



DISCIPLINE, EXCLUSIONS AND REQUIRED REMOVAL POLICY

Reviewed and updated autumn 2023 | Next review autumn 2024

Introduction

This policy applies to all pupils at the School and explains the circumstances in which a pupil may be excluded from the School or required to leave permanently for misconduct or other reasons. This policy does not cover situations when a pupil has to leave because of ill-health, non-payment of fees, or withdrawal by his/her parents.

The circumstances in which exclusion or required removal may be appropriate are listed below. This is not intended to be an exhaustive list:

- Criminal offences
- Physical violence, racist abuse, bullying or theft
- Serious misconduct on or off School premises which actually or potentially, or indirectly, damages the good name and reputation of the School or affects the welfare of staff or pupils of the School
- The possession, supply and use of certain drugs, illegal substances or substances intended to resemble them or paraphernalia to facilitate their use
- The possession, supply and use of alcohol or tobacco
- Persistent disregard for the School Rules
- Other circumstances where the Head (after appropriate consultation) is satisfied that it is not in the best interests of the pupil to remain at the School

The School will make reasonable adjustments where a pupil's misbehaviour relates to a pupil's disability or special educational needs.

Expulsions, Suspensions and Required Removal

The contract between the School and the parents makes it clear that the Head may suspend, expel or require the removal of a pupil from the School, if the Head considers a pupil's attendance, progress or behaviour to be seriously unsatisfactory, or if withdrawal is in the best interests of the pupil concerned or of other pupils.

A pupil may also be suspended, expelled or required to be removed where the behaviour of the parents is unreasonable or is likely to affect the pupil's well-being or progress, or the well-being of School staff or to bring the School into disrepute.

Expulsion is usually reserved for grave breaches of School discipline. Expulsion is used as a last resort, where all other sanctions have proved ineffective.

The Head may request that parents withdraw their child from the School for serious breaches of School discipline or for behaviour which the Head considers falls short of behaviour resulting in exclusion. A **required removal** in these circumstances is at the sole discretion of the Head. Parents will be consulted.

The Head may require a pupil to be **suspended** from the School and be required to stay at home, whilst a complaint is being investigated. In particularly serious cases, or where external agencies such as the police or social services are involved, it may also be appropriate for a pupil to be suspended. Should a suspension continue for more than 5 School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. The Head will co-ordinate such arrangements with the pupil's parents.

SUSPENSION - PROCEDURE

In cases where the Head suspends a pupil from attendance at School, the following procedures will apply:

1. The alleged misconduct will be thoroughly investigated by the Deputy Head and another senior member of staff who will report their findings to the Head.
2. The pupil will be given the opportunity to put his/her case to the Head and to talk through the matter in an informal meeting (another adult will usually be present).
3. The pupil's parents will be informed of the decision to suspend and the pupil will be looked after until satisfactory arrangements have been made for him/her to return home.
4. The pupil's parents will be informed in writing of the decision and the letter will confirm the reason for the suspension and the likely consequences of further misconduct.
5. The letter will also confirm the dates of the suspension and the date on which the pupil may return to School.
6. The letter will remain on the pupil's file for two years.
7. The parents will be invited to see the Head to discuss the whole matter.

EXPULSION - PROCEDURE

In cases where expulsion may be a possible outcome the following procedures will apply:

1. Preliminary Steps
 - The Head will appoint a senior member of staff to undertake an investigation. The Head should remain independent from the investigation to carry out the hearing and decision.
 - Parents will be informed as soon as reasonably practicable if the allegation or misconduct under investigation may result in the pupil being required to leave or excluded.
 - Consider whether there is any requirement to notify social services or the police.
2. Investigation
 - The investigating officer will clarify the nature of the allegation and as soon as reasonably practicable establish the facts.
 - Obtain statements from any available witnesses, these should be dated and signed.
 - If statements need to be taken from pupils this should be on an individual basis (rather than a group). Another adult should be present.
 - Any relevant documents should be gathered in a paginated bundle.
 - At the end of the investigation the investigating officer should decide whether there is a case to answer which needs to be considered further.
 - Where the allegations are serious, or other pupils may be at risk, the Head will consider suspending the pupil until the outcome of the procedure. The parents should be informed immediately in writing. Such suspension should be as short as practicable, but consideration may need to be given to making arrangements to send work home.
3. Meeting

- Before a decision is reached or any action taken parents will be invited to a meeting with the Head. The pupils will usually be allowed to attend, if appropriate.
- The parents will be invited in writing to the meeting and provided with details of the allegations and a bundle of any relevant documents and statements. The parents should be asked to provide any relevant evidence that they wish to rely on in advance of the meeting.
- At the meeting the parents and pupil will have an opportunity to state their case and answer the allegations that have been made.
- The School will make reasonable adjustments where the parents and/or the pupil inform the Head ahead of the meeting that they have a disability or special needs.

4. Decision

Following the hearing the Head will consider the position carefully and decide whether the allegation or misconduct has been proved on the balance of probabilities. If the allegation is proved, the Head will consider the range of disciplinary sanctions available to her, considering the pupil's disciplinary record. Parents will be advised of in writing, usually within seven working days, of the outcome of the Head's decision, the reasons for the decision and the sanction imposed. Parents will be advised of the right to a Governors' Review (where appropriate).

In cases where the Head expels a pupil, the Chairman of Governors or the Vice Chairman of Governors will be consulted. It may be that the Head will decide to require the removal of a pupil in lieu of formal expulsion.

5. Governors' Review

The parents may make a written request to the Clerk of the Governors for a Governors' Review where one of the following applies:

- Where a pupil has been permanently excluded or where the parent has been required to remove the pupil and the parents are dissatisfied with the outcome of the meeting with the Head;
- Where the Head has decided to suspend the pupil for 15 School days or more; or
- Where suspension would prevent the pupil from taking a public examination.

A request for a Governors Review must be made and received by the Clerk within seven days of the Head's decision being notified in writing to the parents. A request must state the grounds on which the parents are asking for a Governors' Review and the outcome they would like. Parents should note that disagreement with the Head's decision alone is not sufficient grounds for a review.

The review meeting will generally be attended by the Review panel members, the Clerk, the Head, the pupil and her parents. Parents may be accompanied by a friend or relation. It will not normally be appropriate for there to be legal representation at the review meeting.

A review meeting is a private matter. All those concerned and involved are required to keep the review meeting confidential (unless disclosure is required by law).

All reasonable endeavours will be made for the review panel to be constituted within 10 days. The review meeting will be held as soon as reasonably practicable thereafter, but normally within 15 days of receipt of the request for a Governors' Review. A review will not normally be held during School holidays.

The review panel will be at least two governors and one person who is independent of the management and running of the School. Neither of the governors shall have had any prior knowledge of or involvement in the case. Parents will be notified in advance of the names of the panel members.

The role of the panel is to listen to both sides, consider whether the Head's decision was fair and proportionate and in accordance with the policy, and decide whether to uphold the Head's decision or refer the matter back to the Head for reconsideration together with recommendations.

The Chairman will notify the Head and the parents in writing of the decision with reasons and any recommendations by the panel, usually within three days of the meeting. The Head will provide a written response to such recommendations usually within 24 hours and in the absence of significant procedural irregularity, the Head's decision will be final.

The School will make reasonable adjustments where the parents and/or the pupil inform the Clerk ahead of the Governors' Review that they have a disability or special needs.