



Exclusion

PRINCIPLES

St Dunstan's Expected Pupil Behaviour and College Rules is available on the College's Web site, in Parent and Pupil Handbooks, and on the College VLE (Firefly). Parents and pupils need to be aware that some breaches of the College's Rules, including any criminal behaviour, are considered Serious Offences and incur the most severe sanctions.

Sanctions for poor conduct or academic irresponsibility are tiered, and are issued at the discretion of the appropriate member of staff as outlined in the Expected Pupil Behaviour Policy. The most severe sanctions include temporary internal (on-site) or external (off-site) exclusion and permanent exclusion. Temporary exclusions are issued by the Deputy Head Pastoral or Head of Junior School in consultation with the Head, and may extend for a period of 0.5 school days (normally 0830-1300) up to 5 consecutive school days. In some instances, for example, where an investigation is ongoing, the Head may extend the temporary exclusion where it is in the best interest of the pupil or the College to do so.

Teachers are not normally required to set additional work for pupils serving temporary exclusions. For external exclusion, pupils are expected to complete the work set on Firefly or emailed to them by the relevant member of staff. If serving an internal exclusion, pupils will be provided with appropriate work at school. This work will be marked by the pupil's teachers. Should the exclusion period extend beyond 5 consecutive school days, the College will make every effort to assist the family in finding appropriate educational provision.

Permanent exclusions are only issued by the Head. In order to reach a decision in these circumstances, a disciplinary meeting between the Head, appropriate supporting staff, the pupil and the parents will be convened.

BEHAVIOURS LEADING TO EXCLUSION

Pupils who continue to behave in such a way as to incur additional temporary exclusions are at risk of permanent exclusion. Normally, three internal exclusions will trigger a review from the Head, which may end in permanent exclusion. A student may also be permanently excluded after one incident of some Serious Offences or particularly egregious behaviour.

Serious Offences are infractions that incur the most serious sanctions, including temporary and permanent exclusion. Any single act or developing pattern of behaviour may be deemed a Serious Offence at the discretion of any member of the College Leadership Team. Any offence may be deemed a 'Serious Offence' in the professional judgement of the Head, Deputy Head Academic, Deputy Head Pastoral or Head of Junior School, given the circumstances and context of the offence. Serious Offences include but are not limited to:

- Drug abuse including supply, possession or use
- Alcohol abuse
- Smoking
- Theft, blackmail
- Leaving the College Site during the School Day without leave
- Wilful truancy from timetabled lessons or activities, including assemblies and registration periods
- Bullying, including cyberbullying
- Physical assault, threatening behaviour or intimidation
- Fighting, regardless of extent of physical contact or injury
- Sexual harassment
- Racist, sexist, homophobic or transphobic abuse, or any abuse relating to a protected characteristic
- Sexual misconduct including the supply and possession of pornography
- Wilful damage to property
- Certain violations of the College's Pupil Acceptable Use Policy for ICT or the College's Bring Your Own Device Policy
- Possession or use of unauthorised firearms or other weapons
- Cheating, including plagiarism (not limited to public examinations)
- Malicious allegations against staff
- Persistent attitudes or disruptive behaviour which are inconsistent with the College's ethos, including on social media
- Failure to adhere to an agreement made as part of an Academic or Conduct Sanction, for example a Behaviour Agreement
- Parental or pupil behaviour which, in the Head's reasonable opinion leads him to believe that removal of the pupil from the College is in the best interests of the College or the pupil

The above is not an exhaustive list, and a pupil may be permanently excluded if, after all appropriate consultation, the Head is satisfied that it is not in the best interests of the pupil, or of the school, that the pupil remains at the school.

The College will consider reasonable adjustments necessary to ensure pupils with a disability are not inadvertently discriminated against, in line with the guidance in the Equality Act 2010. This may include; for example, training staff in de-escalation and supervision techniques for a pupil whose disability causes him/her to lash out at others. A pupil engaging in arson, theft, sexual abuse, exhibitionism or voyeurism occurring as a result of a disability is not protected under the Equality Act.

DISCIPLINARY MEETING WITH THE HEAD

Prior to any disciplinary meeting between the Head, supporting staff, parents and pupil, the Head will conduct his own investigation to better understand the circumstances surrounding the case for permanent exclusion.

- The chair of governors will be informed of the investigation.

- The pupil and the pupil's parents will be asked to attend the disciplinary meeting with the Head at which the Deputy Head Pastoral or other appropriate senior colleague will explain the circumstances of the complaint and the findings of the investigation.
- The pupil may attend the meeting at a point to be decided by the Head – typically after the parents have discussed the situation with the Head and other relevant staff.
- In all cases, the pupil and their parents will have an opportunity to state their child's side of the case before any decision is made.
- 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 other pupils will be preserved if at all possible.
- Documents available at the disciplinary meeting before the Head are likely to include:
 - A statement setting out the points of complaint against the pupil
 - Written statements and notes of the evidence supporting the complaint, and any relevant correspondence
 - The investigation report (if applicable)
 - The pupil's school file and conduct record
 - The relevant school policies and procedures.
 - Any information relating to Individual Pupil Needs including SEND, such as Learning Support Profiles or reports from professionals.
- During the Disciplinary Meeting,
 - The Head will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless the Head considers that further investigation is needed, he will decide whether the complaint has been sufficiently proved. The standard of proof shall normally be on the balance of probabilities. Appropriate reliance may be placed on hearsay evidence but the Head will not normally refer to the pupil's disciplinary record at this stage.
 - If the complaint has been proved the Head will outline the range of disciplinary sanctions which he considers are open to him. These may include removal of academic scholarship or bursary, temporary or fixed term exclusion or permanent exclusion. The Head will take into account any further statement which the pupil and/or others present on their behalf wish to make. The pupil's disciplinary record will be taken into account.
- The Head's decision will not normally be given during the Disciplinary Meeting but at some later time, normally within 24 hours. When announcing his decision, the Head will also give his reasons.
- If the Head decides that the pupil must permanently leave the school, he will consult with the pupil's parents before deciding on the pupil's leaving status of 'permanently excluded' or, at the Head's discretion, 'withdrawn by parents'.
- Additional points of leaving status may include some or all of the following:
 - The form of letter which will be written to the parents and the form of announcement in the school that the pupil has left
 - 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
 - Any financial aspects including payment of any outstanding fees and extras; whether the deposit will be returned or credited; the refund of any prepaid fees
- A decision to permanently exclude a pupil shall take effect seven days after the decision was first communicated to a parent. Until then, the pupil shall remain under temporary external exclusion and away from school premises. If within seven days the parents have made a written application for a review by the governors, the pupil shall remain under temporary exclusion until the review has taken place.

GOVERNORS REVIEW

- Parents may request a governors' review of the Head's decision to temporarily exclude a pupil (if the exclusion is for 5 school days or more or would prevent the pupil from taking a public examination) or permanently exclude a pupil, by making a written application to the Clerk to the Governors. The application must be made as soon as possible and in any event must be received by the Clerk to the Governors within **7 days** of the parent being notified of the decision to exclude.
- In their application the parents must state the grounds on which they are asking for a review and the outcome which they seek.
- The review panel shall be constituted and conducted in line with the procedures are outlined in the stage 3 process of an official complaint (see the Complaints Policy - P11).
- In some cases, the Head may decide to offer parents the right to withdraw their child from the College to avoid exclusion. In such circumstances, it is sensible to make it clear to parents that, should they accept this offer, no right of appeal is available.