



## EXCLUSIONS – POLICY ON PERMANENT EXCLUSIONS, REMOVAL AND REVIEW

### Introduction

The aims of this policy are to support the school's behaviour policy and code of conduct, to ensure procedural fairness and natural justice and to promote co-operation between the school and the parents when it is necessary to exclude a student. The policy has been approved by the Head and Governing Body of Farnborough Hill.

Given the school's aim of educating the whole person within a caring, Christian community where girls and staff are encouraged to respect and support each other, it is expected that exclusions will be very rare. The school is committed to providing a safe and friendly environment for all students and staff so that teaching and learning can take place in a relaxed and secure environment. However, whilst we operate within a culture of learning from one's mistakes, and forgiveness, sometimes more serious misdemeanours require more formal sanctions to be applied for the good of the individual, and/or the whole school community.

All procedures within this policy are as clearly stated in the Terms and Conditions of the Parents' Contract. In particular the following Terminology is used (Sections 8.10, 8.11, 8.13 and 9.10 of the Terms and Conditions).

**"Withdrawal"** means the withdrawal of the Pupil from the School by the Parents or the Pupil with or without Notice required under these terms and conditions at any time after the Pupil has entered the School.

**"Permanent Exclusion" and "Removal"** The Pupil may be formally expelled from the School if it is proved on the balance of probabilities that the Pupil has committed a very grave breach of discipline or a serious criminal offence. Permanent Exclusion is reserved for the most serious breaches. The Head shall act with procedural fairness in all such cases. The Head's decision to expel shall be subject to a Governors' Review if requested by the Parents. The Parents will be given a copy of the Review procedure current at the time. The Pupil shall be suspended from the School pending the outcome of the Review. The Parents may be required to remove the Pupil permanently from the School if, after consultation with the Parents and, if appropriate, the Pupil, the Head is of the opinion that: 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 if the Parents have treated the School or members of its staff unreasonably; then in these circumstances, and at the sole discretion of the Head, Withdrawal of the Pupil by the Parents may be permitted as an alternative to Removal being required. The Head shall act with procedural fairness in all such cases, and shall have regard to the interests of the Pupil and the Parents as well as those of the School. The Head's decision to require the Removal of the Pupil shall be subject to a Governors' Review if requested by the Parents. The Parents will be given a copy of the Review procedure current at the time. The Pupil shall be suspended from the School pending the outcome of the Review.

**"Suspension"** means that the Pupil is excluded temporarily from the School until the decision to exclude permanently or remove has been upheld or set-a-side. References to the "Head" include Deputies. "Parent" includes one or both of the parents, a legal guardian or education guardian.

Examples of behaviour which would be likely to lead to exclusion are:

- Drug abuse
- Alcohol abuse
- Theft
- Bullying
- Physical assault/threatening behaviour
- Fighting
- Sexual harassment
- Racial abuse
- Sexual misconduct
- Damage to property
- Persistent disruptive behaviour
- Parental behaviour

### **Behaviour Meriting Exclusion**

In extreme circumstances when a student's behaviour is such that it is disadvantaging others, then the student and parent(s) will be asked to appreciate the gravity of the situation, mindful of the fact that the student will not be able to continue at school if problems are not resolved. Behaviour that may result in exclusion is not limited to actions while at school or on school visits: behaviour which brings the school into disrepute might also result in exclusion.

### **Sanctions for Breaches of Discipline that do not Merit Exclusion**

In the first instance, individual teachers are responsible for discipline and for dealing with minor infringements, for example lateness, casual rudeness in class, late or poorly completed work. The student will be required to make amends, and, if work, rather than conduct is the problem, to re-do, with the help of the teacher, work which on first attempt has proved unsatisfactory. Repetition of unacceptable behaviour will be reported to the Head of Year. More serious misdemeanours could be expected to lead to the withdrawal of privileges for a designated period, and to the involvement of parents and/or guardians. The Deputy Heads may also be involved as deemed necessary.

