

# Policy

## Pastoral

# PERMANENT EXCLUSION AND REMOVAL POLICY AND PROCEDURE

Downe House aims to operate a clear and just pupil exclusion policy.

All pupils are expected to abide by the School's Behaviour and Discipline Policy (including the School Code of Conduct and the School Rules).

### PERMANENT EXCLUSION OFFENCES

A non-exhaustive list of the sorts of serious misbehaviour that could merit permanent exclusion includes the following, regardless of whether they took place within School or outside School premises or School time. The Headmistress reserves the right to consider prior offences when making a decision on any disciplinary matter including suspensions or exclusions.

- Violence or aggression towards another person
- Verbal abuse/threatening offensive, insulting or abusive remarks or behaviour against pupils or adults
- Serious or repeated bullying, including cyber bullying.
- Discrimination
- Sexual misconduct
- Involvement with or use of illegal and/or controlled substances
- Serious or repeated alcohol misuse
- Malicious damage to property
- Theft
- Persistent disruptive/antisocial behaviour
- Parental behaviour
- Serious contravention of the School's IS Acceptable Use policy
- Serious contravention of the School's Internet Social Networking policy for pupils
- Serious contravention of the School's Email Policy
- Serious contravention of the School's Behaviour and Discipline Policy
- Behaviour which puts or is likely to put the reputation of the School in jeopardy
- Behaviour which impacts or is likely to impact negatively on the School community
- Illegal actions
- Extremist or radicalised behaviour

### PROCEDURE FOR EXCLUSION

A fair and thorough investigation will be held into the allegations made against an individual pupil.

Review Date: May 2022 - DHM

### **The Investigation**

1. This investigation will normally be carried out by the pupil's Housemistress/Housemaster or a Member of the Leadership Team, other than the Headmistress, as is most appropriate together with, where appropriate and possible, a neutral member of staff e.g. school nurse.
2. The purpose of the investigation will be to establish the facts and statements will be taken as appropriate from pupils and staff involved in the incident or who witnessed the incident. Statements will be signed by the witness and dated. The statements should also be countersigned by the person taking it.
3. The pupil will be informed of the allegation and the evidence relied upon by the investigating officer in an interview and will be given the chance to respond to these allegations.

### **Informing Parents**

1. Depending on the nature of the alleged offence, it may be necessary for the pupil to be suspended whilst an investigation is carried out. In this instance, parents will be informed immediately. In other cases, parents would normally be informed after the initial investigation but in good time before the Hearing.

### **External Bodies**

1. The police, social services or other appropriate external bodies will be involved if appropriate or required.

### **The Hearing**

1. Parents will be notified of a Hearing in reasonable time, i.e. there will normally be two working weeks' notice of a Hearing in writing.
2. The Hearing will normally be chaired by the Headmistress, although in some circumstances it may be heard by a member of the Governing Body.
3. Parents will be given copies of all the evidence, including witness statements and will be asked for any written submissions from parents/the pupil to be provided for circulation within a reasonable timeframe, typically 7 working days before the Hearing.
4. The Headmistress will be accompanied by another member of the School staff who has not previously been involved in the matter. He/she will be the minute taker too.
5. The pupil is encouraged to attend the Hearing.
6. The pupil's parents may be accompanied at the Hearing by a supporter as long as this person is identified in advance of the Hearing. This will not be a legal representative and s/he would not be able to make representations.
7. Witnesses may be asked to attend but other pupils will only be in attendance if necessary and with their parents' consent.
8. The Hearing will not be recorded but a full minute taken and retained on file. This will include the names and roles of all those present, all written documents considered, the oral evidence given and the decision reached, including the reasons stated.
9. At the Hearing, the Headmistress will set out how the Hearing will be conducted and the role of those present.
10. The School, normally the investigating officer, will present its case and read aloud any witness statements.
11. Parents/ the pupil will be able to ask questions and then present their case.
12. The Headmistress will have the opportunity to ask any further questions to ensure all the facts have been established as clearly as possible.
13. The Hearing will be adjourned to allow the Headmistress to consider her decision. Parents will be informed as to the timing of the decision and how they will be informed. The decision will be confirmed in writing if the original decision is given verbally. The decision letter will normally be sent within one working day of the Hearing and will state the following: the decision in relation to each/the charge. The sanction, when it takes effect, the reasons for the decision and to whom the parents may appeal and the deadline for doing so.

## **Governors' Review**

1. Parents have the right to appeal against the decision made by the Headmistress by lodging an appeal in writing to the Chairman of Governors, normally within five working days of receipt of the exclusion decision letter.
2. The purpose of the Governors' Review is to consider the grounds of appeal raised by the parents, so far as these are relevant to whether the pupil committed the disciplinary offence in question and whether exclusion is a reasonable response.
3. The Chairman will arrange for the Governors' Review to be heard by two members of the Governing Body and one person who is independent of the running of the School.
4. The Governors' Review will take place as soon as practicable and normally within two working weeks of the grounds of appeal being received.
5. New evidence may be presented by either the School or the pupil/parents as long as it is relevant to the issues covered directly in the original Hearing and is circulated well in advance to all parties.
6. The Governors' Review will follow a very similar format to the Hearing.
7. The decision of the Governors' Review will be confirmed in writing (normally within three working days of the Review) and will be final.

## **Suspensions**

1. If parents request a Governors' Review, the pupil will be suspended from School until the decision to permanently exclude or remove has been set aside or upheld. While suspended, the pupil will remain away from the School and will have no right to enter the School premises during that time without prior written permission from the Headmistress.

This policy must be read in conjunction with the Behaviour and Discipline Policy, the Internet Social Networking Policy for Pupils, the School Code of Conduct, the School Rules, and the contract between the Parents and the School.

## **Confidentiality**

1. Exclusion cases should be treated by all parties in the strictest confidence. However, confidentiality cannot, and therefore should not, be guaranteed to any witness or party whose evidence may be relied upon.

This policy makes reference to the following School policies, copies of which can be located on SchoolBase in the 'Documents' section:

Behaviour and Discipline (Reviewer: DHM)  
Email (Reviewer: DIS)  
Internet Social Networking (Reviewer: DHM)  
IS Acceptable Use (Reviewer: DIS)

**Revision History:**

Revision	Date	Description of changes	Requested By
	October 2014	Reviewed	Areti Bizior
	October 2015	Reviewed	Areti Bizior
	May 2016	Reviewed	Areti Bizior
	May 2017	Amended and reviewed	Areti Bizior
	May 2018	Reviewed	Areti Bizior
	May 2019	Reviewed	Areti Bizior
	May 2019	Reviewed	Areti Bizior
	October 2020	Reviewed	Michelle Scott
	May 2021	Reviewed	Phil Wise

**Review Leader:** Deputy Headmaster

**Reviewed:** May 2021

**Next review:** May 2022