

Suspension, Removal and Permanent Exclusion Policy

Introduction

This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be permanently excluded or removed. The policy is a whole school policy applicable 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.

In respect of children in Kindergarten and Reception, suspension would only take place once all other avenues have been explored and exhausted including one-to-one intervention.

Interpretation

The definitions in this clause apply in this policy.

Head: References to the Head may include deputies.

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

Suspension: A pupil may be formally permanently excluded from the school if it is proved on the balance of probabilities that the pupil has committed a very serious breach of discipline or a serious criminal offence. Permanent exclusion is reserved for the most serious breaches.

In this policy, unless otherwise stated, suspension is a neutral act whereby the pupil is sent home:

(a) for a defined period of time in accordance with our Behaviour and Discipline Policy;

Suspension as a disciplinary sanction is defined in the school's Behaviour and Discipline Policy. If, following an investigation by the Head / Deputy Head a pupil is excluded, the Deputy Head will make recommendations as to how best support all pupils involved during and following a suspension. Suspensions should always be regarded as a warning that permanent exclusion is possible. The Head will ensure that this is explained to pupils and their parents. Internal suspensions are also an option available, whereby the pupil is supervised at school.

Removal: Parents may be required to remove a pupil permanently from the school if, after consultation with the parents and if appropriate the pupil, the Head is of the opinion that:

- (a) the pupil has committed a breach or breaches of school rules or discipline for which removal is the appropriate sanction; or
- (b) by reason of the pupil's conduct, behaviour or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and / or the community life offered by the school; or
- (c) If the parents have treated the school, members of its staff or any member of the school community unreasonably.

Policy Statement

The aims of this policy are:

- to support the school rules and/or expectations and policies on behaviour and discipline;
- to protect pupils from the risk of harm (physical, emotional or social);
- to ensure procedural fairness and natural justice and;
- to promote co-operation between the school and parents when it is necessary for the school to require a pupil to leave earlier than expected.

Misconduct

The main categories of misconduct which may result in permanent 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.
- Breach of Terms and Conditions

