



Promotion of Good Behaviour

CHARTERHOUSE



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At Charterhouse we aim to equip pupils to lead fulfilled and purposeful lives by providing an all-round education based on Christian values.

To this end Charterhouse expects its pupils to adopt the highest standards of behaviour in all aspects of their lives at School (academic, boarding and co-curricular) and to embrace and embody the School's core values of Kindness, Responsibility, Open-mindedness, Moral Courage and Perseverance.

The purpose of promoting good behaviour is to support these values and to enable pupils and staff to work together to live by them, and to enable every pupil to succeed to the very best of their ability.

When a pupil gets things right this is recognised in the form of rewards. When something goes wrong, the community needs to mark that too, sometimes with a sanction, but more importantly, by seeking to provide support so that things can go better in future.

IMPORTANT NOTE: This policy should be read in conjunction with the Parent Contract, the School Rules, the Anti-Bullying, Cyber-bullying, SEN and Disabilities Policies as well as the Safeguarding and Child Protection Policy and all other relevant behaviour policies.

This policy is published on the School website and is available in hard copy on request. A copy of the policy is available for inspection at Reception during the School day.

AIMS

The aims of this policy are as follows:

- to promote good behaviour amongst pupils;
- to help to create a culture of safety, equality and protection (particularly where this relates to the protected characteristics under the Equality Act 2010). Bullying based on prejudice and discrimination (in common with all bullying) is not acceptable;
- proactively to promote and safeguard the welfare of pupils at the School and, insofar as is possible, to protect all who come into contact with the School from harm;
- to ensure, as far as possible, that every pupil in the School is able to benefit from and make their full contribution to the life of the School, consistent always with the needs of the School community;
- to set out a clear and fair process for the proper investigation of allegations of poor behaviour and/or breaches of discipline;
- to encourage pupils to accept responsibility for their behaviour;
- to help pupils understand that not intervening when poor behaviour takes place will also have consequences;
- to set out the sanctions available to the School in the event of pupil misbehaviour.



SCOPE AND APPLICATION

This policy (together with the School Rules, all School policies on behaviour and discipline as well as relevant Codes of Conduct) applies to all pupils at the School and at all times when a pupil is:

- in or at School;
- representing the School or wearing School uniform;
- travelling to or from School;
- on School-organised trips; or
- associated with the School at any time.

This policy shall also apply to pupils at all times and places including out of school hours and off-school premises in circumstances where failing to apply this policy may:

- affect the health, safety or wellbeing of a member of the School community or a member of the public;
- have repercussions for the orderly running of the School; or
- bring the School into disrepute.

The Promotion of Good Behaviour Policy is led by the Senior Deputy Head, overseen by the Head and Senior Leadership Team and monitored by the Education Committee and full Governing Body of the School.

GENERAL EXPECTATIONS (The School Rules are also published in the Pink Book and on the School website. The School Rules summarise key policies and expectations but it is the current relevant policy document that will be deemed to apply).

- i. Pupils are expected to exhibit a high standard of personal behaviour and to work to the best of their abilities at all times. They should abide by the School Rules and all other relevant behaviour policies (published separately).
- ii. All pupils are expected to be committed to their studies and should seek to pursue intellectual curiosity and develop the skills of independent learning.
- iii. Pupils are expected to promote the happiness of the School community by being positive and helpful in all that they do. They should ensure that their behaviour does not adversely affect the welfare and wellbeing of other pupils or staff and take responsibility for reporting any concerns to a member of staff.



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- iv. A pupil's Head of House and the wider House team have particular responsibility for their safety and welfare while they are at School. All pupils are required to ensure that their House team knows of their whereabouts at all times.
- v. The School grounds and buildings are for the use and enjoyment of all members of the School community. All pupils, parents and members of staff are expected to care for them and treat them with respect so that future generations will benefit from them too.
- vi. Pupils are expected to take pride in their appearance, abide by the uniform requirements and to maintain high standards in both their dress and personal grooming.

RECOGNISING GOOD BEHAVIOUR

Pupils are awarded Commendations for behaviour that exhibits the School Values in any aspect of their lives at School.

