



Exclusion Policy

This policy applies to Steephill School, including the EYFS setting.

Updated: July 2023

Introduction

1. Scope: This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be excluded from Steephill School or required to leave permanently for misconduct or other reasons. The policy applies to all pupils at the School but does not cover cases when a pupil has to leave because of ill-health, non-payment of fees, or withdrawal by his/her parents.

Head: references to the Head may include deputies.

Parent: includes one or both of the parents, a legal guardian or education guardian.

Exclusion: means a dismissal from the School following serious misconduct formally recorded.

Removal: means that a pupil has been required to leave, but without the stigma of exclusion.

2. Policy statement

2.1 Aims: The aims of this policy are:

- to support the Behaviour Policy and Steephill School's 'Rules for Life'
- to ensure procedural fairness and natural justice
- to promote co-operation between the School and parents when it is necessary for the School that a pupil should leave earlier than expected.

2.2 Misconduct: The main categories of misconduct which may result in exclusion or removal include but are not limited to:

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

2.3 Behaviour related to a disability: the School will make reasonable adjustments for managing behaviour which is related to a pupil's disability. Where exclusion needs to be considered, the School will ensure that a disabled pupil is able to present their case fully where their disability might hinder this.

2.4 Other circumstances: A pupil may be required to leave 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 he/she remains at the School.

2.5 The procedure: The procedure which will normally be followed is set out below but does not have contractual effect. All procedures will be conducted fairly and in a way that is appropriate to the circumstances.

Investigation procedure

1. Complaints: Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by a senior member of staff, and its outcome will be reported to the Head. Parents will be informed if a complaint under investigation is of a nature that could result in the pupil being expelled or required to leave.

2. Suspension: A pupil may be suspended from the School while a complaint is being investigated or while an investigation is suspended (see 5 below). Should a suspension continue for a period of more than five School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. The School will co-ordinate these arrangements with the pupil's parents or guardians. Parents or guardians should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set.

3. Search: The School may decide to search a pupil's space and belongings and ask him/her to turn out the contents of pockets or a bag, if it is considered 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. Only outer clothing will be searched. If necessary, the police would be called.

4. Interview: Where a member of staff investigating the matter deems it necessary to interview pupils they will be accompanied by an appropriate adult (which will usually be a member of staff). A minute of the interview will be recorded in writing.

5. Suspension of an investigation: It may be necessary to suspend an investigation, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to suspend an investigation will take into account advice from an appropriate external agency and will be subject to periodic review.

Disciplinary meeting with the Head

1. Preparation: The Head will have regard to relevant documents from the investigation.

2. Attendance: The pupil and his/her parents will be asked to attend the disciplinary meeting with the Head.

The pupil may also be accompanied by a member of staff of his/her choice. The pupil and his/her parents 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 pupils will be preserved.

If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the School so that appropriate arrangements can be made.

3. Proceedings: There are potentially three distinct stages of a disciplinary meeting

3.1 The complaints: 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, s/he 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.

3.2 The sanction: If the complaint has been proved the Head will outline the range of disciplinary sanctions which s/he considers are open to him/her. He/she may take into account any further statement which the pupil and/or others present on his behalf wish to make. The Head will consider any factors he deems to be relevant when determining the sanctions including the pupil's disciplinary record. Then, or at some later time, the Head will give his decision, with reasons.

3.3 Leaving status: If the Head decides that the pupil must leave the School, he/she may consult with a parent before deciding on the pupil's leaving status (see below).

4 Delayed effect: A decision to exclude or remove a pupil shall take effect seven days after the decision was first communicated to a parent. Until then, the pupil shall remain suspended 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 suspended until the Review has taken place.

5. Leaving status: If a pupil is excluded or required to leave, his/her leaving status will be one of the following: excluded, removed or withdrawn by parents.

Governors' review

Request for review: A pupil or his/her parents may request a Governors' Review of the Head's decision to exclude or require a pupil to leave, or where a decision has been made to suspend a pupil for 11 School days or more, or where suspension would prevent the pupil from taking a public examination. The request must be made in writing and received by the Bursar (Clerk to the Governors) within seven days of the Head's decision being notified in writing to a parent, or longer by agreement. If the parents or the pupil have any special needs or disabilities which call for additional facilities or adjustments, these should be made known to the Bursar so that appropriate arrangements can be made.

Grounds for review: In their application the parents must state the grounds on which they are asking for a review and the outcome which they seek. For the avoidance of doubt, a mere disagreement with the decision of the Head will not of itself be grounds sufficient for a Governors' review.

Review Panel: 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 pupil or parents. If appropriate, the panel may include an independent member who is not concerned with the management or running of the School.

Role of the Panel: The role of the Panel is to consider the representations made and to decide whether to uphold the Head's decision or refer the decision back to him/her with recommendations so that s/he may consider the matter further.

Review meeting: The meeting will take place at the School premises. 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.

Attendance: Those present at the Review Meeting will normally be:

- members of the Review Panel and the Bursar (Clerk to the Governors)
- the Head and any relevant member of staff whom the pupil or his/her parents have asked should attend and whom the Head considers should attend in order to secure a fair outcome
- the pupil together with his/her parents. The parents may be accompanied by a friend or relation. Legal representation will not usually be appropriate. Parents should inform the Bursar in writing within three days of the meeting of the identity of the person accompanying them.

Conduct of meeting: The meeting will be chaired by one member of the Review Panel and will be conducted in an informal manner. All statements made at the meeting will be unsworn. A handwritten minute of the main points which arise at the meeting will be taken. 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 his/her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

Procedure: The Panel will consider each of the questions raised by the pupil or his/her parents so far as relevant to whether the facts of the case were sufficiently proved when the decision was taken to expel or remove of the pupil. The civil standard of proof, namely, "the balance of probability" will normally apply 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.

Decision: The panel's recommendations will be notified in writing, with reasons, to the Head and the parents by the Chair of the Review Panel or the Chair of Governors normally within three days of the meeting. The Head will provide his response to those recommendations in writing normally within 24 hours. In the absence of a significant procedural irregularity, the Head's decision will then be final.