

## Exclusion Policy

This Policy is intended for the entire school including EYFS.

Parent Contract - The terms and conditions which parents sign include the following:

*The School Rules set out examples of offences likely to be punishable by suspension or permanent exclusion. These examples are not exhaustive, and in particular the Principal may decide that suspension or permanent exclusion for a lesser offence is justified where there has been previous misbehaviour. All aspects of the pupil's record at the School may be taken into account.*

### 1. Overview

A pupil may be suspended temporarily or excluded permanently after parents (and if appropriate the pupil) have been called to a Behaviour Review Meeting with the Principal. The incident or incidents leading to the calling of a Behaviour Review Meeting will be thoroughly investigated prior to the meeting and evidence of such investigations (omitting the names of pupils involved) will be available to parents at the meeting. A pupil may be suspended while a complaint or suspicion is being investigated.

Incidents which would lead to such a meeting could include:

- Supply, possession or use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol, tobacco, snus and vapes – the school has a zero-tolerance approach to these issues as they are against the law.
- Theft, blackmail, physical violence, intimidation, racism and persistent bullying, including cyberbullying.
- Misconduct of a sexual nature, including sexting; supply and possession of pornography or indecent images of children.
- Possession or use of unauthorised firearms or other weapons.
- Vandalism and computer hacking.
- Persistent attitudes or behaviour which are inconsistent with the ethos of BGIS including physical violence towards other pupils.
- Malicious accusations against a member of staff.
- Other serious misconduct towards a member of the school and/or the wider community or which brings the school into disrepute (single or repeated episodes), on or off the school premises.

### 2. Behaviour Review Meeting

At the Behaviour Review Meeting the agenda would be as follows:

- Introductions
- Complaint(s) and evidence from investigations
- Sanctions - suspension, temporary exclusion or permanent exclusion

The Principal, when making the decision to exclude on a temporary or permanent basis, will explain his reasons fully and subsequently confirm these in writing to the parents. Handwritten notes will be made at the meeting. The meeting will not be recorded either by the school or anyone present.

In the case of a suspension or temporary exclusion, details of the length of the suspension or temporary exclusion will be stated and appropriate work will be provided by staff for the duration of the exclusion. The pupil will be required, in addition, to complete one task by way of restitution which may include a letter of apology or a self-reflective activity aimed at assisting the pupil to make amends and learn from their misdemeanour.

On the day of returning to school after a suspension or temporary exclusion, a pupil will have a 're-entry meeting' with the Principal (or a member of the SLT in the Principal's absence) in which the discussion will re-examine the incident(s) and reflective task and review the appropriate school rules.

Where appropriate, measures will be put in place to support the pupil in adhering to the school rules and such measures will be explained. These may include, but not be restricted to, attending sessions with the School Counsellor, being set targets which may be monitored, by going on report and having regular reviews with the pupil's class teacher or senior teacher as appropriate and/or having one to one support. Any additional cost will be borne by the parents.

When making a decision to exclude either temporarily or permanently, the Principal will take into account such factors as the pupil's welfare, any special educational needs or disabilities which may be relevant and also the welfare of the school and/or the wider community as a whole.

A pupil may be permanently excluded at any time if the Principal is reasonably satisfied that the pupil's conduct (whether on or off school premises or in or out of term time) has been prejudicial to good order or school discipline or to the reputation of the school. The school and the Principal will act fairly and in accordance with the procedures of natural justice and will not permanently exclude a pupil other than in grave circumstances. There will be no refund of fees following permanent exclusion (and any unpaid fees to that date must be paid). The deposit will not be returned/credited, but fees in lieu of notice will not be charged.

**The Principal/Senior Leadership team may exclude a pupil from an overnight residential if the pupil is externally excluded from school as a sanction (it is up to the discretion of the Senior Leadership Team for the final decision).** Should a pupil be externally excluded and withdrawn from a residential trip after they have paid, there will be no refund.