They may also be awarded Academic Merits or Commendations for Attainment, Endeavour and Progress. A truly exceptional piece of work may also receive an Academic Distinction.

These Commendations and Merits contribute to the Commendation Awards when a pupil achieves:

10 or more Commendations – Maroon

20 or more Commendations – Navy

30 or more Commendations – Pink.

Further recognition will also be given to a pupil who achieves a Commendation in each of the five core Values.

Positive behaviour is also recognised with the awarding of Colours, Subject and Co-Curricular Prizes, Head's Commendations and Greyhound Awards at various assemblies throughout the year and on Carthusian Day.

Tutors will provide regular updates to parents on the awarding of any Commendations.

Positive behaviour may also be recognised through the attainment of positions of pupil responsibility in co-curricular activities, societies, School Council, House Monitors, School Monitors and Heads of School or similar.

Charterhouse expects pupils who take on positions of responsibility to demonstrate the principles of servant leadership by seeking to give back to the community, leaving it a better place for the future.

The School recognises that where challenging behaviour is related to a pupil's disability or special educational need, use of positive discipline and reward methods may enable the School to manage a pupil's behaviour more effectively and improve their educational outcomes.



BEHAVIOUR OF CONCERN

On occasion, Carthusians will get things wrong.

The School will always seek to address behaviour of concern fairly and equitably, with due regard for specific context and individual circumstances. For additional details please see the Additional Needs section below.

In line with the School Rules all pupils are expected to be honest, to act in accordance with the laws of the country and to apply common sense to all aspects of their behaviour. Pupils who are not honest during investigations into poor behaviour should expect this to be a significant additional concern.

Charterhouse approaches managing behaviour by recording and recognising positive behaviours as outlined above and by recording any behaviour of concern. This enables key staff such as Tutors, Heads of Department, House teams, Heads of Year and other senior staff to monitor and address any concerns as they arise and hopefully provide the support necessary to help put things right moving forward.

Tutors, House, Academic and Co-curricular staff will keep parents informed of any patterns of concern or any incidents of more significance.

Monitoring behaviour of concern

Warnings

Most routine concerns (a non-regulation scarf, for example) would be dealt with by the relevant member of staff having a conversation with the pupil: a 'Warning' as it were. The expectation would be that this conversation should not again be necessary because repeated minor infringements are very likely to be seen by the same member(s) of staff. Staff may carry out informal investigations and/or conversations with the pupils involved. Such investigations and/or conversations are not formally recorded.

Tutor Notifications (Routine concerns)

Any repeated need for these 'Warning' conversations or a more important matter will result in the formal recording of a Notification. A Notification might be issued for a failure to hand in banco after an extension or for being late to an activity without good cause, for example. Notifications can be issued in any area of School life – academic, boarding (which includes all aspects of School life when a pupil is not in lessons or co-curricular activities) or co-curricular.

A member of staff will always advise the pupil of the issuing of a Notification and any further action to resolve the concern. That might include a departmental clinic or some extra time with a Beak if a pupil is struggling with some aspect of a subject or involve a pupil helping clear up at the end of CCF if they were late, for example.

An accumulation of Notifications is a more serious concern and when a pupil receives three or more Notifications in a week these will be reviewed by their Head of Year in order to consider what



support options and/or sanctions may be appropriate. At this level a sanction might typically be a 45-minute detention, for example.

Two Notifications in one academic subject in a week will be monitored by the relevant Head of Department so that appropriate support and/or a sanction can be put in place such as a departmental clinic or detention.

House, Head of Year or Co-Curricular Notifications (Level 1 concerns)

Any ongoing repetition of lower level (Warning or Tutor Notification) concerns (in a Quarter, for example) or one-off incidents of more worrying behaviour will be recorded as a House, Head of Year or a Co-curricular Notification.

Some one-off concerns will be likely to result in 90-minute detention such as cutting hashes, Tutor meetings or Chapel commitments without a valid reason.

Academic matters at this level will be managed by Heads of Year, Co-curricular concerns through the Heads of the various activities and more general conduct of concern by the House team.

At this level sanctions might include, for example, House Gating, Study Gating, Satis Cards, Academic Progress Plans or 90-minute detentions. A more detailed outline of support and sanctions options is given below.

