



## Exclusion and Required Removal Policy

*Category: Referred to Sub-Committee for approval from School*

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Responsible for review of policy	Deputy Head Pastoral
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## Exclusion and Required Removal Policy

### 1. INTRODUCTION

#### 1.1 Scope

This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be permanently excluded from the **School**, or required to leave permanently for other reasons. The policy applies to all pupils at the School 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. This policy can be made available in large print or other accessible format if required.

#### 1.2 Interpretation

The definitions in this clause apply in this policy.

**Head:** Head of RMS or if she/he is not available the person authorised to exercise the functions of the Head of RMS at the time

**Parent:** ie one or both of the pupil's parents, a legal guardian or education guardian.

**Permanent Exclusion:** means the dismissal of a pupil from the School following serious misconduct formally recorded.

**Required Removal:** means that a pupil has been required by the School to leave, but without the stigma of permanent exclusion.

**the School:** means The Royal Masonic School for Girls

### 2. POLICY STATEMENT

#### 2.1 Aims: The aims of this policy are:

- to support the School's behaviour and discipline code
- to ensure procedural fairness and natural justice
- to promote co-operation between the School and Parents when it is necessary for the School that a pupil should leave earlier than expected.

#### 2.2 Permanent Exclusion:

##### 2.2.1 Only the Head of RMS has the authority to permanently exclude a pupil.

##### 2.2.2 The main categories of misconduct which may result in Permanent Exclusion include but are not limited to:

- supply/possession/use of mind altering substances and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco;
- theft, blackmail, physical violence, intimidation, racism or persistent bullying;
- misconduct of a sexual nature; supply or possession of pornography;
- possession or use of unauthorised firearms or other weapons;
- vandalism or computer hacking;
- persistent disregard for the School rules, or persistent attitudes or behaviour which are disruptive and/or inconsistent with the School's ethos
- other serious misconduct (including online) which affects or has the potential to affect the welfare of a member or members of the School community or which actually, or potentially, or indirectly brings the School into disrepute or damages its reputation
  - single or repeated episodes
  - Each of the above categories of misconduct could result in Permanent Exclusion whether committed on or off the School premises or in or out of term time.

### **2.3 Required Removal**

2.3.1 The School may require the removal of a pupil when there is a breakdown of the relationship between the School and the Parent and/or the pupil.

2.3.2 Only the Head of RMS has the authority to require the removal of a pupil.

2.3.3 The main situations which may result in removal are a breakdown of trust between the School and the Parent. This may manifest itself in a number of ways, including:

- Parent not supporting the School's sanction structures:
  - vexatious behaviour, such as the Parent repeatedly bringing unsubstantiated complaints;
  - abusive behaviour by the Parent to School staff, pupils or other parents (including as a spectator at school fixtures)
- a breakdown of trust between the School and a pupil. This may manifest itself in a number of ways including:
  - persistent misconduct such as unauthorized absence from School
  - when a pupil has brought a malicious and unjustified allegation against a member of staff and where there are reasonable grounds to believe that this may happen again in the future;
- other circumstances where the Head of RMS (after appropriate consultation) is satisfied that it is not in the best interests of the pupil, or of the School, that the pupil remains at the School.

2.3.4 The Head of RMS may require that parents remove their child from the School for serious breaches of school discipline or for behaviour which the Head considers fall short of behaviour resulting in Permanent Exclusion but are deemed unacceptable and detrimental to the good order and welfare of the School community. A Required Removal in these circumstances is at the sole discretion of the Head, and the Head will meet/communicate with the parent(s).

**2.4 Equality:** The School will make reasonable adjustments for managing behaviour which is related to a pupil's disability. Where exclusion or required removal need to be considered, the School will ensure that a disabled pupil is able to present her case fully where her disability might hinder this. Any requirements relating to protected characteristics (Equality Act 2010) affecting the pupil will also be considered.

## **3. PROCEDURE**

### **3.1 General Principles**

The procedure set out below does not have contractual effect. The policy contains guidelines which can be adapted by the School as necessary in the circumstances. All procedures will be carried out fairly and in a way that is appropriate to the circumstances.