### **Recognition of Positive Behaviour**

We encourage the establishment of strong teacher/student relationships and support for the school's values through a system of rewards which are designed to promote a calm, disciplined learning environment and to help students grow in their self-esteem and their understanding of themselves and others. Recognition includes:

- Verbal praise and written praise for good work
- Points for both effort and achievement, this effort and achievement being celebrated in the classroom and in assembly
- Annual subject and year group prizes
- Posting examples of good work in art and design, sport, drama and music on noticeboards, in the e-newsletter and in the termly Newsletter and the annual School Magazine, so that the community can celebrate success
- Reports for parents (twice yearly full reports and others) which are always worded constructively, and the aim of which is to make a serious contribution to students' understanding of their learning and objectives

### **Breaches of discipline outside of the school grounds**

The school takes the conduct of its students outside of school grounds extremely seriously. A student's misbehaviour outside of school can be damaging to the reputation of both the student and the school. Where an incident is reported to the school of a student(s)' poor behaviour outside of the school grounds and the incident has not been witnessed by school staff, the school will take an evidence-based approach and/or talk to witnesses before identifying further action and any sanctions required for such behaviour.

The school will report to the police any activity which it believes may amount to a criminal activity which takes place either within the school grounds or outside of its grounds. Drugs and weapons will be confiscated immediately and held for the police as potential evidence. If the school believes a student may have taken drugs then the school will seek immediate medical advice and may involve the police.

### **Temporary Exclusion as a disciplinary sanction**

When a student is clearly found to, or admits to, a serious breach of school rules (e.g. does not attend lessons without good reason although in school, or is extremely rude to a member of staff with witnesses present, or is shown to have posted bullying or defamatory comments on a social network site) parents will be contacted to attend a meeting with the Head as it is likely that such behaviour will lead to temporary exclusion. This exclusion could range from half a day (e.g. the remainder of the day on which the misdemeanour took place) to a few days. The purpose of this exclusion is to give the student time to consider their actions and learn from their mistake.

The length of the temporary exclusion and the reason for it will be put in writing to the parents.

### **Incidents needing investigation - Investigation Procedure**

- 1 Investigation of a complaint or rumour about serious misconduct will normally be coordinated by the Deputy Head (Pastoral) and its outcome reported to the Head. Parents will be informed as soon as reasonably practicable if a complaint under investigation is of a nature which would result in the student being permanently excluded or required to leave.
- 2 A student may be suspended from school while a complaint is being investigated.
- 3 It may be necessary to search a student's space and belongings and ask 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. If necessary, the police would be called.
- 4 A student may be interviewed informally by a member of staff to establish whether there are grounds for a formal investigation. If the student is then interviewed formally about a complaint or rumour, arrangements will be made for her to be accompanied by a member of staff of her choice or by a parent (if available at the relevant time).
- 5 An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a school, without formal legal procedures.

### **Disciplinary Meeting**

- 6 The Chair of Governors will be informed of the investigation.
- 7 Documents available at the disciplinary meeting before the Head will include:

- 7.1 A statement setting out the points of complaint against the student.
  - 7.2 Written statements and notes of the evidence supporting the complaint, and any relevant correspondence.
  - 7.3 The Deputy Head's Investigation Report.
  - 7.4 The student's school file and conduct record.
  - 7.5 The relevant school policies and procedures.
- 8 The student and her parents will be asked to attend the disciplinary meeting with the Head at which the Deputy Head (Pastoral) will explain the circumstances of the complaint and her investigation. The student may be accompanied by a member of staff of her choice. The student and 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 students will be preserved.
  - 9 The Head will consider the complaint and the evidence, including statements made by and/or on behalf of the student. Unless the Head considers that further investigation is needed, she will decide whether the complaint has been sufficiently proved. The standard of proof shall be the civil standard, ie. the balance of probabilities. Appropriate reliance may be placed on hearsay evidence but the Head will not normally refer to the student's disciplinary record at this stage.
  - 10 If the complaint has been proved the Head will outline the range of disciplinary sanctions which she considers are open to her. She will take account of any further statements which the student and/or others present on her behalf wish to make. The student's disciplinary record will be taken into account. Then, or at some time later, normally within 24 hours, the Head will give her decision with reasons.
  - 11 If the Head decides that the student must leave the school, she will consult with a parent before deciding the student's leaving status.
  - 12 A decision to permanently exclude (expel) or remove a student shall take effect 72 hours after the decision was first communicated to a parent. Until then the student shall remain suspended and away from school premises. If within 72 hours the parents have made a written application for a Review by the Governors, the student shall remain suspended until the Review has taken place.