Deputy Head Notifications (Level 2 concerns)

Any repetition of more worrying incidents, significant repetition of lower level (Warning or Tutor Notifications) concerns or one-off more significant incidents are likely to result in a Deputy Head Notification.

Generally, academic concerns will be managed by the Assistant or Deputy Head Academic, Co-curricular concerns by the Co-curricular Directors and all other matters by the Assistant Head (Pupil Welfare), the Deputy Head Pastoral or the Deputy Head (Pupils and Community) (who will be particularly focussed on concerns relating to equality, diversity and inclusion) although any member of the Senior Leadership Team may deal with such concerns.

At this level sanctions might typically include School Gating. If, after investigation, matters appear more or less serious then sanctions and support options will be adjusted accordingly. Formal Warnings as regards future behaviour may be issued at this stage. Pupils might also be placed on Academic and/or Behaviour Review. Details on the range of sanctions is set out in the Sanctions section below.

As a general principle concerns at Level 2 will be investigated by a suitable member of staff and referred to an Assistant or Deputy Head for the decision-making on sanctions and support.



SERIOUS INCIDENTS (Level 3 and Level 4 concerns)

The main categories of misconduct which are likely to be considered serious incidents and which may therefore result in suspension, expulsion or a requirement to leave the School include, but are not limited to:

- Supply, including facilitation of sale or sharing [which includes promotion/advertisement of facilitating of sale or sharing], supply or possession or use of drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or nicotine products as prohibited by the relevant School policies;
- actual or attempted theft, blackmail, physical violence, intimidation, racism or other discriminatory or prejudice-based bullying or other potentially criminal offences including being an accessory or conspirator;
- serious bullying, cyber-bullying and other peer-on-peer abuse (as outlined in the relevant policies);
- physical, sexual or emotional abuse or harassment, including harassment relating to having or there being any connection with a protected characteristic (age, disability, gender reassignment, race, sexuality, sex);
- harmful/inappropriate sexual behaviour including sexual violence, sexual harassment and upskirting;
- serious breaches of the Visiting & Relationships policy;
- behaviour in contravention of the School's policies on the acceptable use of technologies or online safety;
- supply or possession of pornography;
- behaviour which may constitute a criminal offence, such as
 - possession or use of firearms, knives or other weapons;
 - vandalism, defacement and/or destruction of school property;
- persistent minor breaches of School Rules and behavioural expectations or attitudes or behaviour which are inconsistent with the School's ethos and Values;
- significant breaches of trust in the boarding context (e.g. out of School or House when not permitted);
- other misconduct which affects the welfare or wellbeing of a member or members of the School community or which brings the School into disrepute (single or repeated episodes); and
- other misconduct specifically provided for in the School's parent contract and School Rules.



A pupil who takes no action to prevent or report such behaviours should also expect for this to be treated as a serious incident.

An allegation, complaint or rumour of a serious incident will be investigated by appropriate members of staff as directed by the Senior Deputy or Head.

Pupils and parents will be advised in a timely manner by the Head of House of any serious incident that is being investigated subject to any provisions in the Safeguarding & Child Protection Policy and the need to protect the integrity of the investigation and/or the confidentiality of any pupil who has shared a concern. For the avoidance of doubt it is possible in such circumstances, therefore, that an investigation may be undertaken without the prior or concurrent knowledge of the pupil(s) being investigated or their parents.

Any investigations into serious incidents required will be conducted in a timely manner but it is important to remember that sensitive and complex matters cannot always be resolved quickly. Thorough and considered investigation and decision-making is the priority.

As a general principle concerns at Level 3 will be investigated by a suitable member of staff (usually an Assistant or Deputy Head) and referred to the Senior Deputy Head for decision-making on sanctions and support. Further details on Level 4 concerns are outlined in Appendix 1.

Referrals to external agencies such as Children's Services are made when incidents meet the required referral thresholds, namely, if there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm. Actions which could involve a criminal offence may be reported to the police.

Pupils will be supported through any investigation by their Head of House, another member of the House team or another staff member of a pupil's choice where appropriate. Pupils also have access to support through the Chaplaincy, Wellbeing Service or the Hunt Health Centre. For further details please see the Safeguarding section below.