3.1.2 Where allegations come to light that require involvement of social services, the police or other agencies, the School will make the appropriate notifications. Advice from external agencies will be taken into account and may impact on the procedure to be followed.

### **3.2 Preliminary Steps and Investigation**

3.2.1 **Allegation(s) of serious misconduct:** Investigation of an allegation or concerns about serious misconduct will be co-ordinated by a senior member of staff, and its outcome will be reported to the Head of RMS. Parents will be informed as soon as reasonably practicable if the allegation or concern under investigation is of a nature that could result in Permanent Exclusion or Required Removal for the pupil.

3.2.2 **Suspension:** Where the allegations are serious, or other pupils may be at risk, a pupil may be suspended from boarding and/or from the School and required to stay with her Parent/Guardian and away from School while a complaint is being investigated or while an investigation is adjourned (see section 3.6 below). The Parent will be informed in writing.

The School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. The relevant Head of Year will co-ordinate these arrangements with the pupil's Parent. Parents should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set.

3.2.3 **Search:** The School may search a pupil and/or her locker and/or belongings, if it is considered reasonable by the School to do so.( See separate policy on Search and Confiscation )

3.2.4 **Interview:** A pupil may be spoken with informally by a member of staff to establish whether or not there are grounds for a formal investigation. If the pupil is then interviewed formally, arrangements will be made for her to be accompanied by an appropriate adult (which will usually be a member of staff). A pupil who is waiting to be interviewed may be segregated if appropriate. A minute of the interview will be recorded in writing by the interviewing member of staff.

3.2.5 **Adjournment of an investigation:** It may be necessary to adjourn an investigation, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to adjourn an investigation will take into account advice from an appropriate external agency and will be subject to periodic review.

3.2.6 At the end of the investigation, the investigating officer will prepare a written report of the outcome of the investigation and his/her conclusions as to whether there is a case to answer which needs to be considered at a meeting before the Head of RMS in accordance with Clause 4

3.2.7 Where Required Removal is contemplated as a result of a breakdown in trust between either the Parent and the School or between the pupil and the School, or where the School considers removal of the pupil may otherwise be in the best interests of the pupil or the School, the investigation stage as set out above may be omitted or adapted.

#### **4. MEETING BEFORE THE HEAD OF RMS**

4.1 **Preparation:** The Chair of Governors will be informed of the investigation/meeting. Documents available at the meeting before the Head will include:

- a statement setting out the allegation(s) against the pupil
- written statements and notes of the evidence supporting the allegation(s), and any relevant correspondence
- the Investigation Report
- the relevant parts of the pupil's school file and (if separate) conduct record
- the relevant school policies and procedures

4.2 **Attendance:** The pupil and her Parents will be asked to attend the meeting with the Head of RMS. The investigating officer may be asked to attend to explain the circumstances of the allegation(s) and his/her investigation.

The pupil may also be accompanied by a member of staff of her choice. The pupil and her Parent 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.

If the Parent or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other

accessible format) those requirements should be made known to the School so that appropriate arrangements can be made.

- 4.3 If the pupil or the pupil's Parent experience difficulty in attending due to a disability, the School will make reasonable alternative arrangements to accommodate the disability. If a Parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to facilitate the Parent's involvement with the disciplinary process and their daughter's education.

A parent who wishes to reply on any relevant evidence should make it available to the Head of RMS at least 24 hours before the meeting with the Head of RMS is due to take place, in order to allow the Head of RMS time to have due regard to it.

- 4.4 **Proceedings:** The Head of RMS will consider the allegation(s) and the evidence, including statements made by and/or on behalf of the pupil. Unless the Head of RMS considers that further investigation is needed, he/she will decide whether the complaint has been proved on the balance of probabilities. The Head of RMS will take into account any further statement which the pupil and/or others present on her behalf wish to make. The pupil's disciplinary record will be taken into account. Then, or at some later time, normally within 24 hours, the Head of RMS will give a decision, with reasons. A Parent will be advised of the right to a Governors' Review, where appropriate (see below).

