

9a WHOLE SCHOOL POLICY ON DISCIPLINARY EXCLUSION (INCLUDING EYFS)

Our mission is to develop happy, confident and successful children who are well prepared for their future.

Version	4
Review Period	Annual or in line with statute or regulation
Independent Schools Inspectorate	Regulation 9a
Deputy Head, Assistant Head (Pastoral) Review	04.03.24
Headmaster Review	04.03.24
Education Governor Review and Approval	07.03.24

THE AIMS OF THIS POLICY ARE:

- To support the [School's Behaviour Management Policy](#);
- To ensure procedural fairness and natural justice;
- To assist the individual in recognition of unacceptable behaviour and the need to change;
- To promote cooperation between parents and the school when it is necessary for a pupil to be temporarily excluded or to leave school earlier than expected.

The policy applies to all pupils at the School, whether or not in the care of the School, but does not cover cases when a pupil has to leave because of ill-health or non-payment of fees, or withdrawal by their parents in circumstances not relating to disciplinary incidents.

References to 'Parent' includes one or both of the parents, a legal guardian or educational guardian.

Exclusions from school: The examples of the circumstances which may lead to serious sanctions including exclusion are stated in the [School's Behaviour Management Policy](#).

EXCLUSIONS

Exclusions may be used for serious incidents of poor behaviour that fall far beneath our expectations, such as: alcohol or drug misuse, discriminatory or offensive language, physical assault (including repeated biting in [EYFS](#)), sexual misconduct, smoking, stealing, theft, vandalism, malicious accusations against staff, etc. Additionally, an accumulation of incidents or poor behaviour, or instances where poor behaviour has continued despite previous sanctions, may result in an exclusion. An exclusion could be issued to any Westbrook Hay pupil.

When the decision has been taken to exclude a pupil, this will result in a standard letter being sent to parents and guardians, by the Head. The letter will state the seriousness of the poor behaviour, the reasons behind the exclusion and an explanation of the Exclusion Policy. There are three types of exclusion:

- **Internal Exclusion** – a pupil will be removed from the regular timetable and will be supervised by a member of staff for a fixed period of time, usually a morning or an afternoon.
- **External Exclusion** – a pupil will be removed from the regular timetable and a parent will be required to collect them from school as soon as possible. An external exclusion will usually be for a fixed period of time, stated by the school in the exclusion letter, usually between one and five school days.
- **Permanent Exclusion** – a pupil will be removed from the school roll permanently and a parent will be required to collect them from school as soon as possible.

A pupil may be permanently excluded without previously being internally or externally excluded, but in most cases a permanent exclusion follows the staged approach of an internal and/or external exclusion.

During an **internal exclusion**, a member of the pastoral care team will meet with the pupil to undertake some reflective work and where appropriate a session of restorative justice.

During an **external exclusion**, we hope that the parents will help the pupil to reflect on and consider their actions.

An internally excluded pupil may be required to complete work during their exclusion. This is at the discretion of the school and dependent on the age of the child and the situation.

If requested by the parent, an externally excluded pupil may be assigned some work during the exclusion period. This is at the discretion of the school and dependent on the age of the child and the situation.

PROCEDURE FOR INVESTIGATION OF BEHAVIOUR THAT MAY RESULT IN SERIOUS SANCTIONS

An investigation and any subsequent meeting will be conducted fairly, to support all parties. It will be conducted in a way which is appropriate to a school, without formal legal procedures.

INVESTIGATION

The investigation of a complaint, incident or rumour of or about serious misconduct will normally be coordinated by the Deputy Head or the Assistant Head (Pre-Prep), and its outcome will be reported to the Head Teacher.

Parents will be informed as soon as is reasonably practicable if a complaint under investigation is of a nature that could result in the pupil being permanently excluded or required to leave.

If necessary a **search** may be made as part of an investigation. This must be consistent with the [Search Policy](#); thus, an appropriate search of a pupil's space and belongings may be made. If necessary, the Police will be called. Neither forced personal searches nor any intimate searches may take place.

Pupils may be **interviewed** informally by a member of staff; if a pupil is interviewed formally by a member of The Executive Group (EG) about an incident, complaint or rumour, arrangements will be made for them to be accompanied by a supporting member of staff (such as their Form Tutor). A pupil who is waiting to be interviewed may be segregated but will be made as comfortable as possible, under the supervision of a member of staff.

PRESENTATION OF FINDINGS

The member of staff conducting the investigation will present their findings to the Head Teacher for his consideration.

HEAD TEACHER'S DECISION

Before deciding if a 'serious sanction' (Exclusion) is appropriate the Head Teacher will ensure that:

- An appropriate investigation has been conducted;
- All the relevant evidence has been considered;
- The pupil has had an opportunity to be heard (age appropriate);
- Other relevant individuals have been consulted if required.