SANCTIONS

Every effort is made to apply sanctions in a consistent and reasonable manner. However, it should be borne in mind that fairness and equity require specific context and individual circumstances to be taken into account. For further details please see the Additional Needs section below.

At all levels of concern relevant support options will always be considered alongside any sanctions. The range and type of sanctions typically used is outlined below although alternative/additional appropriate support or sanctions may be considered where helpful. There will be circumstances in which mitigating circumstances or context will result in a range of sanctions across various Levels of concern to identify an approach that will be effective for an individual pupil.



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House (may apply to Routine or Level 1 concerns in House or as additional support/sanction for Level 2 concerns)

- Morning sign-ins with duty staff.
- Extra duties/chores as appropriate. This may be for a period of one to five days.
- House Gating includes regular sign-ins, including loss of privileges such as any planned outings and remaining in House during usual social times. This may be for a period of one to five days.
- Supervised banco. Work to be undertaken in House office or common space where member of staff can oversee effective use of time. This may be for a period of one to five days or as agreed with a member of the academic management team.

Routine/Level 1 concerns

Hashroom/Activity – support/sanction organised at a member of staff's convenience with the intention to support improvement in behaviour, effort or attainment. Examples might include a re-test, Peer Mentoring session, departmental clinic, contribution to activity setting-up/clearing-up etc., extra training and so on.

Departmental/Activity Detention – organised on a Departmental/Activity basis with the intention to support improvement in behaviour, effort or attainment. Again, this might include a re-test, Peer Mentoring session, departmental clinic, departmental/activity detention, extra contribution to activity such as supporting other pupils' training, additional fitness session etc.

School detentions (Repeated Routine or Level 1 concerns – usually issued by Heads of Houses and Heads of Year)

School 45: 45-minute detention (allocated mornings from 07.40 to 08.25).

School 90: 90-minute detention (School evenings during what is usually social time).

When required a School 90-minute detention may also be held on a Sunday evening from 18.00 until 19.30 (with immediate return to House).

Parents will be kept informed of School 45s via routine communication from Tutors. Advice of School 90s will usually come from a Head of House or Head of Year.

Heads of Year and Deputy Head Sanctions (Some Level 1 or Level 2 concerns)

Satis Cards: Typically used for academic effort, attainment or behaviour; activity effort or behaviour; uniform concerns, including hair and appearance. Satis involves regular sign-off in hashes, House and at activities and regular review of the behaviour of concern by the issuing member of staff. This is often put in place for a week or two weeks, sometimes longer, to help a pupil improve in a given area.



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Study Gating: Typically used for academic effort, attainment or behaviour; this may include the loss of Study Time privileges such as the freedom to use the Oak Café during evening Study Time.

Morning Report: a morning meeting with the issuing member of staff which may include review of Satis or may relate to a specific incident or concern. This may or may not include a morning detention.

Morning Detentions: 07.40 to 08.25 held by the relevant Head of Year, Assistant or Deputy Head. Depending on the reason for the detention the precise timings may be reduced. Such detentions may run in addition to School 45s.

Behaviour Contract: an agreement, signed by the pupil, outlining their commitment to behavioural expectations. Reviewed on an agreed basis.

The relevant issuing member of staff will advise parents.

Deputy Head Sanctions (Typically Level 2 concerns)

Academic and/or Behaviour Review: a formalisation of academic effort, attainment and/or behavioural expectations, agreed with parents and the pupil. This will identify a fixed point at which the pupil's future at the School will be assessed based on the agreed expectations.

School Gating: up to six days (excludes Sundays). School Gating involves morning and quarter sign-offs (with the relevant Deputy Head) and lunch, afternoon and evening sign-offs in House; a School 90-minute detention may also be included as well as loss of privileges for the period of the School Gating. Pupils must remain in House during usual social time and not leave the School grounds.

A School Gating may include a Formal or Final Warning about the more serious consequences of any repeated behaviour of concern.

Head's Gating: up to six days (excludes Sundays) of School Gating, plus a meeting with the Head. Additionally, there will be Morning Detentions with the relevant Deputy Head who will also send a letter to parents. Pupils must remain in House during usual social time and not leave the School grounds.

