



KELLETT SCHOOL HONG KONG

STUDENT PERMANENT EXCLUSION AND REQUIRED REMOVAL POLICY

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1 AIMS

- 1.1 To operate a clear and just student exclusion policy.

2 POLICY STATEMENT

- 2.1 Whilst the school wishes to balance high expectations of behaviour with support for individuals who find it difficult to meet these expectations, the school will permanently exclude an individual when it is decided by due process that the individual can no longer benefit from being part of the school community or that the disruption to the school community outweighs any benefit the individual may derive from remaining part of the community.

3 PERMANENT EXCLUSION OFFENCES

- 3.1 A non-exhaustive list of the sorts of behaviour that could merit permanent exclusion includes the following, regardless of whether they took place within School or outside School premises or School time:
 - 3.1.1 Violence or aggression towards another person
 - 3.1.2 Verbal abuse/threatening offensive, insulting or abusive remarks or behaviour against students or adults
 - 3.1.3 Serious or repeated bullying
 - 3.1.4 Discrimination
 - 3.1.5 Sexual misconduct
 - 3.1.6 Involvement with or use of illegal and/or controlled substances
 - 3.1.7 Serious or repeated alcohol misuse/possession or use/possession of legal substances known to give a high
 - 3.1.8 Malicious damage to property
 - 3.1.9 Theft
 - 3.1.10 Persistent disruptive/antisocial behaviour
 - 3.1.11 Serious contravention of the School's ICT Acceptable Use policy
 - 3.1.12 Serious contravention of the School's Email Policy

- 3.1.13 Serious contravention of the School's Discipline Policy
- 3.1.14 Behaviour which puts or is likely to put the reputation of the School in jeopardy
- 3.1.15 Behaviour which impacts or is likely to impact negatively on the School community
- 3.1.16 Illegal actions
- 3.2 If permanent exclusion is recommended by the Head of the relevant School to the Principal & CEO then a Continued Attendance Hearing is called.

4 REQUIRED REMOVAL

- 4.1 **Required Removal:** means that a pupil has been required to leave, but without the stigma of expulsion.
- 4.2 The School may require the removal of a student when there is a breakdown of the relationship between the School and the parents and/or the student.
- 4.3 The main categories of misconduct which may result in removal are:
 - 4.3.1 Non-payment of School Tuition Fees, Supplemental Charges – See the Parent Contract.
 - 4.3.2 Poor school attendance (lower than 80%) – See Student Attendance Policy.
 - 4.3.3 a breakdown of trust between the School and the parents. This may manifest itself in a number of ways, including,
 - a) parents not supporting the School's sanction structures;
 - b) vexatious behaviour, such as parents continually bringing unsubstantiated complaints;
 - c) abusive behaviour by parents to School staff, students or other parents (including as a spectator at school fixtures).
 - 4.3.4 a breakdown of trust between the School and student. This may manifest itself in a number of ways, including
 - a) persistent misconduct such as unauthorised absence from School;
 - b) when a student has brought a malicious and unjustified allegation against a member of staff and where there are reasonable grounds that this may happen again in the future;

- c) 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.

5 PROCEDURE FOR A CONTINUED ATTENDANCE HEARING

5.1 A fair and thorough investigation will be held into the allegations made against an individual student. A continued Attendance Hearing will be held, with one of the possible outcomes of the meeting being Permanent Exclusion.

5.2 The Investigation

5.2.1 This investigation will normally be carried out by the student's Head of House or a Member of the relevant School Leadership Team (the investigating officer), other than the Principal & CEO.

5.2.2 The purpose of the investigation will be to establish the facts and statements will be taken as appropriate from students and staff involved in the incident or who witnessed the incident.

5.2.3 If available, the student will be informed of the allegation and the evidence relied upon by the investigating officer in an interview and will be given the chance to respond to these allegations.

