



STONAR

## Whole School Policy on Disciplinary Exclusion *(including EYFS)*

### 1) The Aims of this Policy are:

1. To support the School's behaviour and discipline policy.
2. To ensure procedural fairness and natural justice.
3. To assist the individual in recognition of unacceptable behaviour and the need to change.
4. To promote co-operation between parents and the School when it is necessary for a pupil to be temporarily excluded or to leave School earlier than expected.

The policy applies to all pupils at the School, whether or not in the care of the School, but does not cover cases when a pupil has to leave because of ill health or non-payment of fees, or withdrawal by their parents in circumstances not relating to disciplinary incidents.

References to "Parent" includes one or both of the parents, a Legal Guardian or Educational Guardian.

### 2) Exclusions from School

The examples of the circumstances that may lead to serious sanctions including temporary or permanent exclusion (i.e. those behaviours classified at level 4, 5 or 6) are stated in the School's Behaviour and Discipline Policy. In addition to these, other circumstances that could also lead to exclusion include breaches of the law, dangerous or reckless behaviour and a persistent attitude or behaviours that are inconsistent with the School's expectations, including those that result in a pupil reaching non-negotiable levels on the School behaviour log.

Behavioural expectations are highlighted in the document 'Code of Conduct and Pupil Expectations.'

### 3) Procedure for Investigation of Behaviour that may result in Serious Sanctions

**Ethos:** An investigation and any subsequent meeting will be conducted fairly, to support all parties and in a way which is appropriate to a school, without formal legal procedures.

**Investigation:** Of a complaint, incident or rumour of or about serious misconduct will normally be co-ordinated by the Deputy Head or Head of Prep, and its outcome will be reported to the Head. Parents will be informed as soon as is reasonably practicable if an investigation is of a nature that could result in the pupil being permanently excluded or required to leave.

If deemed necessary, an appropriate **search** of a pupil's space and belongings may be made as part of an investigation. This must be consistent with the Stonar Search Policy. If deemed necessary, the Police will be called. Forced personal searches or any intimate searches must not take place.

Pupils may be **interviewed** informally by a member of staff. If a pupil is interviewed formally by a member of the Leadership Team about an incident, complaint or rumour, arrangements will be made for them to be accompanied by a supporting member of staff such as a tutor, the Pastoral Intervention Practitioner (PIP), or a houseparent. A pupil who is waiting to be interviewed may need to be in isolation for a short time. In this case, the pupil will be made as comfortable as possible, accompanied or visited regularly by a member of staff.

**Presentation of findings:** The member of staff conducting the investigation will present their findings to the Head for consideration.

**Head / Head of Prep's decision:** Before deciding if a 'serious sanction' (Fixed Term Exclusion) is appropriate the Head will ensure that:

1. An appropriate investigation has been conducted.
2. All the relevant evidence has been considered.
3. The pupil has had an opportunity to be heard.
4. Other relevant individuals have been consulted if required.

**Issuing of Sanctions:** If, as a result of a formal investigation, a pupil is to be excluded for fixed term, the Head, Head of Prep or Deputy Head, will issue, on behalf of the school, a serious sanction and exclude a pupil for a fixed period of time. A pupil may be excluded from the School internally or externally for a defined period. Exclusions are recorded on a pupil's disciplinary record. The Head may alert the Chair of the Advisory Body at this stage.

The member of staff issuing the exclusion will inform the parents of the grounds for this as well as the nature and duration of the exclusion. Should the potential outcome of any such investigation be the permanent exclusion of a pupil from School, the Head will inform the parents and invite them to come into School to discuss the matter.

In making decisions about fixed term exclusions, the Head and Leadership Team will consider any special educational needs, disabilities, gender and cultural differences that may be relevant to the case.

For pupils in the Nursery and Reception classes, exclusion would only take place once all other avenues have been explored and exhausted, including one to one intervention.

An external exclusion constitutes a clear warning about continued membership of the School and this warning might be regarded as final. The School is highly reluctant to sanction pupils with an external fixed term exclusion more than twice in any 'Key Stage' of their School career.