ISSUING OF SANCTIONS

If, as a result of a formal investigation, a pupil is to be excluded, the Head Teacher, Deputy Head or an Assistant Head will issue, on behalf of the school, a serious sanction and exclude a pupil for a fixed period of time. A pupil may be excluded from the school internally or externally for a defined period of between one half of a full day and five full days. Exclusions are recorded on a pupil's disciplinary record. The Head Teacher may alert the Chair of Governors at this stage.

The Head Teacher will inform the parents in writing of the grounds for the exclusion as well as the nature and duration of the exclusion. Should the potential outcome of any such investigation be the permanent exclusion of a pupil from School, the Head Teacher will inform the parents and invite them to come into school to discuss the matter.

In making decisions about Exclusions, the Head Teacher will consider any special educational needs, disabilities, gender and cultural differences that may be relevant to the case.

For pupils in the Nursery and Reception classes, exclusion would only take place once all other avenues have been explored and exhausted, including one to one intervention.

An external exclusion constitutes a clear warning about continued membership of the School and this warning might be regarded as final. The School is highly reluctant to sanction pupils with an external exclusion more than once in any single academic year of their school career.

REFLECTION AND REVIEW

Following any external exclusion, the Head Teacher will consider the evidence and the nature of the complaint/incident, consider the details of the incident and reflect on the pupil's record in the school. If temporary exclusion is deemed sufficient the pupil will return to school. The Head Teacher may require to meet with a pupil (and the parents if available) on their return to school following any external fixed term exclusion.

In no circumstances shall the School or its staff divulge to parents, or to any other person, any confidential information or the identities of pupils or others who have given information that has led to serious sanctions.

ABSENCE FROM SCHOOL DURING DISCIPLINARY INVESTIGATIONS

In some instances, the school may require parents to withdraw their child from school pending the investigation of a rumour or complaint or incident concerning him/her. This is a neutral (not disciplinary) measure to allow an unimpeded investigation, and may also be taken for the good of the pupil by separating him/her from immediate school pressures. The Head Teacher will make any such decision in consultation with senior staff.

PERMANENT EXCLUSION / WITHDRAWAL OF A PUPIL FROM SCHOOL

The decision to permanently exclude a pupil is not taken lightly and the best interests of the community must be given weight whilst making every effort to act with due regard for the future of the pupil who has engaged in significant misconduct. A pupil may be permanently excluded if, after all appropriate consultation, including with the Chair of Governors, the Head Teacher is of the opinion 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;

or

- if the Head Teacher is satisfied that it is not in the best interests of the pupil, or of the School, that the pupil remains at the School;

or

- a parent has treated the School, members of its staff or any member of the School community unreasonably.

In making decisions about Permanent Exclusion, the Head Teacher will consider any special educational needs, disabilities, gender and cultural differences that may be relevant to the case.

Some parents, after due consideration, may choose to voluntarily withdraw their child rather than the School imposing Permanent Exclusion. However, it must clearly be understood that the Head Teacher reserves the right to insist on Permanent Exclusion.

Following the permanent exclusion of a pupil or following their withdrawal from the school, the Head Teacher will write to the parents to communicate the following:

- The pupil's status as a leaver;
- Arrangements (if relevant) for transfer of any work to the pupil, their parents or another school;
- The conditions under which the pupil may re-enter school premises in the future.

FINANCIAL ASPECTS

There will be no refund of the current term's fees following Permanent Exclusion of a pupil on disciplinary grounds and payment of any outstanding fees and extras is required. The deposit will not be returned/credited, but fees in lieu of notice will not be charged. The refund of prepaid fees will be made.

GOVERNORS' REVIEW OF A PERMANENT EXCLUSION ON DISCIPLINARY GROUNDS

(This process is in lieu of the school's complaints procedures)

Parents, aggrieved at the Head Teacher's decision to permanently exclude their child may make a written application for a Governors' Review.

- The application must be received by the Clerk to the Governors within 72 hours of the decision being notified to a parent;
- In their application the parents must state the grounds on which they are asking for a review and the outcome which they seek;
- The Clerk will acknowledge receipt of the request for the review and pass to the Chair of Governors;
- The review of the Head Teacher's decision should take place within 7 working (term time) days;
- The nominated Governor undertaking the review will communicate directly with the parents prior to conducting the review;
- Parents will be informed in writing of the outcome;

- The Governor reviewing the Head Teacher's decision has the power to uphold the permanent exclusion, rescind the exclusion, convert the exclusion into a further fixed-term exclusion or change the leaving status to 'withdrawn'.