



## EXCLUSIONS POLICY (incl. review of exclusion)

<b>RESPONSIBILITY</b>	<b>BURSAR</b>
<b>DATE REVIEWED</b>	<b>JANUARY 2022</b>

### **Aims:**

The aims of this policy are:

- to support the College's behaviour and discipline policy
- to ensure procedural fairness and natural justice
- to promote co-operation between the College and parents when it is necessary for a pupil to leave the College earlier than expected

### **Misconduct:**

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

- supply/possession/use of illegal drugs and solvents or their paraphernalia - or substances intended to resemble them, on or off College premises.
- 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/cyber crime
- persistent attitudes or behaviour which are inconsistent with the College's values
- other serious misconduct towards a member of the College community or which brings the College into disrepute (single or repeated episodes), on or off school premises

The Principal has discretion to permanently exclude a pupil from the College but will not do so without good and just cause. Such action will never be taken lightly, and the Principal will always consult with her Senior Deputy and the Chairman of Governors 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 to ensure that the process and the decision reached were fair and reasonable.

### **Request for review:**

A pupil or his/her parents, opposed to the Principal's decision to permanently exclude a pupil, may make a written application for a Governors' Review. The application must be received by the Principal within one week of the decision being notified to a parent, or longer by agreement. In their application the parent 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 Chair 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 exclusion of the pupil concerned, plus a third person independent from the management of the College. This third individual is likely to (but will not always) be a senior member of staff or a governor from another school. The

Principal 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 Principal in writing at least 7 days prior to the Hearing.

The Review Panel will examine the process leading up to the decision to permanently exclude, 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 their parents given the opportunity to put their case before the sanction was imposed? Once it became evident that exclusion could follow, was the pupil supported by a member of staff or family to whom they could be expected to relate and who would speak up for them if the need arose?
5. Did the Chair of Governors and the Principal air any ground for mitigation of the sanction of exclusion?
6. Was the pupil's past record considered?
7. Did the Principal listen carefully to the Pupil's and the Parents' views and explain the reasons for her decision during a disciplinary meeting?

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

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