



PRESTFELDE

Exclusion and Required Removal Policy

Author(s)	Nick Robinson
Review body	Governors Education Committee
Governor approval date (if required)	9 th March 2023
Date of review	August 2023
Date of next review	September 2024
Website requirement	Yes
Inspection folder requirement	Yes

Significant amendments

Date	Amendment	Initials
Feb 24	Addition of Delayed Decision and Leaving Status sections	NR
Jan 23	New format from previous policy (ISBA template used)	NR

Introduction

This policy should be read in conjunction with the School's Behaviour Management Policy, Anti-Bullying Policy, Alcohol Drugs and Harmful Substances Policy, E-Safety Policy and Complaints Procedure.

This policy is available on the School's website and also on request from the School Office.

At Prestfelde we encourage the establishment of good teacher / pupil relationships and support for the School's values through a system of rewards and sanctions which are designed to promote a calm, disciplined learning environment. Our system of rewards can be found in the school Behaviour Policy.

Exclusion, can be defined as temporary or permanent, and is a last resort. Temporary exclusion will be for the minimum period deemed necessary and most likely between one and five days.

Permanent exclusion / required removals is only used in the most serious circumstances.

In implementing these procedures, the Head will ensure that no pupil is discriminated against on any of the following grounds:

- a. Race, including colour, nationality, descent, and ethnic, ethno-religious or national origin
- b. Religious affiliation or belief
- c. Sexuality +
- d. Disability and / or specific learning difficulties
- e. Gender or gender orientation
- f. Age

And any other protected characteristics as set out in the Equality Act 2010, or in subsequent revisions.

Breaches of School Rules by pupils which merit exclusion:

A non-exhaustive list of the sorts of behaviour that could merit permanent exclusion (including behaviour or conduct outside of School) includes the following:

- physical assault against pupils or adults;
- behaviour which puts the safety of the pupil, or any other person, in jeopardy;
- verbal abuse/threatening behaviour against pupils or adults;
- bullying, including (cyber-bullying) in accordance with the School's Anti-Bullying Policy
- committing a criminal offence;
- fighting;

- abuse on the grounds of race, religion/belief, disability, SENs (etc.) or any form of unlawful discrimination;
- sexual harassment or misconduct, including youth-produced sexual imagery;
- drug and alcohol misuse (including supply/possession/use);
- damage to property;
- vandalism or computer hacking;
- theft or unauthorised possession of any property belonging to the School, another pupil, or a member of staff;
- wilful damage to property;
- bringing illegal, inappropriate or dangerous items into School, such as drugs, weapons, firearms, pornographic material etc;
- misconduct which adversely affects or is likely to adversely affect the welfare of a member or members of the School community;
- misconduct which brings or is likely to bring the School into disrepute; and
- persistent disruptive behaviour or breaches of the School's Behaviour Policy or School Rules.

As set out in the School's Terms and Conditions (Parent Contract), the School may require the removal of a pupil in circumstances where the Head considers in his discretion that the behaviour or conduct of a parent (or both parents) is unreasonable; and/or adversely affects (or is likely to adversely affect) their child's or other children's progress at the School, or the wellbeing of School staff; and/or brings (or is likely to bring) the School into disrepute; and/or is not in accordance with their obligations under the Parent Contract. A non-exhaustive list of the sorts of behaviour that could merit required removal of a pupil on the grounds unacceptable parental behaviour or conduct includes the following:

- treating the School or a member of staff unreasonably;
- making a malicious allegation about a member of staff or the School;
- communicating with the School in person or in writing (directly or indirectly), in a manner which is deemed voluminous, and/or relentless, and/or confrontational, and/or unreasonable, and/or overly aggressive;
- behaving in a manner which adversely affects (or in a manner which is likely to adversely affect) the welfare of a member or members of the School community; and
- breaching the School's Terms and Conditions (Parent Contract).

The School reserves the right to impose sanctions for parental behaviour falling short of required removal, including but not limited to placing restrictions on a parent's access to School / School events, communications with the School and/or the imposition of a warning (up to and including a final written warning).

As set out in the School's Terms and Conditions (Parent Contract), the School may require the removal of a pupil in circumstances where the Head considers in his discretion that the pupil's attendance or progress at the School is unsatisfactory and, in the reasonable opinion of the Head, the removal of the pupil is in the School's best interests and/or those of the pupil or other children.

Please note that exclusion / required removal may also be imposed by the School as a sanction for a series of minor misdemeanours.

Investigation Procedure

The Head for his part undertakes to apply any sanctions fairly, and, where appropriate, after due investigative action has taken place (such investigation to be carried out by a member / members of the Senior Leadership Team). Any findings of fact will be made on the basis of the balance of probabilities. Parents will be informed as soon as reasonably practicable if a complaint or allegation under investigation is of a nature that could result in the pupil being excluded.

The School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure. Alternatively, the pupil may be placed under a segregated regime if they remain on School premises. The School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil.

Prior to any decision being taken by the Head to exclude or require the removal of the pupil, the Head will meet with the pupil and their parents or (in circumstances involving the possibility of the pupil's required removal on the grounds of parental unreasonable behaviour) the parents.

If the Head considers that further investigation is needed, the meeting may be adjourned, and the reason for the adjournment will be explained to the pupil / their parents.

Following the conclusion of the meeting the Head will reach his decision. The Head will communicate his decision in writing within five working days from the meeting.

Delayed effect

A decision to Permanently Exclude or Require the Removal of a student shall take effect five working days after the decision is first communicated to a parent. Until then, the pupil shall be suspended and away from School premises. If, within five working days, the parents wish to appeal the pupil shall remain suspended until the appeal process is completed.

Appeals against exclusion / required removal

The School will always offer the right of appeal to any pupil excluded or required to be removed from the School. Any appeal against exclusion will be dealt with under Stage 3 of the School's Complaints Procedure and should be made in writing to the Head within five working days of the pupil's exclusion / required removal.

The outcome of the appeal process is final and there shall be no further right to appeal.

If a decision is taken by the parents to withdraw the pupil, the parents will waive any right to an appeal.

For the purposes of this policy “working days” refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term.

Leaving Status

If a pupils Permanently Excluded or Required to be Removed, their leaving status will be: “permanently excluded” or “required removal”. In certain circumstances, and at the Head’s discretion, parents may be offered the opportunity of withdrawal in lieu of Required Removal OR Permanent Exclusion. In this event, the pupil’s leaving status will be ‘withdrawn by parents with agreement of the Head’ and the Head shall be free to explain the background in any reference for ongoing education. If a decision is freely taken by the parents to withdraw the pupil in these circumstances, the parents will waive any right to appeal.

Recording and monitoring

Where the sanction imposed is exclusion, required removal or suspension, the written report on the investigation will be placed on the pupil’s file.

Details of the exclusion, required removal or suspension will be recorded on the School’s Sanctions Record.