

DISCIPLINE AND EXCLUSIONS

1. Policy Statement

Sir William Perkins's School believes in promoting good behaviour and self-discipline in an environment of respect, fairness and natural justice.

For those whose behaviour does not meet the standards expected, the School uses a range of sanctions, up to and including exclusion. It is not the School's policy to inform third parties about the sanctions that are being applied in individual cases, but the sort of approaches used are outlined in this document and its relevant appendix.

In creating this policy and procedures the School has regard to the following non-statutory advice and information:

- [Behaviour and Discipline in schools \(updated 2024\)](#).

This document is available to all interested parties on our website and on request from the School Office. It should be read in conjunction with the following school documents:

- o Safeguarding and Child Protection Policy
- o Anti Bullying policy
- o Drugs and Alcohol: education and misuse policy
- o Good Behaviour Policy
- o E-safety Policy
- o IT Acceptable Use Policy
- o the School's Code of Conduct

SWPS is fully committed to ensuring that the application of this policy is non-discriminatory, in line with the UK Equality Act (2010). Further details are available in the school's Equal Opportunities policy.

2. Discipline

A range of different sanctions are available when a student breaches the *SWPS Code of Conduct* and all staff must seek to ensure that punishments are proportionate to the offence and should enable students to make reparation where possible. As far as possible the sanction applied should be constructive and could include:

- carrying out useful tasks to help the School
- a formal apology
- Behaviour Points
- detention (at lunchtime or with 24 hours' notice to parents if outside School hours)
- SLT detention (after school)
- removal from the group/class or particular lesson
- withdrawal of break or lunchtime privileges (this may include reporting to a member of staff at intervals through the period)
- withholding participation in educational visits or sports events which are not essential to the curriculum
- academic, behavioural, uniform report cards
- internal suspension from lessons, activities, trips, tutor group, etc, including a letter home to parents (this involves supervision in School but apart from others in the group for a fixed period)
- external suspension or permanent exclusion

3. Suspension and Exclusion

The Head may exclude a student for one or more fixed periods (suspensions) or permanently. This may be on the recommendation of one or more of the Deputy Heads. The decision to permanently exclude can only be taken by the Head. For serious but relatively minor breaches of the School's behaviour/discipline policies, students can be suspended for one or more fixed-term periods. The decision to suspend will be taken by the Head or Deputies acting on the Head's behalf.

Students may also be suspended if School fees have not been paid, or if parents treat the School staff unreasonably. The school will provide suitable work for students to do at home or in isolation at school during the period of suspension.

Before resorting to permanent exclusion or repeated suspensions, the School may use alternative methods for managing behaviour if appropriate. For example:

- a restorative justice process, whereby the harm caused to the 'victim' can be redressed
- a modified timetable to minimise exposure to triggers
- support from the Wellbeing team or Personalised Learning or external agencies, such as CAMHS or Children's Services.

A decision to exclude a student permanently will only be taken as a last resort when a wide range of strategies for dealing with disciplinary offences has been employed to no avail or if an exceptional 'one-off' offence has been committed.

The main categories of misconduct which may result in expulsion or removal are:

- supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco
- theft, blackmail, physical violence, intimidation, racism and persistent bullying
- misconduct of a sexual nature
- supply and possession of pornography
- possession or use of unauthorised firearms or other weapons
- vandalism, including computer hacking
- tampering with any fire appliance or safety device
- persistent attitudes or behaviour which are inconsistent with the School's ethos
- other serious misconduct towards a member of the School community or which brings the School into disrepute (single or repeated episodes) on or off School premises

A student may also be required to leave if, after all appropriate consultation, the Head is satisfied that it is not in the best interests of the student, or of the School, that they remain at the School.

Parental co-operation forms part of the contract between the School and all parents of students at the School. A refusal to abide by the terms of an exclusion may be considered a breach of contract.

4. Appeals

Parents are entitled to appeal to the Board of Governors against any exclusion. A letter stating the intention to appeal and their grounds for appeal should be sent to the Clerk to the Governors at the School as soon as possible and certainly within 72 hours. A hearing with a panel of 3 Governors will be set up as quickly as possible, but within 10 days at the latest. The Governors' decision is final.

The School will continue to provide education for a student who remains on roll (except in cases of non-payment of fees where an agreement has not been reached); and in the case of an exclusion of more than 15 days, the School will consider:

- how the student's education will continue
- how their problems might be addressed in the interim
- re-integration post-exclusion. This will normally include an interview with both student and parent/carer.

5. Corporal Punishment and Restraint

In accordance with the law there is no corporal punishment allowed by the School. However, if authorised by the Head, a teacher or other member of staff, may use 'reasonable force' to prevent a student from:

- committing an offence
- causing personal injury or damage (including to themselves)
- engaging in any activity prejudicial to the maintenance of good order, whether during a lesson or at any other time.