### **Leaving Status**

- 13 If a student is permanently excluded (expelled) or required to leave, her leaving status will be one of the following "permanently excluded" (expelled), "removed", or "withdrawn by parents".
- 14 Additional points of leaving status include:
  - 14.1 The form of letter which will be written to the parents and the form of announcement in the school that the student has left.
  - 14.2 The reference form/school report which will be supplied for the student.
  - 14.3 The entry which will be made in the school record and the student's status as a leaver.
  - 14.4 Arrangements for transfer of any course and project work to the student, her parents, or another school.
  - 14.5 Whether (if relevant) the student will be permitted to return to the school premises to sit public examinations.
  - 14.6 Whether (if relevant) the school can offer assistance in finding an alternative placement for the student.

- 14.7 Whether the student will be eligible for membership of Farnborough Hill Old Girls' Association and if so from what date.
- 14.8 The conditions under which the student may re-enter school premises in the future.
- 14.9 Financial aspects: payment of any outstanding fees and extras; whether the deposit will be returned or credited.

### **Governors' Review**

- 15 Parents aggrieved at the Head's decision to permanently exclude (expel) or require a student to leave, may make a written application for a Governors' Review. The application must be received by the Clerk to the Governors within 72 hours of the decision being notified to a parent.
- 16 In their application parents must state the grounds on which they are asking for a review and the outcome which they seek.
- 17 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 student or parents and will not normally include the Chair of Governors. 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.
- 18 The meeting will take place at the school premises between 3 and 10 working days after the parents' application has been received. A Review will not normally take place during the school holidays, unless this is desirable and all relevant parties can be present. 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.
- 19 Those present at a Review Meeting will normally be:
  - 19.1 Members of the Review Panel and the Clerk to the Governors.
  - 19.2 The Head and any relevant member of staff whom the student or her parents have asked should attend and whom the Head considers should attend in order to ensure a fair outcome.
  - 19.3 The student together with her parents and, if they wish, up to two members of the school staff who are willing to speak on the student's behalf. The parents may be accompanied by a friend or a relation who should not be legally qualified.
- 20 The meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in an informal manner. The Clerk will be asked to keep hand-written minutes of the main points which arise at the meeting. The meeting will be directed by the Chair who will conduct it so as to ensure that 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.

The Panel will consider each of the questions raised by the student or her parents so far as relevant to:

  - 20.1 Whether the facts of the case were sufficiently proved and when the decision was taken to permanently exclude or remove the student. The civil standard of proof, namely "the balance of probability" will apply.

- 20.2 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.
- 20.3 The requirements of natural justice will apply. If for any reason the student or 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.
- 21 If the Head considers it necessary in the interests of an individual or of the school that the identity of any person should be withheld, the Chair may require that the name of the person and the reasons for withholding it be written down and shown to the Panel Members. The Chair at his/her discretion may direct that the person be identified, or not as the case may be.
- 22 Up to two members of the school staff may speak generally about the student's character, conduct and achievements at the school if they are willing to do so.
- 23 If, having heard all parties, the Panel is minded to confirm the Head's earlier decision, it is open to the Panel, with the agreement of the Head, the student and her parents to discuss the student's leaving status with a view to reaching agreement.
- 24 When the Chair decides that all issues have been sufficiently discussed and if by then there is no consensus, s/he may adjourn the meeting; alternatively, the Chair may ask those present to withdraw while the Panel considers its decision. In the absence of a significant procedural irregularity, the decision of the Review Panel will be final. It will be notified, with reasons, to the parent by the Chair of the Review Panel or the Chair of Governors by letter or telephone within three working days of the meeting.

This Policy is reviewed annually by the Head and the Governing Body.