A Head's Gating will include a Formal or Final Warning about the more serious consequences of any repeated behaviour of concern.

Parents will be advised of a School or Head's Gating by the relevant Deputy Head.

Level 3 and 4 Sanctions

Suspension: means temporary exclusion from School, approved by the Senior Deputy Head, for a period of time dependent on specific circumstances. A Suspension usually carries with it a Formal or Final Warning about the more serious consequences of any repeated behaviour of concern. The Senior Deputy will write to parents.

Any subsequent suspension, for disciplinary reasons, is likely to bring the pupil's future at the School into question.



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Removal: 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 parent/s behaviour or conduct (or the behaviour or conduct of one of the parent/s) is unreasonable; or
- the pupil's attendance or progress is unsatisfactory and, in the reasonable opinion of the Head, the removal is in the School's best interests and/or those of the pupil or other children.

Expulsion: a pupil may be asked to leave the School permanently, at the discretion of the Head, for a significant breach of School Rules and related policies, breaches of a Formal or Final Warning, behaviour that puts themselves or other pupils at risk, behaviour that damages the reputation of the School, any criminal or illegal act or any repeated or significant behaviour that undermines the good order of the School community. For the avoidance of doubt this includes persistent low-level behaviours of concern.

A decision to expel a pupil is never taken lightly and will usually follow a formal Disciplinary Hearing with the Head. More detail about a Disciplinary Hearing is set out in Appendix 2.

Other possible adjustments

A range of other possible adjustments may be considered, at the discretion of the Head, to support a pupil remaining at the School and where such an adjustment may specifically support the welfare and wellbeing of this or other pupils. These might include, but are not limited to attendance and participation in a range of support services, engagement with relevant external specialists, a change of boarding status, a House move, etc.

Pupils who hold positions of responsibility and specific leadership roles in the School may have this position or associated privileges removed permanently or for a period of time if their behaviour is of significant concern or is considered to be setting an inappropriate example to other pupils.

At times of particular sensitivity or importance (e.g. exam periods, study leave, repeated Level 2 or 3 concerns, immediately prior to a pupil leaving the School etc.) a pupil may be required to study from home if their behaviour poses a risk to themselves, other pupils or the general good order of their House or the wider School community.

Support options

These may include, but are not limited to, support from the Chaplaincy, the Wellbeing Centre, the Learning Centre or the Hunt Health Centre. Mentoring by a Head of House, Tutor, Head of Year, the SENCo, a Head of Department or subject teacher, senior pupil or other member of staff chosen by the pupil may also be helpful.

External options for support will also be considered and external agencies involved where appropriate.

Support may be offered for an individual or group of pupils.



SAFEGUARDING

Any behaviour of concern by a pupil towards another may have a safeguarding aspect. This includes, but is not limited to:

- bullying (including cyber-bullying and prejudice-based bullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence and / or sexual harassment;
- upskirting and/or attempts to commit upskirting;
- sexting (also known as youth produced sexual imagery); and
- initiation / hazing type violence and rituals.

The School's policy and procedures with regard to peer on peer abuse are set out in the School's Safeguarding and Child Protection Policy.

If behaviour and discipline matters give rise to a safeguarding and child protection concern, either in relation to the alleged victim(s) or perpetrator(s) or, more widely, in relation to ensuring the safety and welfare of pupils and/or staff, the procedures in the Safeguarding and Child Protection Policy will take priority.

ADDITIONAL NEEDS

The requirements of any pupil with a disability as defined by the Equality Act 2010 will always be taken into consideration. The School will make such reasonable adjustments to this policy and its implementation as is reasonable to have to make to avoid substantial disadvantage to the pupil.

If there is a concern that a pupil's behaviour is as a result of unmet educational or other needs, advice should be sought from the Special Educational Needs Co-ordinator and further action in accordance with the School's SEN and Disabilities Policy will be considered.

MALICIOUS ACCUSATIONS AGAINST A MEMBER OF STAFF

Where a pupil makes an accusation against a member of staff and there is reasonable suspicion that the accusation has been deliberately invented or malicious, the Head will consider whether disciplinary action will be taken against the pupil in accordance with this policy.