Equality

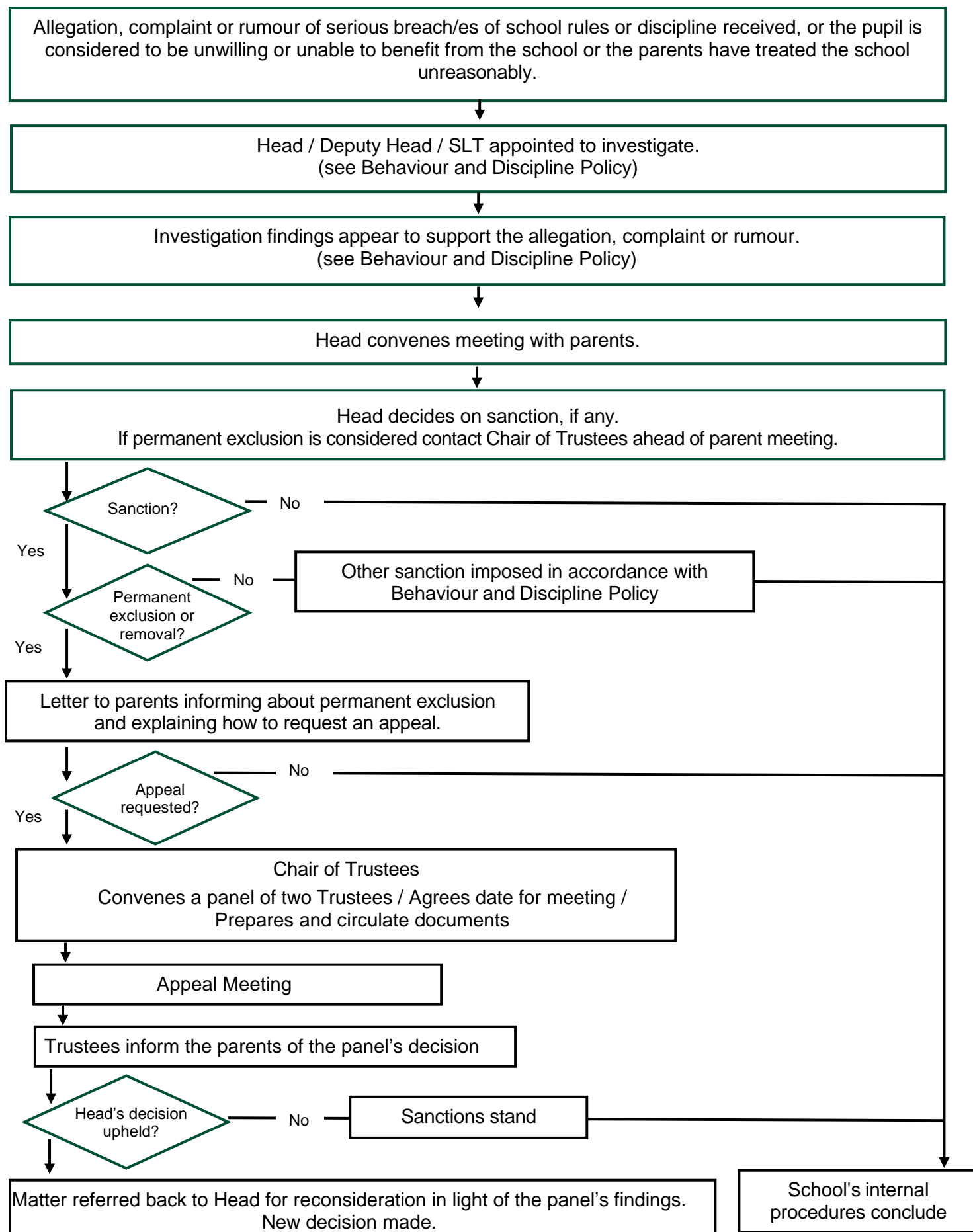
The school will make reasonable adjustments for managing behaviour which is related to a pupil's special educational need or disability. Where permanent exclusion needs to be considered, the school will ensure that a pupil with a disability or special educational needs and/or his/her parents are able to present their case fully where their disability or special educational needs might hinder this. Any religious requirements affecting the pupil will also be considered.

Procedure

The procedure followed by the school in cases where a sanction of suspension or removal may be imposed by the Head are summarised in the flowchart at Appendix 1.

Stages 5 and 6 of the Behaviour and Discipline Policy and Appendix 1 and 2.

Appendix 1 - Procedural Flowchart



Appendix 2 Disciplinary meeting with the Head

1. Where the findings of the investigation carried out in accordance with the School's Behaviour and Discipline Policy appear to support the allegation, complaint or rumour, a Disciplinary Meeting will take place with the Head.
2. The Chair of Trustees will be informed of the meeting.

Attendance

- 3.1 The pupil (if available) / their parents (if available) will be asked to attend the disciplinary meeting with the Head. Where the complaint concerns the behaviour of the parents, the pupil will not generally be expected to attend the meeting and this procedure applies to the parents only.
- 3.2 The Head/Deputy Head will be in attendance to explain the circumstances of the complaint and his / her investigation and an additional member of staff will be present to minute the meeting.
- 3.3 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 Head or Deputy Head so that appropriate arrangements can be made.
- 3.4 If a parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the parent can be involved, remotely if necessary, with the disciplinary process and their child's education.

The Meeting

- 4.1 The meeting will discuss the breach in behaviour and the sanction.
- 4.2 The Head will inform the pupil and their parents of the range of disciplinary sanctions which the Head considers are open to him/her if the allegation, complaint or rumour is sufficiently proved. If there is undeniable proof the Head may permanently exclude the pupil and inform the parents in writing.

The Decision

- 5.1 The Head will consider whether the allegation, complaint or rumour has been sufficiently proved. The standard of proof shall be the civil standard i.e., the balance of probabilities. The pupil's disciplinary record will be considered where the complaint concerns the conduct of the pupil.
- 5.2 The Head may permanently exclude or remove a pupil or impose any other sanction he / she considers to be appropriate in accordance with the school's Behaviour and Discipline Policy.
- 5.3 The Head will notify the parents of his / her decision in writing.
- 5.4 A decision to or permanently exclude or remove a pupil shall take effect immediately.
- 5.5 Review - the parents or the pupil may request a Trustees' Review of the Head's decision to permanently exclude or remove a pupil from the school.

