

Exclusion Policy (Senior School)



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POLICY STATEMENT

This document is intended to set out the policy and procedure where serious breaches of the School Values or School Rules are found to have taken place.

This policy applies to all pupils regardless of age. It will apply to behaviour on the journey to and from School, when taking part in any School organised activity (either on or off School premises) or whenever a pupil is identifiable as a pupil at the School. Any behaviour by a pupil which could have serious repercussions for the orderly running of the School, reputation of the School or poses a threat to another pupil, staff member or member of the public is also covered by this policy.

The Head is committed to acting fairly and in accordance with the principles of natural justice and not to permanently exclude a pupil from the School other than in grave circumstances in which no other sanction is appropriate. A pupil is liable to permanent exclusion for a grave breach of School discipline, for example; a criminal offence or a wilful act calculated to cause serious damage to the school, its community or any of its members.

AIMS OF THIS POLICY

- To enable the Head to carry out his/her responsibilities of maintaining order and good discipline in the School.
- To ensure, as far as possible, that every pupil in the School is able to benefit from - and make his/her full contribution to - the life of the School, consistent always with the needs of the school community.
- To authorise and reinforce the School Values and the School Rules and any procedures necessary for implementing them.
- To set out the policy and arrangements for exclusions.

OTHER RELEVANT POLICIES AND DOCUMENTS

In reading this policy you should also consider and consult the following policies and documents:

- Behaviour and Discipline
- Anti-bullying
- Complaints

For members of staff, there is more detail on the internal procedures available in the Staff Handbook.

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REVIEW DATES AND APPROVAL

The Exclusion Policy is reviewed by the Compliance Committee and then approved by the full board of Governors (including the Chair of Governors and the Head) on a biennial basis.

Last Review: September 2022

Next Review: September 2024

Person responsible for review: Head/Senior Deputy Head

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EXCLUSION POLICY

It is our aim that all pupils at The Grange should be able to enjoy their time at school and take full advantage of all that the school has to offer both in and outside the classroom. We are proud of the quality of relationship which exists between pupils and their peers and between pupils and staff and that the atmosphere within the school is happy and purposeful. Key to these aims are the concepts of courtesy and respect which all pupils can expect, and which are also expected of them.

The Behaviour and Discipline Policy sets out the standards which we expect in our pupils' behaviour and incorporates the School Values, and the key principles of behaviour. For sanctions other than requirement to leave or permanent exclusion, reference should be made to the Behaviour and Discipline Policy.

This Policy (The Exclusion Policy) sets out the procedure for the rare occasions when either requirement to leave or permanent exclusion is deemed necessary. In such circumstances there is also a right to appeal the decision to require to leave or permanently exclude.

The School will maintain up to date records for reporting purposes of any pupils who have been required to leave or are permanently excluded.

PROCEDURE FOR SERIOUS DISCIPLINARY OFFENCES

When circumstances occur which may give rise to serious disciplinary measures these will be brought to the attention of the Head. The Head will appoint a Deputy Head or another senior member of the staff to carry out a preliminary investigation as soon as reasonably possible. Following an investigation by the appointed member of staff, the Head will then make a decision about whether the matter should be taken further and whether a disciplinary meeting is needed. If it is deemed necessary to take the matter further, then the person who carried out the investigation shall inform the parent(s) of the pupil in question as soon as reasonable – by telephone if that is possible. Any telephone conversation will then be confirmed in writing to the parent(s) and a copy retained for School records.

Following parental notification of the situation a disciplinary meeting will be conducted with the pupil. At this meeting the person who carried out the investigation will present their findings. Wherever possible, a parent or guardian should also be allowed the opportunity to attend this interview. It may also be appropriate for one other member of staff to be present, such as a Head of Year.

At the conclusion of the disciplinary meeting, the appointed member of staff will share the outcomes of this meeting with the Head. The Head may decide:

- To take no action;
- To impose a punishment stopping short of suspension or permanent exclusion (such as detention or internal exclusion);
- To suspend for a definite period of time pending further investigation;

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- To suspend as a sanction for a definite period of time or until the pupil agrees to comply with the requirements which the Head shall impose;
- To ask the pupil's parents to withdraw the pupil from the School;
- To permanently exclude the pupil from the School.

For any situations involving suspension or more serious sanctions being applied, the matter will be confirmed in writing.

