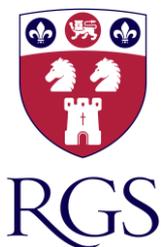


**SERIOUS  
DISCIPLINARY  
ISSUES  
PROCEDURE**



RGS



# SERIOUS DISCIPLINARY ISSUES PROCEDURE

Newcastle upon Tyne Royal Grammar School

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## INTRODUCTION:

This document explains the circumstances under which a student may be suspended or expelled from the school, or required to leave permanently for misconduct or other reasons.

The document applies to all students at the school but does not cover cases when a student has to leave because of ill-health, non-payment of fees, or withdrawal by their parents/guardians.

Allegations, complaints or rumours that a student may have committed a serious breach of school discipline will be dealt with in accordance with the Behaviour, Rewards and Sanctions Policy, or Junior School Behaviour Rewards and Sanctions Policy.

In the absence of the Head Teacher a nominated Deputy Head would take over.

**THE USE OF CORPORAL PUNISHMENT OR THE THREAT OF IT IS EXPRESSLY FORBIDDEN THROUGHOUT THE SCHOOL INCLUDING FOR THOSE ACTING IN LOCO PARENTIS E.G. UNPAID, VOLUNTEER SUPERVISORS.**

## AIMS:

The aims of these guidelines are:

- to support the School's behaviour policy and code of conduct
- to ensure procedural fairness
- to promote co-operation between the School and parents/guardians on serious disciplinary issues

## WHAT IS MEANT BY SERIOUS DISCIPLINARY ISSUE?

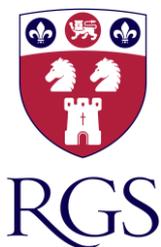
These guidelines cover any situation which may result in a student being suspended, removed or excluded from school.

**Suspension:** "Suspension" (fixed term exclusion from school) means that a student has been sent home for a prescribed period either to facilitate an investigation (during which the School would continue to make educational and pastoral provision for the student) or as a sanction in its own right. The Head Teacher has the discretion to determine the consequences of further misbehaviour following a **suspension with final warning**. In normal circumstances a final warning would remain in place for one year, during which a further breach in discipline may result in an escalation of sanctions at the Head Teacher's discretion. The terms of a final warning being applied would be recorded in the suspension letter to parents.

**Removal:** "Removal" means that, Parents may be required to remove a pupil from the School if, after consultation with one or more of the Parents and if appropriate the pupil, the Head is of the opinion that:

- the pupil has committed a breach or breaches of school rules or discipline for which removal is the appropriate sanction; or
- by reason of the pupil's conduct or behaviour, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and / or the community life offered by the School; or
- one or more of the Parents have treated the School or members of its staff or any member of the School community unreasonably (see Annexe 1).

In these circumstances, and at the sole discretion of the Head, the Parents may be permitted



to withdraw the pupil as an alternative to removal being required.

**Expulsion:** "Expulsion" means an immediate dismissal from the school following serious or persistent misconduct, criminal offences and in accordance with the terms of any final warning..

This policy should be read in conjunction with the following policies:

- Behaviour, Rewards and Sanctions Policy
- Junior School Behaviour, Rewards and Sanctions Policy
- Drugs Policy
- Anti-bullying Policy & Anti-Cyberbullying Policy
- Safeguarding Policy
- E-Safety Policy
- Peer on Peer Abuse Policy
- SEN Policy

### **WHAT MAY WARRANT CONSIDERATION AS A SERIOUS DISCIPLINARY ISSUE?:**

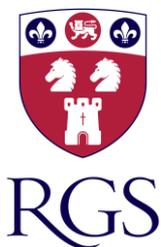
The following list is an illustration of the some of the main categories of misconduct which may result in suspension or removal from school. This is not an exclusive list, and the level of sanction applied in any case is at the discretion of the Head Teacher. The level of sanction may be determined by the degree of seriousness of the misconduct, or a student's disciplinary record,