The Head has authorised all staff to use reasonable force in the above circumstances.

6. Involvement of Parents, Staff and Students

Parents, Carers or Guardians will be involved in discipline cases as appropriate. The School expects to work in partnership with parents in encouraging good behaviour and positive habits.

The working of the School's policies and procedures will be discussed regularly at staff meetings. Staff will also be involved in discussions with students in form time. Staff will also be called upon from time to time to identify problems that may be behind any bad behaviour, and to suggest possible courses of action.

The UN Convention on the Rights of the Child allows students who are capable of forming views the right to express those views. Where possible and appropriate, students will be involved in reviewing the School's behaviour and anti-bullying policies and procedures to reinforce self-discipline and positive work and behaviour patterns. The Deputy Head Pastoral is responsible for ensuring the positive contribution of students, including ensuring that the needs of SEND students are properly taken into account, and their participation in the consultation process is assured.

All disciplinary action will be applied fairly and consistently and in accordance with the School's Equal Opportunities Policy. Special consideration will be given to issues related to students with special educational needs or learning disabilities or difficulties and reasonable adjustments will be made for these students.

7. Expectations

The SWPS community is based on respect for one another. Students are encouraged to develop self-discipline and this is the main form of discipline within the School. All members of the School are expected to be proud of the community and supportive of one another and to accept the authority of members of staff. The School rules are set out in the Code of Conduct which can be found on Firefly - *SWPS Code of Conduct for Students*.

8. The Disciplinary Framework

The maintenance of good discipline is the collective responsibility of all members of staff. It is essential for the smooth running of the school, the maintenance of high standards and a caring community. All members of staff should be conversant with the school rules, procedures and conventions and take action in the event of unacceptable behaviour. More details about rewards and sanctions can be found in the *Good Behaviour Policy*.

9. Serious Misconduct

The following constitute examples of serious breaches of discipline which may lead to an exclusion from the School:

- Bullying of any kind
- Possession, supply or misuse of drugs or substances
- Inappropriate sexual or violent behaviour
- Purchase or consumption of alcohol or tobacco when in the School's care
- Smoking or being part of a group in which there is smoking (including e-cigarettes and vaping)
- Theft of property or identity

- Inappropriate or unpleasant use of phones, computers (including the internet, email and social networking sites) or other forms of communication
- Vandalism
- Serious or repeated disruption, disobedience, rudeness or unsafe behaviour
- Bringing the School into disrepute

This list is not intended to be exhaustive and it is possible that other breaches may result in exclusion. Persistent breaches or offences viewed as extremely serious may result in permanent exclusion from the School.

10. Screening, Searching and Confiscation

In the event of any requirement to search the property of individual students the school will have regard to the advice set out in the document [Searching, Screening and Confiscation Advice for Schools \(updated 2023\)](#) which explains the schools' powers of screening, searching and confiscation.

The School is able to confiscate any item that we have reasonable grounds for suspecting:

- poses a risk to staff or students
- is prohibited by the school
- is evidence related to an offence, this includes electronic data.

The School has the right to determine when the item(s) may be returned or to dispose of them. Advice will be sought from the police as appropriate.

11. Appendices:

The following appendix is available: *Appendix 1 - Details for Cases of Expulsion and Removal.*

12. Monitoring and Review

The Governing Body is ultimately responsible for the effective oversight, review and amendment of this policy and understands its legal obligation to do so.

This policy and appendix will be reviewed and updated annually by the Deputy Head Pastoral and Head or as events or legislation requires.

| | |
|---------------------------------|---|
| Next scheduled review: May 2025 | |
| Last reviewed May 2024 | |
| Key updates in this version: | <ul style="list-style-type: none"> • Addition of other relevant policies • Update of some external links to relevant guidance • Minor formatting updates for clarity |



DISCIPLINE AND EXCLUSIONS

APPENDIX 1: DETAILS FOR CASES OF EXPULSION AND REMOVAL

1. Introduction

Some guidelines follow, (which will be adapted as necessary), explaining the circumstances under which a student may be expelled from the School, or required to leave permanently for misconduct or other reasons. The policy applies to all students at the School whether or not in the care of 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/carers.

References to "Parent/carer" includes one or both of the parents/carers or legal guardians. "Expulsion" means a dismissal from the School in disgrace, formally recorded. "Removal" means that a student has been required to leave, but without the stigma of expulsion.

The aims of this appendix are:

- to support the School's behaviour and discipline policies and code
- to ensure procedural fairness and natural justice
- to promote co-operation between the School and parents/carers when it is necessary for the School that a student leaves earlier than expected.