- 4.4.1 **Leaving status:** If the Head of RMS decides that the pupil must leave the School, he/she will decide on the pupil's leaving status (see below), and may consult with the Parents as appropriate.

- 4.5 Where Required Removal is contemplated as a result of a breakdown in trust between either the Parent and the School or between the pupil and the School, or where the School considers removal of the pupil may otherwise be in the best interests of the pupil or the School, the above procedure will be adapted as appropriate. In such situations, the Head of RMS will invite the Parent to attend a meeting to discuss the issues prior to making a decision as to whether to require removal of the pupil. In some circumstances it may be appropriate for the pupil to attend but this will be at the discretion of the Head of RMS.

- 4.6 **Delayed effect:** A decision to Permanently Exclude or Require Removal of a pupil shall take effect seven days after the decision was first communicated to a Parent. Until then, the pupil shall be or remain suspended and away from the School premises. If within seven days, the Parent has made a written application for a Governors' Review, the pupil shall remain suspended until the Review has taken place.

## 5. LEAVING STATUS

- 5.1 **Explanation:** If a pupil is permanently excluded or required to leave, her leaving status will be one of the following: permanently excluded, removed or, if agreed with the Head of RMS, withdrawn by parents.

## 6. GOVERNORS' REVIEW

- 6.1 The Parent may make a written request to the Clerk to the Governors for a Governors' Review where one of the following applies:

- a pupil has been permanently excluded or where the Parent has been required to remove the pupil and the Parent is dissatisfied with the outcome of the meeting with the Head of RMS

- the Head of RMS has decided to suspend the pupil under Clauses 3.2 or 4.6 above for 15 school days or more
- suspension would prevent the pupil from taking a public examination.

6.2 A request for a Governors' Review must be made and received by the Clerk to the Governors within 7 calendar days of the date on the Head of RMS's letter notifying the Parent of the decision in writing . A request must state the grounds on which the Parent is asking for a Governors' Review and the outcome sought.

6.3 The review meeting will generally be attended by the Review Panel members, the Clerk to the Governors, the Head of RMS, the pupil and her Parent. The Parent may be accompanied by a friend or relative. It will not normally be appropriate for there to be legal representation at the Review meeting. The Parent should inform the Clerk to the Governors in writing at least 3 *working* days in advance of the review of the identity of the person accompanying them and their status.

6.4 A Review meeting is a private matter. All those concerned and involved are required to keep the Review meeting confidential unless disclosure is required by law.

6.5 The Review will be held as soon as reasonably practicable after receipt of the request for a Governors' Review. A Review will not normally be held during school holidays and will normally take place at the School.

6.6 The Review Panel will consist of at least two governors and one person who is independent of the management and running of the School. Neither of the governors shall have had any prior knowledge of or involvement in the case.

6.7 The role of the panel is to listen to both sides, consider whether the Head of RMS's decision was fair and proportionate and in accordance with School policy, and decide whether to uphold the Head of RMS's decision or refer the matter back to the Head of RMS for reconsideration together with recommendations.

6.8 The Panel Chair will notify the Head of RMS and the Parent in writing of the decision with reasons and any recommendations by the Panel, usually within 5 working days of the meeting. The Head of RMS will provide a written response to any recommendations as soon as possible, and

6.9 The School will make reasonable adjustments where the Parents and/or the pupil inform the Clerk to the Governors a Head of RMS of the Governors' Review that they have a disability or special needs.

## 7. FEES AND DEPOSITS

Where a pupil is permanently excluded or required to leave, the following provisions apply in respect of fees and deposits:

	<b>Expulsion</b>	<b>Removal</b>
Acceptance Deposit	No refund	Full refund
Additional Deposit (Overseas Deposit) if applicable	Full refund	Full refund
Current term's tuition/boarding fees if applicable	No refund	No refund
Fees in Lieu of term's notice	No charge	No charge