- vandalism or computer hacking
- serious academic malpractice including plagiarism for public exam assessments
- serious and persistent bullying
- fighting
- peer on peer abuse of any sort but particularly when that is against the protected characteristics of their peers (for example, race, religion, gender, sexuality, sex, disability).
- supply/possession/use of illegal or unprescribed drugs and solvents or their paraphernalia or substances intended to resemble them
- drug and alcohol misuse (supply/possession/use) whilst on the school premises or under the School's care off-site
- theft or unauthorised possession of any property belonging to the School or another member of our community
- committing a criminal offence
- blackmail
- misconduct of a sexual nature, including sexual abuse, harassment or assault, youth-produced sexual imagery
- possession or use of unauthorised firearms or other weapons
- serious actual or threatened violence (including bullying) against other pupils or members of staff
- serious malicious allegations against staff
- willful damage to property
- persistent attitudes or behaviour which are inconsistent with the School's ethos
- other serious misconduct which affects the welfare of a member or members of the School community or which brings the School into disrepute (single or repeated episodes) on or off School premises.
- Unreasonable parental behaviour in breach of our Parent contract (see Annex 1)

### **THE REMIT OF THIS PROCEDURE:**

This procedure applies to;

- all School-related activities and School-organised events
- misbehaviour when a student is travelling to or from School, wearing our School uniform or in some other way is identifiable as a member of our School community
- misbehaviour at any time that could have repercussions for the orderly running of

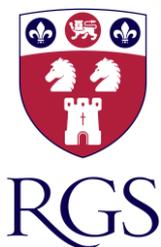


- the School
- misbehaviour that poses a threat to another member of our community or the public
- misbehaviour that could adversely affect the reputation of the School.

For the avoidance of doubt, the remit of this procedure include conduct falling within the listed categories which occurs outside of school time and/or off school premises.

### **PROCEDURE FOR INVESTIGATIONS INTO SERIOUS DISCIPLINARY ISSUES:**

- The Head of Year/Assistant Head in Junior School, or a member of the senior leadership team will carry out an investigation on the basis of an allegation, complaint or rumour of serious breaches of discipline.
- Parents/guardians will be informed as soon as reasonably practicable after it becomes clear that the student may face disciplinary action for a serious breach of discipline, unless the School is prevented from doing so by the police and/or social care if they are involved.
- The School will usually report to the police any activity which it reasonably suspects may amount to criminal activity. Sexual offences will generally be reported to the police immediately, and/or the relevant children's services, including in cases where a student is suspected or alleged to have committed the offence. Other external agencies may also be notified where appropriate to the facts.
- A student may be suspended from the School as a neutral act while a complaint is being investigated or while an investigation is on hold. In such instances the School will continue to make educational and pastoral provision for the student. Should a suspension continue for a period of more than five school days, the School will keep the terms of the student's suspension under review and take reasonable steps to put in place arrangements to ensure the continuing education and pastoral care of the student, coordinated by their Head of Year (Senior School) or Assistant Head (Junior School), in conjunction with the student's parent(s) / guardian(s).
- Alternatively, the student may be offered a segregated arrangement on school premises (internal suspension).
- Depending on the nature of the allegation, a student, their locker, belongings (including mobile electronic devices) and/or IT accounts may be searched and confiscated during the course of the investigation, in accordance with the DfE guidance on *Searching, Screening and Confiscation 2018*. See the School's E- Safety Policy for pupils. If necessary, the police will be called.
- If the student is to be interviewed by the police as part of the investigation, arrangements will be made for them to be accompanied by a member of staff of their choice and/or by a parent/guardian (if available at the relevant time).
- In relation to alleged sexual violence or sexual harassment, the School will have regard to the DfE guidance *Sexual Violence and Sexual Harassment Between Children in Schools and Colleges (May 2018)*, and the School's Peer on Peer Abuse Policy. The School's Designated Safeguarding Lead (or nominated deputy) will take a leading role on decisions.
- It may be necessary to delay an investigation or put it on hold, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to suspend an investigation will take into account advice from appropriate external agencies and will be subject to periodic review. Regardless of delays caused by a police or other external agency investigation, the School will provide appropriate pastoral and other support for all students affected by the allegations under investigation.
- If the pupil is to be interviewed as part of the investigation consideration will be given as to whether the pupil should be accompanied by a Parent or member of staff and in any event a note of the interview will be made by the interviewing member of staff. A student who is waiting to be interviewed may be segregated, although should be checked on regularly and have access to adequate food and drink, plus toilet facilities. A student may have their mobile phone, laptop or other relevant devices confiscated whilst being segregated.
- The outcome of the investigation where delegated to a member of staff or other third party, will be reported to the Head.