The main categories of misconduct which may result in expulsion or removal are:

- supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco
- theft, blackmail, physical violence, intimidation, racism and persistent bullying
- misconduct of a sexual nature; supply and possession of pornography
- possession or use of unauthorised firearms or other weapons
- vandalism and computer hacking
- tampering with any fire appliance or safety device
- persistent attitudes or behaviour which are inconsistent with the School's ethos
- other serious misconduct towards a member of the School community or which brings the School into disrepute (single or repeated episodes) on or off School premises

A student may also be required to leave if, after all appropriate consultation, the Head is satisfied that it is not in the best interests of the student, or of the School, that they remain at the School.

2. Investigation procedure

The investigation will be completed according to the checklist (see below). Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by a member of the Senior Leadership Team, and its outcome will be reported to the Head. Parents/carers will be informed as soon as reasonably practicable if a complaint under investigation is of a nature that could result in the student being expelled or required to leave.

A student may be suspended from the School while a complaint is being investigated; alternatively they may be placed under a segregated regime at School.

The School may decide to search a student's space and belongings and ask them to turn out the contents of pockets or a bag, if we consider there is reasonable cause to do so. Clothing will not be searched until it has been removed from the wearer and care will be taken to ensure reasonable privacy. This policy does not authorise an intimate search or physical compulsion in removing clothing. If necessary, the police would be called.

A student may be interviewed by a member of staff. A student who is waiting to be interviewed may be segregated, but will be made as comfortable as possible, accompanied or visited regularly by a member of staff, and given access to a toilet and adequate food and drink.

An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to the School, without formal legal procedures.

3. Investigation Procedure (Checklist)

| |
|--|
| a) All incidents of poor behaviour will be investigated by the appropriate member of staff. For example, statements may be taken from all students involved and any witnesses; students may be interviewed; students' space and belongings may be searched if there is reasonable cause to do so. If appropriate, a second member of staff will be present at interview. (See points (e) and (f) below); witness statements and/or notes will be taken |
| b) Investigation of a complaint or rumour about serious misconduct or a pattern of ongoing poor behaviour will normally be co-ordinated by a member of the Senior Leadership Team. |
| c) In the event that serious misconduct is suspected, the Head will be informed by the coordinator at this point. |
| d) Searches of a student's space and belongings may be carried out if it is considered there is reasonable cause to do so at the discretion of the person overseeing the matter. The search would normally be conducted as follows: i. The student may be asked to turn out the contents of pockets or a bag ii. Clothing <i>will not</i> be searched until it has been removed from the wearer and care will be taken to ensure reasonable privacy. The searcher will take advice from the following document: Searching, screening and confiscation guidance (updated 2023) The policy <i>does not</i> authorise an intimate search or physical compulsion in removing clothing. Advice from the following document will be followed if drugs or substances resembling drugs are discovered: Drug advice for schools 2012 |
| e) If necessary, and/or if evidence is found requiring this, the police would be called. The Head will be informed of this. |
| f) In serious circumstances a more formal interview may be carried out. During the period leading up to any interview the student will be segregated and made as comfortable as possible, accompanied or visited regularly by a member of staff, and given access to a toilet, phone (unless it is felt that the phone may contain evidence) and adequate food and drink. It may be appropriate to offer the student the presence of a neutral and supportive member of staff at this meeting; notes will be taken |
| g) The outcome of all investigations will be reported to the Head. |

| |
|--|
| h) Parents/carers will be informed as soon as is reasonably practicable if there are grounds for serious concern which may to the student being expelled or required to leave. |
| i) A student may be suspended from the School while a complaint is further being investigated; alternatively they may be placed under a segregated regime at School. |
| j) An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a School, without formal legal procedures. |

4. Disciplinary panel meeting

The Chair of the Board of Governors will be informed of the investigation.

The student and their parents/carers (if available) will be asked to attend the disciplinary meeting with the Head and the member of SLT who has investigated will explain the circumstances of the complaint and the details/findings of their investigation. The student and their parents/carers will have an opportunity to state their side of the case. Members of staff will be on hand to join the meeting if needed, and their statements will be disclosed but, in most cases, the anonymity of students will be preserved.

There are potentially three distinct stages of a disciplinary meeting:

The complaints: The Head will consider the complaint/s and the evidence, including statements made by and/or on behalf of the student. Unless the Head considers that further investigation is needed, they will decide whether the complaint has been sufficiently proved. The standard of proof shall normally be the civil standard, i.e. the balance of probabilities. However, where the allegation against the student would amount to a criminal offence under general law, the standard of proof should be beyond reasonable doubt. Appropriate reliance may be placed on hearsay evidence but the Head will not normally refer to the student's disciplinary record at this stage.

The sanction: If the complaint has been proved the Head will outline the range of disciplinary sanctions which they consider are open to them. They will take into account any further statement which the student and/or others present on their behalf wish to make. The student's disciplinary record will be taken into account. Then, or at some later time, normally within 24 hours, the Head will give their decision, with reasons.

