

Exclusion Policy

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1. Policy Statement

The aim of this policy is:

- To ensure procedural fairness and natural justice.
- To promote cooperation between Chandlings Prep School and parents when it is necessary for a pupil to leave earlier than expected.

A pupil may be excluded for a fixed period of time (temporary exclusion / suspension) or excluded permanently from Chandlings Prep School (expulsion), or parents may be asked to remove a pupil (removal). The main categories of misconduct which may result in exclusion, expulsion or removal are:

- Physical assault against pupils or adults
- Verbal abuse/threatening behaviour against pupils or adults
- Bullying (including cyberbullying)
- Abuse on grounds of race, religion/ belief, disability, Special Education Needs, etc
- Sexual misconduct
- Drug and alcohol misuse
- Damage to property
- Theft
- Persistent disruptive behaviour
- Vandalism and computer hacking.
- Persistent attitudes or behaviours which are inconsistent with the ethos of Chandlings Prep School.
- Other serious misconduct towards a member of the school community or which bring Chandlings Prep School or The Prep Schools Trust into disrepute (single or repeated episodes) on or off school premises.

Action will be taken following a single offence where that offence is deemed to be sufficiently grave. In most cases, temporary rather than permanent exclusion will be the result of a first offence, although the Head may at their discretion permanently exclude any pupil for a first offence which is considered to warrant such a step.

In other instances, either permanent or temporary exclusion may be the result of a series of less serious offences, where repetition of these offences indicates the pupil's unwillingness to conform to an acceptable pattern of behaviour.

Temporary exclusion may be considered as the appropriate sanction where the pupil concerned chooses not to desist from poor behaviour.

A pupil may also be required to leave if, after all appropriate consultation, the Head is satisfied that it is not in the best interests of the pupil, or of the school, that he/she remains at Chandlings Prep School.

Chandlings Prep School seeks to implement this policy through adherence to the procedures set out in the rest of this document and in conjunction with the school's Behaviour policy and procedures.

The policy applies to all pupils at Chandlings Prep School (whether or not in the care of the school) including those in our EYFS setting, 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.

Chandlings Prep School is fully committed to ensuring that the application of this policy is non-discriminatory in line with the UK Equality Act (2010). Further details are available in the school's Equal Opportunity Policy document.

Chandlings Prep School seeks to implement this policy through adherence to the procedures set out in the rest of this document.

This policy is available to relevant parties in accordance with our statement on the provision of information.

For information:

"Parent" includes one or both of the parents, a legal guardian or education guardian.

"Removal" means that a pupil has been required to leave, but without the stigma of expulsion.

Subheadings are for ease of reading and not part of the policy.

2. Investigation procedure

Ethos

An investigation will be conducted fairly with respect for individuals and for natural justice and in a way which is appropriate to a school, without formal legal procedures.

Complaints

Investigation of a complaint or rumour about serious misconduct which could potentially lead to exclusion, expulsion or removal will normally be coordinated by the Head of Pastoral Care. The outcome of the investigation will be reported to the Head.

Suspension

A pupil may be suspended (excluded from school) while a complaint is being investigated.

Interview

If a pupil is interviewed formally about a complaint it will take place with another adult present. Parents will be requested to accompany younger pupils or pupils who, because of a special educational need, staff judge insufficiently mature to understand the significance of the process. In all circumstances the following protocols will be observed:

- It will be explained that answers to questions will be written down.
- What has been alleged will be clearly explained (although confidentiality may not allow the accused to be told by whom).
- Notes of the interview will be read through at the end and the pupil (or the parent accompanying them) and the witness will be asked to sign, date and time the notes.

- The next stages of the investigation will be explained.

A statement is then written setting out the points of complaint. If deemed necessary the Head will decide whether to continue.

3. Disciplinary meeting

Ethos

Any subsequent meeting will be conducted fairly with respect for individuals and for natural justice and in a way which is appropriate to a school, without formal legal procedures.

Preparation

The Chairman of the Local Advisory Group will be informed of the investigation. Documents available at the disciplinary meeting before the Head will include:

- A statement setting out the points of complaint against the pupil.
- Written statements and notes of the evidence supporting the complaint, and any relevant correspondence.
- The Investigation Report from the Head of Pastoral Care.
- The pupil's school file and other relevant records.
- The relevant school policies and procedures.

Attendance

The pupil and his/her parents will be asked to attend the disciplinary meeting with the Head at which the Head of Pastoral Care will explain the circumstances of the complaint and the investigation. The pupil may also be accompanied by a member of staff of his/her choice. The pupil and his/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 pupils will be preserved.

4. Proceedings

There are potentially three distinct stages of a disciplinary meeting:

The complaint(s)

The Head will consider the complaint(s) and the evidence, including statements made by and/or on behalf of the pupil. Unless the Head considers that further investigation is needed, they will decide whether the complaint has been sufficiently proven. The standard of proof shall be the civil standard, i.e. the balance of probabilities. Appropriate reliance may be placed on hearsay evidence but the Head will not normally refer to the pupil's disciplinary record at this stage.