Where a parent has made a deliberately invented or malicious allegation, the Head will consider whether to require that parent to remove their child or children from the School on the basis that they have treated the School or a member of staff unreasonably and compromised the requirement for mutual trust and confidence.



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The School will consider a malicious allegation to be one where there is sufficient evidence on the balance of probabilities to disprove the allegation and that, by the same test there is sufficient evidence that there has been a deliberate act to deceive.

USE OF REASONABLE FORCE

Corporal punishment is never used or threatened. Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used as set out in the School's policy on Touch and the Use of Reasonable Force.

SEARCHING PUPILS

Informed consent: School staff may search a pupil or their possessions or accommodation with their consent for any item. If a member of staff suspects that a pupil has a banned item in their possession, they can instruct the pupil to turn out their pockets or bag. If the pupil refuses, sanctions will be applied in accordance with this policy.

Searches without consent: the Head, and staff authorised by the Head, may search a pupil or a pupil's possessions, without their consent, where they have reasonable grounds for suspecting that a pupil has a prohibited item in their possession. Please see the School's policy on Searching a Pupil which includes the definition of prohibited items.

RISK ASSESSMENT

Where a concern about a pupil's welfare is identified, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.

The format of a risk assessment may vary and will form part of the School's overall response to a welfare issue. This might involve the use of individualised plans for pupils (including safety plans, health care plans and educational support plans). These are broadly referred to as Early Help Plans.

Regardless of the form used, the School's approach to promoting pupil welfare will be systematic and pupil-focused.

The Designated Safeguarding Lead has overall responsibility for ensuring that matters which affect pupil welfare are adequately assessed and for ensuring that the plans are implemented, monitored and evaluated as required.

Day-to-day responsibility to carry out risk assessments under this policy will be delegated to an appropriate named lead professional tasked with carrying out the particular assessment. These are monitored by the School's Welfare Management Committee.

RECORD KEEPING

All records created in accordance with this policy are managed in line with the School's policies that apply to the retention and destruction of records.

The School will keep a separate record of sanctions imposed for serious incidents. The record includes:



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- the name and year group of the pupil concerned;
- the nature and date of the offence;
- the sanction imposed and reason for it; and
- the name of the person imposing the sanction;
- identifying whether these are related to boarding.

This record is reviewed regularly by the Senior Leadership Team and the Education Committee of the Governing Body so that patterns in behaviour can be identified and managed appropriately.

The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy, including the School's Data Protection Policy for staff.



APPENDIX 1 INVESTIGATIONS INTO THE MOST SERIOUS BREACHES OF DISCIPLINE

The Head will generally appoint a senior member of staff to carry out an investigation of an allegation, complaint or rumour of the most serious breaches of discipline (this is likely to be those matters where permanent exclusion is a possible outcome i.e. Level 4), but if appropriate, the Head may investigate matters themselves or instruct a third party to undertake the investigation. The purpose of such an investigation is to make findings on the balance of probabilities, where possible, as to what has happened. The investigator should not have had any prior involvement in the management of any of the matters 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 pupil may be suspended from the School as a neutral act pending the outcome of a disciplinary process. Should a suspension continue for a period of more than five School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil and will keep the terms of the suspension under regular review. Parents should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, and at the discretion of the Head, the pupil may be offered a segregated regime on School premises or online learning.

A pupil's space or (following an appropriate risk assessment) belongings may be searched during the course of the investigation. See the School's policy on Searching a Pupil.

It may be necessary to delay the School's investigation or put it on hold, for example where external agencies such as the police or social services are involved and have recommended this. A decision to suspend an investigation will take into account advice from appropriate external agencies and will be subject to periodic review. 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 Designated Safeguarding Lead (or a deputy) will take a leading role on decisions.

If considered necessary, the School may make arrangements for legal representation for the pupil to be funded entirely at the parents' expense. Regardless of delays caused by a police or other external agency investigation, the School will provide appropriate pastoral and other support for all pupils affected by the allegations under investigation while they remain on the school roll.