REQUIREMENT TO LEAVE

For a serious breach of school discipline for which permanent exclusion is necessary, but such that the pupil cannot expect to remain a member of the school community, the pupil may be required to leave permanently and the Head will invite his/her parents (or guardian(s)) to withdraw the pupil. Subject to payment of all outstanding school fees, the pupil will be given reasonable assistance in making a fresh start at another school.

Subject to their rights to have the decision reviewed as set out below, should the parents of the pupil refuse to withdraw the pupil then the Head will have to consider whether permanent exclusion is necessary in the circumstances for the benefit of the school community as a whole.

PERMANENT EXCLUSION

A pupil is liable to permanent exclusion for a grave breach of school discipline, for example; a criminal offence or a wilful act calculated to cause serious offence or damage to the school, its community or any of its members. The Head will act fairly and in accordance with the principles of natural justice and not permanently exclude a pupil other than in grave circumstances where no other sanction is deemed appropriate.

Full details of the reason for the permanent exclusion will be made in response to every request for a reference.

A copy of the correspondence will be sent to the Chair of Governors, the parents or guardians of the pupil concerned and a copy will be retained on file for School records. This will always be done in the case of a requirement to leave or permanent exclusion.

RIGHT TO APPEAL

There is a right to appeal any decision to permanently exclude a pupil from the School or requiring a pupil to be removed from the School. This may only be exercised by sending the Request for Commencement of Appeal Procedure form to the Chair of Governors within seven calendar days of the date of the Head's report (a blank version is appended to this policy). Any appeal request received after this period will not be accepted. Only a parent/guardian or pupil over the age of 18 may appeal the Head's decision.

The request for an appeal must set out the matters the parent would like to be reviewed together with documents that the parent wishes the Appeal Panel to consider.

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During the period from permanent exclusion to the date of conclusion of the appeal procedure, the pupil shall be suspended and will be forbidden from entering School premises without the prior permission of the Head.

Reference should also be made to our Complaints Policy.

APPEAL PANEL

The Appeal Panel will consist of at least 3 persons not directly involved in the matter under review, one of whom shall be independent of the management and running of the School. Each of the Panel members shall be appointed by the Governing Body.

NOTICE OF AND PREPARATION FOR HEARING

A notice of the proposed date and time of the appeal hearing shall be given to the parent(s)/guardian(s) as soon as reasonably practicable. Any such notice will be communicated by telephone wherever possible and confirmed in writing. A copy of the written correspondence will be retained on file for School records. The hearing should be arranged at a mutually convenient time and should normally take place within seven school days of receipt of the request for an appeal or as soon thereafter as reasonably practicable. There may be cases of emergency - for example where a pupil may miss valuable revision time - in which case the Governors will seek to act immediately.

The parent will be notified of the date, time and venue of the meeting on not less than two school days' notice.

The parent may make written submissions to be considered at the hearing and/or may attend the hearing in person.

The Head may make written submissions to be considered at the hearing and/or may attend the hearing.

The Clerk to the Governors will prepare and send to the parent and Head not less than two days (for the avoidance of doubt this is actual days not school days) before the hearing all pertinent papers to be used at the hearing which may include, where applicable, written witness statements, any written submissions and any other relevant documents.

Should the parent or the Head wish to introduce any witnesses, the Clerk to the Governors shall inform all other parties no less than 2 days (for the avoidance of doubt this is actual days not school days) before the start of the hearing.

The Panel Chair may, at his/her discretion, allow any documents not already submitted or witnesses not previously notified to be adduced at the hearing but is under no obligation to do so.

ATTENDANCE AT THE HEARING

The following are entitled to appear before the appeal panel:

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- 1 The pupil;
- 2 His or her parent(s) or guardian(s);
- 3 The Head.

The Panel Chair can determine if, in exceptional and appropriate circumstances, someone else is entitled to appear before the appeal panel. Legal representation is not normally considered appropriate at such hearings.

PROCEDURE AT THE HEARING

The Panel Chair can determine who shall attend the appeal panel, but it is anticipated that those attending will not include anyone other than the pupil and the parent(s)/guardian(s) and the Head (i.e. those who are entitled to appear).

The procedure to be followed at any hearing will be at the Panel Chair's discretion but shall normally be as follows. (It is stressed that the aim is to make the hearing as informal as possible):

1. The Head will present his/her case with any supporting witnesses;
2. The Parent may ask questions of the Head and/or his/her witnesses;
3. The Parent will present their case with any supporting witnesses;
4. The Head may ask questions of the Parent and/or their witnesses;
5. The Head will sum up his/her case for permanent exclusion of the pupil;
6. The Parent will sum up the case for appealing the Head's decision;
7. At any time a member or members of the Panel may ask questions of the Head or the Parent.
8. The Appeal Panel shall adjourn the hearing to consider its decision.