The sanction

If the complaint has been proven the Head will outline the range of disciplinary sanctions which are available and that this may include exclusion from the school. They will take into account any further statement which the pupil and/or others present on his/her behalf wish to

make. The pupil's behaviour record will be taken into account. Then, or at some later time within three working days, the Head will give their decision, with reasons.

Leaving status

If the Head decides that the pupil must leave the school, they will consult with a parent before deciding on the pupil's leaving status. This may be one of the following:

Status Explanation

Expelled	The Head has decided that the pupil must leave the school
Removed	The parents collaborate with the school in the disciplinary process and agree to remove the pupil
Withdrawn by parents	The parent(s) have voluntarily given notice that the pupil will leave at any stage in the process covered by this policy prior to the point where the Head decides the pupil must leave the school

Additional points of leaving status to be decided include:

- The form of letter which will be written to the parents and the form of announcement in the school that the pupil has left.
- The form of reference which will be supplied for the pupil.
- The entry which will be made on the school record and the pupil's status as a leaver.
- Arrangements for transfer of any course and project work to the pupil, his/her parents or another school.
- Whether (if relevant) the pupil will be permitted to return to school premises to sit public examinations.
- Whether (if relevant) the school can offer assistance in finding an alternative placement for the pupil.
- Whether the pupil will be entitled to leavers' privileges such as attendance at Prizegiving.
- Whether the pupil will be eligible for membership of the Alumni Associations and if so from what date.
- The conditions under which the pupil may re-enter school premises in the future.

- **Financial aspects:** payment of any outstanding fees and extras; whether the deposit will be returned or credited; refund of prepaid fees.

Delayed Effect: A decision to expel or remove a pupil will take effect three working days after the decision was first communicated to a parent. Until then, the pupil will remain suspended and away from school premises. If within three working days the parents have made a written application for a Review by the Local Advisory Group, the pupil will remain suspended until the Review has taken place.

5. Local Advisory Group Review

Request for Review

If a pupil or his/her parents are not satisfied with the Head's decision, they may make a written application for a Local Advisory Group review. The application must be received by the Chair of the Local Advisory Group within three working days of the decision being notified to a parent.

Grounds for Review

In their application the parents must state the grounds on which they are asking for a review and the outcome which they seek.

Review Panel

The Review will be undertaken by a three member sub-committee of the Local Advisory Group composed of three members nominated by the Chair of the Local Advisory Group. The panel members will have no detailed previous knowledge of the case or of the pupil or parents and will not normally include the Chair. 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.

Review Meeting

A Review will not normally take place during school holidays. 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.

Members of the Review Panel

The Head and any relevant member of staff whom the Head, the pupil or his/her parents have asked should attend and whom the Head considers should attend in order to secure a fair outcome.

The pupil, together with his/her parents and, if they wish, a member of the school staff who is willing to speak on the pupil's behalf. The parents may be accompanied by a friend or relation. [The Local Advisory Group must be given 7 working days' notice if the friend or relation is legally qualified.]

A scribe to keep a written record of the main points of the meeting.

Conduct of Meeting

The meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in a manner which is appropriate to a school. All statements made at the

meeting will be unsworn. The proceedings will not be tape-recorded without the consent of both the Chair of the Review Panel and a parent and any tape-recording will be used only to assist the panel members in reaching their decision and formulating their reasons and will belong to the school. The scribe will be asked to keep a written minute of the main points which arise at the meeting. All those present will be entitled, should they wish, to write their own notes. The meeting will be directed by the Chair of the Review Panel who will conduct it so as to ensure that all those present have a reasonable opportunity of asking questions and making appropriate comments. Everyone is expected to show courtesy, restraint and good manners. The Chair of the Review Panel may at his/her discretion adjourn or terminate the meeting. If the meeting is terminated, the Head's original decision will stand.

Procedure: The Panel will consider each of the grounds for appeal raised by the pupil or his/her parents so far as relevant to:

- Whether the facts of the case were sufficiently proven when the decision was taken to expel or remove the pupil. The civil standard of proof, namely, "the balance of probability" will apply; and
- 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.

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 of the Review Panel at the time and ask the scribe to note their dissatisfaction and the reasons for it.

Identification: 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 Chairman of the Review Panel may require that the name of that person and the reasons for withholding it be written down and shown to the Panel Members. The Chairman of the Review Panel at his/her discretion may direct that the person be identified, or not as the case may be.

Pupil's Character: Up to two members of the school staff may speak generally about the pupil's character, conduct and achievements at the school if they are willing to do so.

Leaving Status: If, having heard all parties, the Panel is minded to confirm the Head's earlier decision, it is open to the Panel, with agreement of the Head, the pupil and his/her parents to discuss the pupil's leaving status with a view to reaching agreement.

Decision: When the Chair of the Review Panel 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 of the Review Panel 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 parents by the Chair of the Review Panel or the Chair of Local Advisory Group by letter within three days of the meeting.

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