

BRANDESTON
HALL



FRAMLINGHAM
COLLEGE

REVIEW OF AN EXPULSION

Aims:

The aims of this policy are:

- to support the School's behaviour and discipline code
- 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 to leave earlier than expected

Misconduct:

The main categories of misconduct which may result in expulsion are:

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

The Headmaster has discretion to expel a pupil from the school but will not do so without good and just cause. Such action will never be taken lightly and the Headmaster will always consult with the Chairman of Governors or his Deputy before deciding to expel.

It is recognised that a pupil or parents may wish to request a review of such a decision. For this reason, the Governors of the College have set up a Review procedure which is set out below. The purpose of the Review is not to question the final decision of the Headmaster which will almost always involve a degree of subjective judgement, but rather to ensure that the process involved in coming to that decision was fair and reasonable.

Request for review:

A pupil or his/her parents; aggrieved at the Headmaster's decision to expel or require a pupil to leave, may make a written application for a Governors' Review. The application must be received by the Headmaster within one week of the decision being notified to a parent, or longer by agreement. In their application the parents must state the grounds on which they are asking for a review and the outcome which they seek.

The Review Panel will be appointed by the Chairman of the Appeals Committee and will consist of two Governors selected from the current Board who have not been directly involved in the process leading up to the expulsion of the pupil concerned plus a third person independent from the management of the school. This third individual is likely to but will not always be a senior member of staff from another school. The Headmaster will have the right to attend. The Review Hearing is not intended to be legal proceedings and the Pupil or Parents do not have the right to be represented. However, if they do wish to be accompanied at the Hearing they must notify the Headmaster in writing at least 7 days prior to the Hearing.

The Review Panel will examine the process leading up to the decision to expel, taking particular account of the following:

1. What was the nature of the breach/es of discipline and behaviour?
2. What was the nature of the evidence produced against the pupil?
3. Was there counter evidence and was it considered?
4. Was the pupil and/or his/her parents given the opportunity to put his/her case before the sanction was imposed, and, once it became evident that expulsion could follow, was the pupil supported by a member of staff or family to whom he/she could be expected to relate and who would speak up for him/her if the need arose?
5. Did the Chairman of Governors and the Headmaster air any ground for mitigation of the sanction of expulsion?
6. Was the pupil's past record considered?
7. Did the Headmaster listen carefully to the Pupil's and the Parents' views and explain the reasons for his decision during a disciplinary meeting?

As a result of the Review of the Headmaster's decision, the panel will either confirm the expulsion, or require the Headmaster to consider the case afresh. In the case of the latter, a new member of the Governing Body other than the Chairman will be appointed to receive and consider the Headmaster's recommendations. Should the Headmaster wish after reconsidering the evidence to proceed to expulsion nonetheless, he will consult fully with the appropriate Governor rather than with the Chairman as laid down in her Contract of Employment.

A decision by the Panel to uphold an expulsion shall be final.