- The pupil's disciplinary records will be taken into account where the complaint concerns the conduct of the student.
- If the findings of the investigation, on the balance of probabilities, identify there may be a case to answer for a serious disciplinary sanction then the procedure for suspension or exclusion will be enacted.
- If a student is withdrawn from the School before the conclusion of these disciplinary procedures, the School reserves the right to complete the procedures, in the absence of the student and the parents/guardians if necessary, and to make a finding. The School reserves the right to refer to such disciplinary action in references provided for the student.

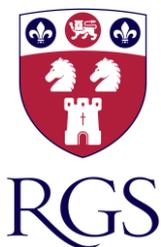
The School's aim is to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. Students and their parents/guardians must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter. A student and/or their parents/guardians must not make electronic recordings of any meeting conducted under this procedure and doing so may be treated as a separate disciplinary matter. The School may take steps to protect the identity of witnesses if we believe their identity should remain confidential.

#### **Parental/guardian involvement**

- The School seeks to work in partnership with parents/guardians over matters of discipline, and it is part of the parents' obligations to the School to support the school rules.
- Parents will be informed as soon as reasonably practicable after it becomes clear that the student may face disciplinary action for a serious breach of discipline, unless the School is prevented from doing so by the police, social care or children's services, if they are involved.

#### **PROCEDURES FOR SUSPENSIONS:**

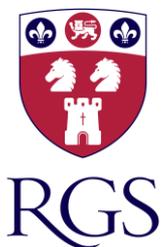
- Suspension from the school would be a temporary exclusion for a fixed period which may last up to a maximum of 5 school days. If the student has been suspended pending an investigation, this period of time may be considered as part of the temporary exclusion period.
- The decision to suspend a student will be taken by the Headmaster (or Deputy Head in the Head's absence) in conjunction with the Head of Year. It will only be taken after an appropriate investigation has been carried out, all the relevant evidence has been considered, and the pupil has had an opportunity to be heard.
- The student's parents/guardians will be contacted immediately by the Head of Year/Assistant Head of Year or Junior School Head/Assistant Head and asked to collect the pupil from School. The pupil should not be allowed to leave the school premises until contact has been made with a parent.
- A formal letter will then be sent home after the child has been collected and within twenty four hours to record the suspension, and to invite the student and parent/guardian to a reintroduction meeting with the Head (or in his absence with the Deputy Head).
- It is at the Head's discretion to decide whether in certain circumstances part or all of the suspension can take place within school (internal suspension). In this instance the student would be given work to undertake in a private study space, under the guidance of their Head of Year/Junior School Assistant Head.
- When a student is suspended from school as a sanction, teachers are not expected to set and mark work for the student during the suspension although the completion of certain tasks may be a condition imposed upon the student by the Headmaster /Deputy Head/Head of Year.
- On completion of the temporary exclusion period a meeting between the Head (or Deputy Head in the Head's absence), the student, the parent(s)/guardian(s), and where required the Head of Year/Junior School Head/Assistant Head, will occur (legal representation is not permitted). This will result in immediate readmission of the student to the school, or in the permanent exclusion of the pupil from the school (see the procedure for permanent removal or expulsion).
- See Annexe 2 for procedural diagram



## PROCEDURE FOR EXPULSION:

In rare cases the misconduct of a pupil may be sufficiently serious that, after appropriate investigation, the Head will decide that the only course of action is to ask a student to leave the School permanently, i.e. to expel them from the School. Only the Head (or in his absence the Deputy Head) can expel a student.