If any member of Year 11 exhibits a decline in behaviour, we reserve the right to insist on that pupil taking early study leave. This would only be used in situations where we are concerned that a pupil might be permanently excluded and is to protect their ability to sit the public exams in the summer.

### 3. Leaving status

When a pupil is permanently excluded or required to leave, the leaving status will be one of the following: 'excluded', 'removed' or 'withdrawn by parents'.

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 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

The Principal will inform the Chair of Governors of meetings/dialogue which could lead to a suspension, temporary or permanent exclusion. The decision for a permanent exclusion will be made in writing to the parents after the Behaviour Review Meeting.

Every pupil or parent has a right of review against the Principal's decision to exclude on a permanent basis. The review procedure is laid out in the next section.

#### **4. Review Process by a Panel**

A decision to exclude, or require the exclusion of, a child is not taken lightly and, before this decision is reached, the Principal will have given careful consideration to any representations by the parents. In the process, he will consult the Chair of Governors and agree the issues relating to exclusion.

##### **Request for review:**

A pupil or his/her parents may request a review of the Principal's decision to permanently exclude or require the removal of a pupil. The request should be directed to the Clerk to the Governing Body within 7 days of notification of the Principal's decision.

##### **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. For the avoidance of doubt, a mere disagreement with the decision of the Principal will not of itself be grounds sufficient for a review.

##### **Review panel:**

The review will be undertaken by a panel of three members appointed by the Chair of Governors. The panel members will have no detailed previous knowledge of the case or of the pupil or parents and will not include the Principal or 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.

##### **Role of the panel:**

The role of the panel is to consider the documentation provided by the parties and representations made, and to decide whether to uphold the Principal's decision or refer the decision back to him with recommendations so that he may consider the matter further.

##### **Review meeting:**

The meeting will take place at the school premises, normally within ten school days after the parents' application has been received. A review will not normally take place during school holidays. The parents and the Principal will be asked to submit any documents they wish to refer to at least three days before the meeting. On receipt of new information not previously available to the Principal before his decision was made, the Panel will decide whether:

- to include the new information; or
- to omit the information if not relevant to the grounds for review; or
- to make further enquiries of the parents or the pupil about the information; or
- to refer the information to the Principal for his consideration as to whether the decision should be revisited.

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. The requirement is without prejudice to the parties' right to refer to the panel's decision in any subsequent legal proceedings.

### **Attendance:**

Those present at the review meeting will normally be:

- members of the panel and a clerk to the panel
- the Principal and any relevant member of staff whom the pupil or his/her parents have asked should attend and whom the Principal 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 meeting is not a legal proceeding and so legal representation is not necessary. The clerk must be given seven days' notice if the friend or relation is legally qualified and the parents should note that the review panel will wish to speak to them directly and this person will not be permitted to act as an advocate.

### **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 an informal manner. All statements made at the meeting will be unsworn. The meeting will not be recorded either by the school or anyone present. The meeting will not be recorded but the clerk will be asked to keep a hand-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 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. If the meeting is recorded by the attendees without the Principal's permission, the meeting will be immediately terminated.

**Procedure:** The Principal will provide the parents with a copy of the current review procedure if requested. In summary, the panel will consider each of the points raised by the pupil or his/her parents and any documentation they wish to rely on so far as relevant to:

- whether the decision was fair procedurally and/or substantively - whether the facts of the case were sufficiently proved when the decision was taken to exclude or remove the pupil. The civil standard of proof, namely, "the balance of probability", will apply; and
- whether the sanction was proportionate - that is whether it was warranted in respect of 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 at the time and ask the clerk to note their dissatisfaction and the reasons for it.

### **Decision:**

When the chair decides that all issues have been sufficiently discussed and if by then there is no consensus, he/she may adjourn the meeting; alternatively, the chair may ask those present to withdraw while the panel considers its findings and any recommendations. The panel's decision and any recommendations will be notified

in writing, with reasons, to the Principal and the parents by the chair of the panel within three working days of the meeting. The Panel's decision will then be final.