The outcome of the investigation, where delegated to a member of staff or other third party, will be reported to the Head. If the findings of the investigation appear to support the allegation, complaint or rumour, a disciplinary hearing will then be convened in accordance with the procedures in Appendix 2 of this policy.



APPENDIX 2 DISCIPLINARY HEARING WITH THE HEAD

Where the findings of an investigation into an allegation, complaint or rumour of a serious incident appear to support the allegation, complaint or rumour, a disciplinary hearing with the Head will take place.

Attendance

The pupil and his / her parents (if available) will be invited to attend the disciplinary hearing with the Head. Where the complaint concerns the behaviour of the parents, the pupil will not generally be entitled to attend the meeting and this procedure applies to the parents only.

Legal representation is not allowed at a Disciplinary Hearing.

The person who undertook the investigation will be in attendance to explain the circumstances of the complaint and his / her investigation and findings and an additional member of staff will be present to minute the meeting. The Head of House may also be in attendance.

If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format, translator etc.) those requirements should be made known to the Head as soon as reasonably practicable so that appropriate arrangements can be made.

If a parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the parent can be involved, remotely if necessary, with the disciplinary process and their child's education.

Meeting

Documents available at the disciplinary hearing with the Head may include:

- a statement setting out the allegations regarding the pupil or, where applicable, the parents;
- relevant documents including:
- the investigation report;
- the pupil's conduct record;
- the relevant School policies and procedures.

The Head will inform the pupil and his/her parents of the range of disciplinary sanctions which the Head considers are open to them.

The pupil and his / her parents will have an opportunity to make representations on:

- the investigation findings;
- whether they constitute serious misconduct;
- the appropriate sanction to be imposed.



Unless the Head considers that further investigation is needed, s/he will close the meeting and inform the pupil and the parents that they will be notified of the decision in writing.

Decision

The Head will consider:

- whether the allegation, complaint or rumour has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities;
- whether the findings constitute a serious incident; and
- the appropriate sanction to be imposed (and the pupil's disciplinary record will be taken into account where the complaint concerns the conduct of the pupil).

The Head may expel or remove a pupil or impose any other sanction s/he considers to be appropriate in accordance with this policy.

The Head will notify the parents of the decision in writing, with reasons, within five working days of the disciplinary hearing.

A decision to expel or remove a pupil shall take effect within five working days of the date of the Head's letter confirming the decision. Until then, the pupil may remain suspended and away from School premises.

Review

The parents or the pupil may request a review of the Head's decision to expel or remove a pupil from School.

A request for a review must be made in writing within five working days of the date of the Head's letter confirming the decision.

The request should include:

- a copy of all relevant documents and full contact details;
- the grounds on which the Review is sought and the outcome desired;
- a list of the documents which the pupil and/or parents believe to be in the School's possession and wish the Panel to consider; and
- whether the pupil and/or parents propose to attend a Hearing and, if so, to be accompanied.

If assistance with the request is required, for example because of a disability, this should be indicated in the request for a Review.

The Clerk to the Governors will acknowledge the request for a Review in writing within 3 working days of receipt.



Every effort will be made to enable the Review to take place within 15 working days of receipt of the request.

Pupil's status pending a Review

Following a request for a Review, the pupil will be suspended from School until the review procedure is complete.

While suspended, the pupil shall remain away from School and shall not have the rights to enter School premises or attend School events without written permission from the Head.

Planning the Review

The Clerk to the Governors will be responsible for arranging the Review which will usually involve a Review Hearing at which the Panel will consider relevant documents and hear from the Head, the parents and the pupil.

The Clerk to the Governors will send written notification to each party of the process, date, time and place of the Review Hearing at least 3 working days before the date of the Review Hearing.

Copies of any documents additional to those specified in the request for a Review that the pupil and/or parents wish the Panel to consider should be sent to the Clerk to the Governors to be received at least 2 working days prior to the Review.

On receipt of new information not previously available to the Head before his/her decision was made, the Clerk to the Governors should contact the Chair of Governors or the Chair of the Review Panel who will decide whether to:

- include the new information in the bundle; or
- omit the information if not relevant to the grounds for Review; or
- make further enquiries of the parents or the pupil about the information; or
- refer the information to the Head for his/her consideration as to whether the decision should be revisited.

