many of our students The Shires at Oakham offers a final chance. A high proportion of students have been excluded from other special schools before they are admitted to The Shires Oakham and so it is important that parents and placing authorities are confident that a further exclusion is not likely. Students are admitted to The Shires Oakham only after a lengthy and thorough vetting and assessment process. The Shires Oakham caters for students who have autism, severe learning difficulties and extremely challenging behaviour. Students are only offered a place if senior staff believe that their needs can be fully met. It is The Shires Oakham’ policy and philosophy that a student will not be excluded from school. If in extremely rare circumstances The Shires at Oakham is unable to continue to meet the needs of an individual student and believes that the student is likely to cause significant harm to himself/herself or poses an unacceptable threat to the safety and wellbeing of other students or staff, then the placing authority will be consulted and the contract will be terminated giving the contractually required notice period. The Shires Oakham will work with the Local Authority and Parents to help find a suitable referral placement for the student and will cooperate fully with transition arrangements to help prepare the student for the change.