- The same procedure as for a suspension will be followed. The decision to expel a student will be taken by the Head in conjunction with the Head of Year. It will only be taken after an appropriate investigation has been carried out, all the relevant evidence has been considered, and the student has had an opportunity to be heard. The student's parents will be contacted immediately and asked to collect the student from School whilst awaiting the next stage of the procedure.
- A letter will be sent home immediately after the student has been collected inviting the student and their parents/guardians) to a meeting with the Head and another member of the Senior Leadership Team. The letter will also make clear the details of the offence, and any relevant previous offences, and will inform parents that the pupil's place at the School is in jeopardy.
- The Head expects that all students and their parent(s)/guardian(s) should clearly understand the potential consequences of permanent exclusion from the School (see annexe 3) and the consequences of their child's leaving status. Some parents may prefer, after due consideration, to withdraw their child voluntarily rather than wait for the School to expel their child. The Head may, in appropriate cases, note the findings of the disciplinary investigation and if they were sufficient to merit expulsion.
- The Head will consult the Chair of Governors before taking the step to expel a student. In making decisions about exclusion the Head will take into account any special educational needs, disabilities, gender, cultural and domestic circumstances or differences that may be relevant to the case, and any representations by the parents/guardians. Consideration will also be given to the student's continuity of education.
- Parents/guardians will be informed of the decision to expel a student permanently at the meeting with the Head, and confirmation of the decision will be given in writing, including the reason for the expulsion.
- The parents/guardians will have seven days in which to lodge an appeal via the School complaints procedure. This would be regarded as a level three complaint and be heard by the Governors. During these seven days the student's status will remain as suspended. After the seven days and without the initiation of a complaint or immediately following an unsuccessful appeal the student will be taken off the School roll and their leaving status confirmed, following which the local authority will be informed (in this matter the School has regard for Children Missing Education, statutory guidance for local authorities, September 2016).
- An appeal should follow the School's complaints procedure and must be lodged in writing with the Clerk to the Governors no later than seven days after the decision to exclude has been communicated verbally at the meeting. The grounds for appeal must be set out clearly. The decision of the appeals panel is final and not subject to subsequent appeal or complaint.