The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Review Panel to the Panel, the parents and the Head at least 3 working days prior to the Review Hearing.

The parents may be accompanied at the Review Hearing, for example by a relative or friend. The Review is an internal procedure, not legal proceedings, and legal representation is unnecessary and not permitted.

The parents are required to notify the Clerk to the Governors if they wish to be accompanied. The parents should note that the Panel will wish to speak to them directly. Anyone



accompanying them will not be permitted to act as an advocate or to address the Review Panel unless invited to do so by the Chair of the Panel.

A person will be appointed to take a minute of the Review Hearing.

Composition of the Panel

The Panel will comprise at least 3 members of the Governing Body who have no detailed prior knowledge of the case and will not include the Chair of Governors. With the exception of the Chair of Governors, Governors not appointed to the Panel will not be provided with information about the case.

The parents may ask the Clerk to the Governors to inform them who has been appointed to sit on the Panel ahead of the Review Hearing. Fair consideration will be given to any reasonable objection to a particular member of the Panel.

Role of the Panel

The role of the Panel is to consider:

- **Whether, on the facts, the decision-making relating to the breach of school policy/ies and sanction imposed followed a fair process:** whether an appropriate procedure was followed allowing the facts of the case to be sufficiently proved and a finding of serious misconduct reached when the decision was taken to expel or remove the pupil. The civil standard of proof, namely, "the balance of probability", will apply. Observance of the School's relevant policies will be taken into account, but may not be determinative in this respect.
- **Whether the sanction was within the range of reasonable responses:** whether it was within the range of reasonable responses in respect of the breach of discipline or the other events that are found to have occurred and the legitimate aims of the School's policy in that respect.

In addressing the matters above, the Panel will consider the documentation provided by the parties, representations made by the parties and any other factors which the Panel considers to be relevant in order to consider whether the sanction was reasonable.

The Panel will determine whether to uphold the Head's decision or refer the decision back to the Head with recommendations so that he/she may consider the matter further.

Review Hearing

The Review Hearing will be conducted in an informal but fair and unbiased manner.

During the Review Hearing, the parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Review Hearing is not a legal proceeding and the



Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.

All statements made at the Review Hearing will be unsworn. The parties will be entitled to write their own notes for reference purposes.

All those present during the Review Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Review Hearing may be adjourned or terminated at the discretion of the Chair of the Panel. Any person who is dissatisfied with any aspect of the way the Review Hearing is being conducted must say so before the proceedings go any further and his/her comment will be minuted.

The Chair of the Panel may, at his/her discretion, adjourn the Review Hearing if he/ she considers it appropriate to do so. This may include an adjournment for additional information to be obtained, or for the parties to take legal advice on a specific issue arising.

A Review Hearing is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law. The requirement is without prejudice to the parties' right to refer to the Panel's decision in any subsequent legal proceedings.

When the Chair of the Panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, he/she will conclude the Review Hearing.

Decision

The Panel's decision and any recommendations will be notified in writing, with reasons, to the Head and the parents by the Chair of the Panel or the Chair of Governors within 5 working days of the Review Hearing.

If the Head's decision is upheld, the decision will be final.

If the Head is asked to reconsider his decision, the pupil will remain suspended until this has been done.

The Head will provide his/her response to those recommendations, if appropriate, in writing within 3 working days.

In the absence of a significant procedural irregularity, the Head's decision will then be final.

Leaving status

If a pupil is expelled or removed, his / her leaving status will be one of the following: expelled, removed or, if the offer is made by the Head and accepted by the parents, withdrawn by parents.

Additional points of leaving status to be considered may include:



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- the form of letter which will be written to the parents and the form of announcement in the School;
- the form of reference which will be supplied for the pupil;
- the entry which will be made on the School record and the pupil's status as a leaver;
- arrangements for transfer of any course and project work to the pupil, 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 pupil;
- whether the pupil will be entitled to leavers' privileges;
- the conditions under which the pupil may re-enter School premises in the future; and
- financial aspects: payment of any outstanding fees and extras; whether the deposit will be returned or credited; refund of prepaid fees.