DECISION

Save in exceptional circumstances, the Appeal Panel shall endeavour to reach a decision upon the occasion of the hearing. Such decision shall, in the case of disagreement between members of the panel, be by majority. The Chair of the Panel shall have the casting vote if the decision is split equally.

Where the Appeal Panel upholds the decision of the Head it shall confirm the decision to remove or exclude.

Where the Review Panel considers that:

- the Head did not have before him all the relevant evidence;
- the Head may not have given sufficient weight to any particular evidence or argument;
- not all relevant arguments or submissions were put before the Head;
- the procedures followed were unfair;
- the sanction was disproportionate to the offence;

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the Appeal Panel may require the Head to reconsider his/her decision in the light of the findings of the panel.

The Appeal Panel shall not be entitled to set aside the decision of the Head to remove or permanently exclude a pupil, nor to substitute some other penalty or sanction.

FOLLOWING THE HEARING

The Panel Chair shall within two school days of the hearing or as soon as reasonably practicable thereafter notify the **parent or guardian** in writing that the Panel has:

- confirmed the Head's decision, or;
- requested that the Head reconsider his/her decision.

The Panel Chair shall within two school days of the hearing or as soon as reasonably practicable thereafter notify the **Head** in writing that the Panel:

- has confirmed his/her decision, or;
- requires the Head to reconsider his/her decision. In such cases, the Panel Chair shall set out in writing what evidence/further evidence, or what argument/submissions the Head should take into account. The Panel may make sanction recommendations to the Head relating to his/her decision but these shall not be binding on the Head.

Where the Head is required by the Review Panel to reconsider his/her decision, he/she shall do so. Within three school days of being notified in writing of the Panel's decision or as soon as reasonably practicable thereafter, the Head will notify the parent/guardian and the Panel Chair in writing of his/her reconsidered decision. If the Head decides to withdraw his/her decision to remove or permanently exclude he/she may, in its place, impose a different penalty(ies) for the offence. For the avoidance of doubt, during this period the pupil shall continue to remain suspended from the School.

Copies of all written correspondence between parties shall be retained on file for School records. The reconsidered decision of the Head shall be final and shall not be the subject of any further appeal or complaint.

RECORD KEEPING

A formal register of all Requests to Leave and Permanent Exclusions will be maintained by the School.

STATUS OF DISCIPLINARY DECISIONS

The imposition of disciplinary sanctions in accordance with this procedure shall not constitute a breach of contract by the School and, in accordance with its terms and conditions, no compensation nor refund of fees shall be payable to parents in respect of periods of suspension or permanent exclusion. The School reserves its right to require to leave or permanently exclude pupils where the offence deems this necessary.

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PUPILS OVER THE AGE OF 18

Pupils over the age of 18 have the rights given to parents/guardians in this procedure. The Head shall nonetheless inform the parents/guardians of any circumstances relevant to this procedure and they may take part in the procedure if they so wish.

The documents which follow are the appendices to this policy and are referred to in the policy above.

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(Appendix 1) REQUEST FOR COMMENCEMENT OF APPEAL PROCEDURE

To the Chair of Governors.

Name of Pupil		
Date of Birth		
Form		
Name of Parent/Guardian		
Address		
Telephone Number		
(1) Enter decision date	I/We wish to appeal the Head's decision on: (1)	
(2) Enter pupil's name	To remove/permanently exclude: (2)	
(3) Enter all the matters to be the subject of the appeal, eg; unfair process, incorrect facts, etc...	I/We would like the Appeal Panel to consider the following: (3)	
(4) List all documents to be considered as part of the appeal, eg; witness statements	I/We attach documents that I/we would like the Appeal Panel to consider as follows: (4)	
(5) Enter pupil's name	I/We understand that (5) shall be suspended from the School pending the conclusion of the appeal procedure	
(6) Enter signature of parent/guardian (7) Enter date	Signed (6) Dated (7)	

Note – It is the responsibility of the parent/guardian making the appeal to ensure that the completed request is received by the Chair of the Governors no later than 7 calendar days after the Head's initial decision. Requests for appeal that are incomplete, undated or received after this period shall not be considered.