5.3 Informing Parents

5.3.1 Depending on the nature of the alleged offence, it may be necessary for the student to be suspended whilst an investigation is carried out. In this instance, parents will be informed immediately. In other cases, parents would normally be informed after the initial investigation but in good time before the continued attendance meeting.

5.3.2 While suspended, the student will remain away from the School and will have no right to enter the School premises during that time without prior written permission from the Principal & CEO. The suspension will remain in place until the Continued Attendance Hearing and, if necessary, until the appeal process is completed.

5.4 External Bodies

5.4.1 The police, social services or other appropriate external bodies will be involved if appropriate or required.

5.5 The Continued Attendance Hearing

- 5.5.1 Parents will be notified of a hearing in reasonable time i.e. there will normally be at least two working days' notice of a hearing in writing.
- 5.5.2 The hearing will normally be chaired by the Principal & CEO, although in some circumstances it may be heard by a member of the Governing Body.
- 5.5.3 Parents will be given access to all the evidence, including witness statements (redacted accordingly subject to Data Protection or legal obligations) during the meeting.
- 5.5.4 The Principal & CEO will be accompanied by another member of the school staff who has not previously been involved in the matter. He/she may act as minute taker.
- 5.5.5 The student is encouraged to attend the hearing.
- 5.5.6 The student's parents may be accompanied at the hearing by a supporter as long as this person is identified in advance of the hearing. This may not be a legal representative and s/he would not be able to make representations.
- 5.5.7 Witnesses may be asked to attend, other students may only be in attendance if necessary, and with their parents' consent.
- 5.5.8 The hearing will be fully minuted and minutes taken shall be retained on file. This will include the names and roles of all those present, all written documents considered, the oral evidence given and the decision reached, including the reasons stated.
- 5.5.9 At the hearing, the Principal & CEO will set out how the hearing will be conducted and the role of those present.
- 5.5.10 The School, normally the investigating officer, will present its case and read aloud any witness statements as necessary.
- 5.5.11 Parents/ the student will be able to ask questions and then present their case.
- 5.5.12 The Principal & CEO will have the opportunity to ask any further questions to ensure all the facts have been established as clearly as possible.
- 5.5.13 The hearing will be adjourned to allow the Principal & CEO to consider his/her decision. Parents will be informed as to the timing of the decision and how they will be informed. The decision will be confirmed in writing if the original decision is given verbally. The decision letter will normally be sent within one working day of the hearing and will state the following: the decision in relation to each/the charge. The

sanction, when it takes effect, the reasons for the decision and to whom the parents may appeal and the deadline for doing so.

5.6 **Governors' Review**

- 5.6.1 Parents have the right to appeal against the decision made by the Principal & CEO by lodging an appeal in writing to the Chairman of Governors, normally within five working days of receipt of the decision letter.
- 5.6.2 The purpose of the Governors' Review is to consider the grounds of appeal raised by the parents, so far as these are relevant to whether the student committed the disciplinary offence in question and whether the response is a reasonable response.
- 5.6.3 The Chairman will arrange for the Governors' Review to be heard by two members of the Governing Body
- 5.6.4 The Governors' Review will take place as soon as practicable and normally within two working weeks of the grounds of appeal being received.
- 5.6.5 New evidence may be presented by either the School or the student/parents as long as it is relevant to the issues covered directly in the original hearing and is circulated 48 hours in advance to all parties.
- 5.6.6 The Governors' Review will follow a very similar format to the Hearing.
- 5.6.7 The decision of the Governors' Review will be confirmed in writing (normally within three working days of the Review) and will be final.

6 **CONFIDENTIALITY**

- 6.1.1 Exclusion cases should be treated by all parties in the strictest confidence. However, confidentiality cannot, and therefore should not, be guaranteed to any witness or party whose evidence may be relied upon.

7 **DATA PROTECTION**

- 7.1 Information relating to Continued Attendance shall be held in student's file for the duration of attendance and shall be deleted one year after the student leaves.