During a **fixed term internal exclusion**, a member of the Pastoral Care Team will meet with the pupil to undertake some reflective work and where appropriate a session of restorative justice. During a **fixed term external exclusion**, we hope that the parents/guardians will help the pupil to reflect on and consider his/her actions. Pupils subject to a fixed term exclusion from school are normally placed on the school Behaviour Log. During a fixed term exclusion Senior School pupils can access homework and details about work missed via the Show My Homework (SMHW) app.

**Reflection and Review:** Following any external exclusion the Head or Head of Prep will consider the evidence and the nature of the complaint/incident, the details of the incident and reflect on the pupil's record in the School. If temporary exclusion is deemed sufficient, the pupil will return to School. The Head or Head of Prep will meet with a pupil (and the parents if available) on their return to School following any external fixed term exclusion.

In no circumstances shall the School or its staff be required to divulge to parents or others, any confidential information or the identities of pupils or others who have given information that has led to serious sanctions.

#### 4) **Absence from School during Disciplinary Investigations**

In some instances, the School may require parents to withdraw their child from School pending the investigation of a rumour or complaint or incident concerning him/her. This is a neutral (not disciplinary) measure to allow an unimpeded investigation and may be taken for the good of the pupil by separating him/her from immediate School pressures. The Head will make any such decision in consultation with houseparents and Senior staff.

#### 5) **Permanent Exclusion / withdrawal of a Pupil from School**

The decision to permanently exclude a pupil is not taken lightly and the best interests of the community must be given weight whilst making every effort to act with due regard for the future of the pupil who has engaged in significant misconduct. A pupil may be permanently excluded if, after appropriate consultation, including with the Chair of the Advisory Body, the Head is of the opinion that:

1. The pupil's conduct (ie a serious breach or persistent breaches of the School's Behaviour Policy; whether on or off School premises or in or out of term time) has been prejudicial to good order or School discipline or to the reputation of the School.
2. Where allowing the pupil to remain in School (due to their behaviour or that of a family member) would seriously harm the education or welfare of the pupil or others in the School.

In making decisions about Permanent Exclusion, the Head will consider any special educational needs, disabilities, gender and cultural differences that may be relevant to the case.

Some parents, after due consideration, may choose to **voluntarily withdraw their child** rather than the School imposing permanent exclusion. However, it must clearly be understood that the Head reserves the right to insist on permanent exclusion.

Following the permanent exclusion of a pupil or following their withdrawal from the School, the Head will write to the parents to communicate the following:

1. The pupil's status as a leaver.
2. Arrangements (if relevant) for transfer of any course and project work to the pupil, his/her parents or another school.
3. The conditions under which the pupil may re-enter school premises in the future.

#### 6) **Financial Aspects**

There will be no refund of the current term's fees following permanent exclusion of a pupil on disciplinary grounds and payment of any outstanding fees and extras is required. The deposit will not be returned/credited, but fees in lieu of notice will not be charged. The refund of prepaid fees will be made.

## 7) Directors' review of a Permanent Exclusion on Disciplinary grounds

*(This process is in lieu of the School's complaints procedures)*

Parents aggrieved at the Head's decision to exclude their child permanently may make a written application for a Directors' Review. The application must be received by the Chair of the Advisory Board within 72 hours of the decision being notified to a parent. In their application, the parents must state the grounds on which they are asking for a review and the outcome which they seek.

A Directors' Review of the Head's decision should take place within 7 working (term time) days. The nominated Director undertaking the review will communicate directly with the parents prior to conducting the review. Parents will be informed in writing of the outcome. The Director reviewing the Head's decision has the power to uphold the permanent exclusion, rescind the exclusion, convert the exclusion into a further fixed-term exclusion or change the leaving status to 'withdrawn'.

Policy Updated/Reviewed: May 2017, May 2018, May 2019, May 2020, May 2021

Signed:



(Director)



(Head)

Due for review by the Advisory Body: May 2022