### **Annexe 1.**

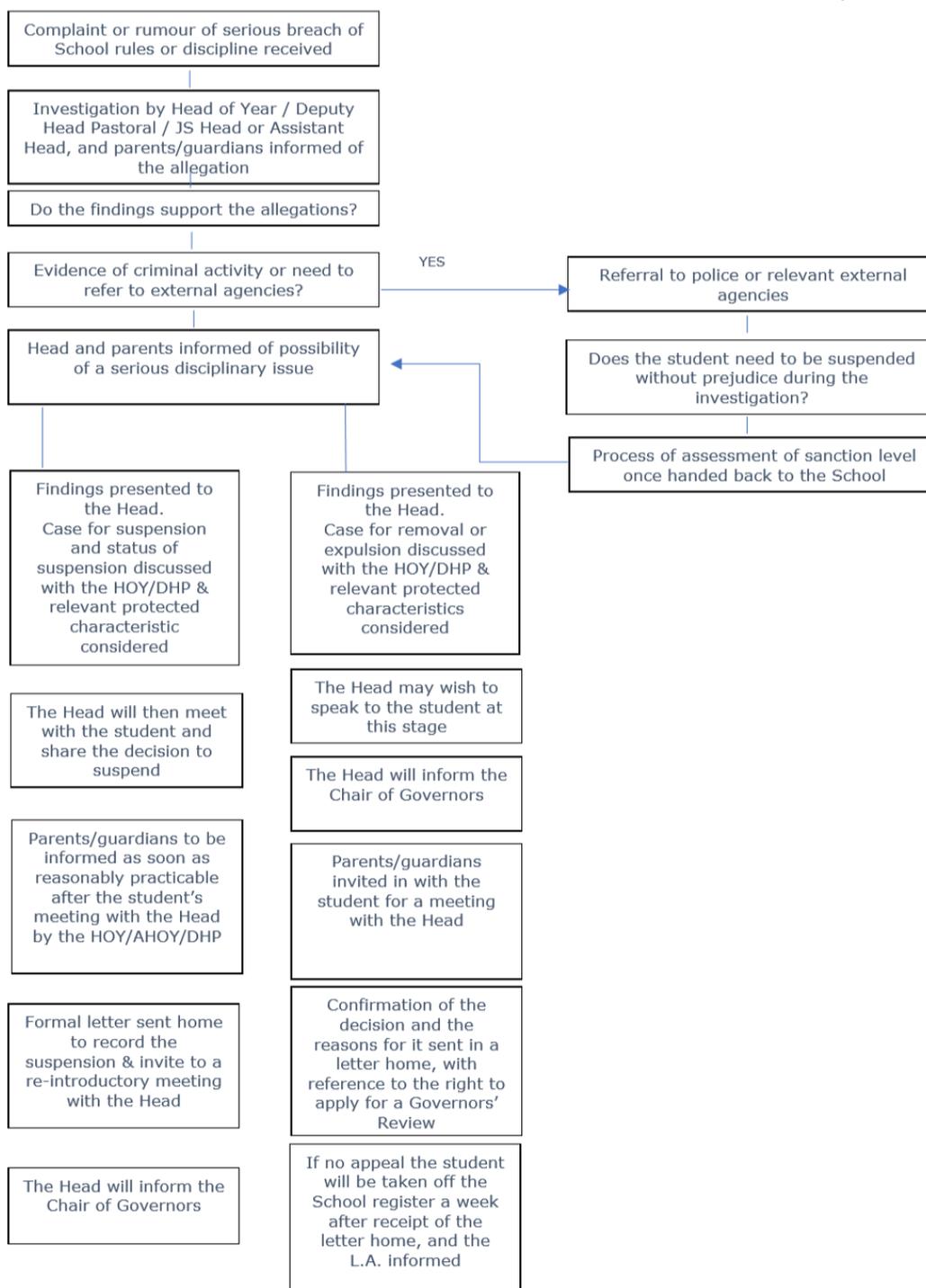
A non-exhaustive list of unreasonable parental behaviour may include:

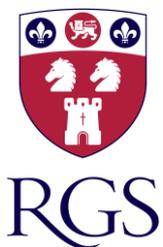
- Treating the School or member of staff unreasonably.
- Making a malicious allegation about a member of the School community.
- Communicating with the School in person or in writing in a manner which is deemed unnecessarily voluminous, and/or relentless, and/or confrontational, and/or unreasonable, and/or aggressive, and/or threatening.
- Behaving in a manner which adversely affects (or in a manner which is likely to adversely affect) the welfare of a member of the School community.
- Behaving in a manner which brings or is likely to bring the School into disrepute.
- Behaving in a manner which adversely affects or likely to adversely affect a student's progress at the School.
- Breaching the School's Parent Contract.

The school reserves the right to impose sanctions for parental behaviour falling short of required removal, including but not limited to placing restrictions on a parent's access to School / School events, communications with the School and/or the imposition of a warning (up to and including a final written warning).

**Annexe 2.  
Procedure diagram for a serious disciplinary issue:**

**Procedure diagram for a serious disciplinary issue:**

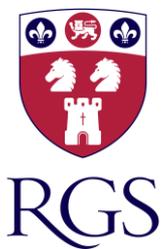




### **Annexe 3.**

#### **Potential considerations determined by leaving status:**

- The form of letter which will be written to the parents and the form of announcement in the School that the student has left.
- The form of reference which will be supplied for the student.
- The entry which will be made on the School record and the student's status as a leaver.
- Arrangements for transfer of any course and project work to the student, his/her parents or another school.
- Whether (if relevant) the pupil will be permitted to return to School premises to sit public examinations.
- Whether (if relevant) the School can offer assistance in finding an alternative placement for the student.
- Whether the student will be entitled to leavers' privileges.
- Whether the student will be eligible for membership of the Old Novocastrians Association and if so from what date.
- The conditions under which the pupil may re-enter School premises in the future.
- Financial aspects: payment of any outstanding fees and extras; whether the deposit will be returned or credited; refund of prepaid fees.



## **CONTACT DETAILS**

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