



## EXCLUSION AND REQUIRED REMOVAL POLICY

Whole School Policy Including EYFS

To promote a safe, happy, caring and productive environment, the School operates and requires compliance with its Whole School Behaviour Policy and Parental Code of Conduct. Serious or persistent breaches of such policies are very rare, but where they do occur (and as otherwise provided in the contract between the School and individual parents) the School may exclude or require the removal of a pupil from the School.

The difference between “exclusion” and “required removal” is that a required removal is applicable where pupil is not directly culpable, whereas exclusion relates to circumstances where the pupil concerned is directly culpable. Required removal is usually permanent whereas exclusion can be temporary (suspension) or permanent (expulsion).

This policy outlines the manner in which the School will generally approach decisions about exclusions and the required removal of pupils. However, the School may amend its approach in relation to a particular case insofar as it considers such amendment to be fair and appropriate in the circumstances of that case.

### **Exclusion**

A non-exhaustive list of the sorts of behaviour that could merit exclusion includes the following:

- bullying;
- theft;
- damage to property;
- physical assault against pupils or adults;
- verbal abuse/threatening behaviour against pupils or adults;
- drug or alcohol misuse;
- malicious allegations against the School pupils or adults;
- persistent disruptive behaviour.

There may be other situations where the Head makes the judgment that exclusion is an appropriate sanction.

In particular, please note that the Head may decide to exclude a pupil by reason of a persistent behaviour or a series of incidences that, taken together, in the Head’s view, warrant such action.

A decision to permanently exclude a pupil by reason of that pupil’s culpable behaviour will only be taken in circumstances where the Head is satisfied that, on the balance of probabilities such behaviour (alone or together with other behaviour) amounts to a grave breach of Whole School Behaviour Policy or a serious criminal offence.

### **Required Removal**

The School may also require the removal of the pupil from the School in circumstances where the pupil is not directly culpable.

A non-exhaustive list of the sorts of matters that could merit required removal includes the following:

- unreasonable or inappropriate parental behaviour;
- the non-payment of fees;
- the pupil’s general failure to progress;

- the pupil's inability to benefit sufficiently from the educational opportunities and/or the community life offered by the School; or
- the pupil's failure to meet the academic or behavioural standards required to move from one section<sup>1</sup> of the School to the next.

As with an exclusion, a required removal may be based on a pattern of persistent behaviour or a series of incidences that, taken together, in the Head's view, warrant such action.

Required removal is not a punishment and does not reflect badly on the pupil removed. Although the Head will consider whether a required removal should, in the circumstances be temporary, required removal is (because of the nature of the reasons for required removal, as illustrated above) usually permanent.

### **Procedure**

All decisions to exclude or require removal of a pupil from the School will be taken by the Head, having first;

- undertaken such enquiry as the Head thinks reasonable in relation to any facts or circumstances that the Heads considers material to such decision;
- given the pupil and/or the pupil's parents (as the Head thinks appropriate) a reasonable opportunity to respond to any allegation(s) on which such decision is based;
- consulted the parents of the relevant pupil;
- considered the interests of the relevant pupil;
- considered the interests of other pupils, staff and parents that may be affected by such decision; and
- come to the conclusion that in the circumstances such decision is appropriate.

Additionally:

- in the case of required removal based on a pupil's non-culpable inability or failure, when the School becomes aware that such a course of action may be appropriate, it will promptly inform the pupil's parents of that fact; and
- in the case of required removal based on a pupil's failure to meet the academic or behavioural standards required to move from one section of the School to the next, it will endeavour to consult with the pupil's parents by the end of the Spring Term of the academic year before the move in question.

### **Suspension Pending Decision**

Pending the outcome of a decision to exclude or to require the removal of a pupil, the Head (at the Head's discretion, having first considered the interests of the pupil and others that may be affected by such a decision) may:

- allow the pupil to continue to attend School, whereupon the Head may impose such conditions on such attendance as the Head deems appropriate in the circumstances; or
- not allow the pupil to attend School. Such suspension pending decision shall be without the assumption of any wrongdoing by the pupil and for the period of suspension, the School shall provide the pupil with such school materials as may be reasonably necessary to maintain academic progress until the relevant decision has been made.

### **After the Decision**

Upon making a decision to exclude or require the removal of a pupil:

- the Head (or the School on the Head's behalf) will promptly notify the parents of the relevant pupil of the decision, and in doing so will provide a summary note of the basis on which such decision was made;
- the parents of such pupil may appeal the Head's decision, by submitting a written request to the School within 10 (ten) days of the date of notification of the decision;

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<sup>1</sup> the sections of the School are Early Years (Nursery and Reception); Lower School (Years 1, 2 and 3); the Middle School (Years 4, 5 and 6) and the Upper School (Years 7 and 8).

- receipt of such a request will be treated by the School as a Stage 3 - Panel Hearing Complaint pursuant to its Complaints Policy save that the appeal will be in the form of a review of the Head's decision;
- upon receipt of such a request, the pupil will be regarded as suspended pending the outcome of the appeal, unless the Head (at the Head's discretion, having first considered the interests of the pupil and others that may be affected by such a decision) permits the pupil to attend School pending the outcome of the appeal, and the terms relating to suspension (as set out above) shall apply);
- the School will abide the outcome of the appeal; and
- in the case of a decision to permanently exclude a pupil, the Head may (at the Head's absolute discretion) treat and record such exclusion as a required removal, whereupon the Head (or the School on the Head's behalf) will promptly notify the parents of such decision.

### **Confidentiality and Care**

It is appreciated that exclusion or required removal are likely to be distressing for the pupil concerned as well as for others at the School. As part of the School's balancing of the interests of the various parties affected by such matters, the School will consider:

- the manner and extent to which it can support the relevant pupil and other affected parties; and
- the manner and extent to which such matters can and should be kept confidential.

Unless otherwise appropriate, exclusion and required removal cases will be treated by all parties as confidential. However, confidentiality cannot be offered or maintained where disclosure of any matter or information:

- is required by law,
- is required for compliance with any applicable regulation,
- relates to any criminal offence;
- is otherwise in the public domain; or
- is necessary to protect the health, safety or wellbeing of any of the affected parties.

The School will not without clear justification offer confidentiality to any witness or party whose evidence may be considered as part of the School's investigations under this policy.

Updated: January 2021

Next review: January 2022