Leaving Status

- 6.1 If a pupil is permanently excluded or removed, his/her leaving status will be one of the following: permanently excluded, removed or, if the offer is made by the Head and accepted by the parents, withdrawn by parents.
- 6.2 Additional points of leaving status should include:
 - 6.2.1 the form of letter which will be written to the parents and the form of announcement in the school;
 - 6.2.2 the form of reference which will be supplied for the pupil;

- 6.2.3 the entry which will be made on the school record and the pupil's status as a leaver;
- 6.2.4 arrangements for transfer of any course and project work to the pupil, his / her parents or another school;
- 6.2.5 whether (if relevant) the pupil will be permitted to return to school premises to sit public examinations;
- 6.2.6 whether (if relevant) the school can offer assistance in finding an alternative placement for the pupil;
- 6.2.7 whether the pupil will be entitled to leavers' privileges;
- 6.2.8 the conditions under which the pupil may re-enter school premises in the future and
- 6.2.9 financial aspects: payment of any outstanding fees and extras; whether the deposit will be returned or credited; refunded of prepaid fees.

Appendix 2 Review

- 1 **Request for appeal:** a pupil or his / her parents may request a Review by the Trustees of the Head's decision to permanently exclude or Remove a pupil. The application must be made in writing and received by the Chair of Trustees within seven days of the Head's decision being notified to the parents, 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 Chair so that appropriate arrangements can be made.
- 2 **Grounds for an appeal:** in their application the parents must state the grounds on which they are asking for an appeal 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 an appeal.
- 3 **Appeal Panel:** The Review will be undertaken by a two-member sub-committee of the Trustee Body. The panel members will have no detailed previous knowledge of the case or of the pupil or parents and will not include the Chair of Trustees. Selection of the Panel will be made by the Chair of Trustees. With the exception of the Chair of Trustees, those Trustees not appointed to the Panel will not be provided with information about the case. Parents will be notified in advance of the names of the panel members. Fair consideration will be given to any bona fide objection to a particular member of the Panel.
- 4 **Role of the Panel:** the role of the Panel is to consider the documentation provided by the parties and representations made and to decide whether to uphold the Head's decision or refer the decision back to her with recommendations so that she may consider the matter further.
- 5 **Procedure:** The Panel will consider each of the points raised by the pupil or his / her parents and any documentation they wish to rely on so far as relevant to:
 - 5.1 **whether the decision was fair procedurally and / or substantively** - whether the facts of the case were sufficiently proved and an appropriate procedure followed when the decision was taken to permanently exclude or Remove of the pupil. The civil standard of proof, namely, "the balance of probability", will apply and;
 - 5.2 **whether the sanction was proportionate** - that is whether it was warranted in respect of the breach of discipline or the other events that are found to have occurred and to the legitimate aims of the School's policy in that respect.

The requirements of natural justice will apply. If for any reason the pupil or his / her parents are dissatisfied with any aspect of the meeting they must inform the Chair at the time and ask the Clerk to note their dissatisfaction and the reasons for it.
- 6 **Decision:** The panel will consider its decision and recommendations. The Panel's decision and any recommendations will be notified in writing, with reasons, to the Head and the parents by the trustees responsible for the appeal and notify the Chair of Trustees within three School days of the meeting. The Head will provide his/her response to those recommendations, if appropriate, in writing within three School days. In the absence of a significant procedural irregularity, the Head's decision will then be final.

Monitoring and Review

Reviewed every 3 years by the Trustee Education Committee.

Related Policies:

Accessibility & Equality Policy Admissions Policy

Anti-bullying Policy

Behaviour and Discipline Policy

Date of Review:	September 2023
Next Review Due:	September 2026
Person responsible for implementation and monitoring:	Head