Leaving status: If the Head decides that the student must leave the School they will consult with a parent before deciding on the student's leaving status (see below).

A decision to expel or remove a student shall take effect 72 hours after the decision was first communicated to a parent, carer or guardian. Until then, the student shall remain suspended and away from School premises. If within 72 hours the parents/carers have made a written application for a Review by the Board of Governors, the student shall remain suspended until the Review has taken place.

If a student is expelled or required to leave, their leaving status will be one of the following: "expelled", "removed" or "withdrawn by parents/carers".

Additional points of leaving status include:

- the form of letter which will be written to the parents/carers and the form of announcement in the School and form 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, their parents/carers, carers or guardians or another School
- whether (if relevant) the student 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 Sir William Perkins's School Association of former students, and if so from what date
- the conditions under which the student 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.

5. The Board of Governors' Review

A student or their parents/carers, aggrieved at the Head's decision to expel or require a student to leave, may make a written application for a Board of Governors' Review. The application must be received by the School Business Director, who is Clerk to the Governors, within 72 hours of the decision being notified to a parent, or longer by agreement. In their application the parents/carers must state the grounds on which they are asking for a review and the outcome which they seek.

The Review will be undertaken by a three member sub-committee of the Board of Governors. The panel members will have no detailed previous knowledge of the case or of the student or parents/carers and will not normally include the Chair of Governors. Selection of the Review Panel will be made by the Clerk to the Governors. Parents/carers will be notified in advance of the names of the panel members. Fair consideration will be given to any bona fide objection to a particular member of the panel.

The meeting will take place at the School premises, normally between 3 and 10 days after the parents/carers' application has been received. A Review will not normally take place during School holidays. A Review Meeting is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law.

Those present at the Review Meeting will normally be:

- members of the Review Panel and the Clerk to the Governors.
- the Head and any relevant member of staff whom the student or their parents/carers have asked should attend and whom the Head considers should attend in order to secure a fair outcome.
- the student together with their parents/carers and, if they wish, a member of the School staff who is willing to speak on the student's behalf. The parents/carers may be accompanied by a friend or relation. The Clerk to the Governors must be given 7 days' notice if the friend or relation is legally qualified, in order that the School can arrange to be similarly represented if it so wishes.

The meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in an informal manner. All statements made at the meeting will be unsworn. The proceedings will not be recorded without the consent of both the Chair and a parent/carer and any recording will be used only to assist the panel members in reaching their decision and formulating their reasons and will belong to the School. The Clerk will be asked to keep a hand-written minute of the main points which arise at the meeting. All those present will be entitled, should they wish, to write their own notes. The meeting will be directed by the Chair who will conduct it so as to ensure that all those present have a reasonable opportunity of asking questions and making appropriate comment. Everyone is expected to show courtesy, restraint and good manners. The Chair may at

their discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

The Panel will consider each of the questions raised by the student or their parents/carers so far as relevant to:

- whether the facts of the case were sufficiently proved when the decision was taken to expel or remove the student. The civil standard of proof, namely, "the balance of probability" will normally apply except where the case involves an allegation of a criminal offence in which case the standard of proof will be "beyond reasonable doubt".
- whether the sanction was warranted, that is, whether it was proportionate to the breach of discipline or the other events which are found to have occurred and to the legitimate aims of the School's policy in that respect.
- the requirements of natural justice will apply. If for any reason the student or their parents/carers are dissatisfied with any aspect of the meeting they must inform the Chair at the time and ask the Clerk to note their dissatisfaction and the reasons for it.

If the Head considers it necessary in the interests of an individual or of the School that the identity of any person should be withheld, the Chair may require that the name of that person and the reasons for withholding it be written down and shown to the Panel Members. The Chair at their discretion may direct that the person be identified, or not as the case may be.

Up to two members of the School staff may speak generally about the student's character, conduct and achievements at the School if they are willing to do so.

If, having heard all parties, the Panel is minded to confirm the Head's earlier decision, it is open to the Panel, with agreement of the Head, the student and their parents/carers to discuss the student's leaving status with a view to reaching agreement.

When the Chair decides that all issues have been sufficiently discussed and if by then there is no consensus, s/he may adjourn the meeting; alternatively the Chair may ask those present to withdraw while the Panel considers its decision. In the absence of a significant procedural irregularity, the decision of the Review Panel will be final. It will be notified, with reasons, to the parents/carers by the Chair of the Review Panel or the Chair of Governors by letter or phone within three days of the meeting.

6. Monitoring and Review

This policy appendix will be reviewed and updated annually by the Deputy Head Pastoral and Head, or as events or legislation requires.

| | |
|--|---|
| Next scheduled review date: May 2025 <i>Last reviewed: May 2024</i> | |
| Key updates in this version: | <ul style="list-style-type: none">• Updated links to latest Dept for Education guidance• Change of terminology to Disciplinary panel meeting |