

EXCLUSIONS POLICY

Whole School & EYFS

Reviewed: February 2023
Governor Review: February 2023

INTRODUCTION

This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be excluded from Alderley Edge School for Girls, or required to leave permanently for misconduct or 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 her parents.

All schools have the legal right to impose reasonable sanctions if a pupil misbehaves. Physical punishment is illegal; but DfE guidance advises that sanctions that a school might use include: a reprimand, a letter to parents or guardians, removal from a class or group, loss of privileges, confiscation of a possession that is inappropriate in the classroom, detention, or exclusion. Exclusion, whether temporary or permanent, is a last resort. Permanent exclusion is used only in the most serious circumstances.

The following policies are related to this policy:

- Behaviour Policy
- Drugs policy
- Anti-Bullying Policy

The School's expectations for behaviour and detailed sanctions for misbehaviour are clearly laid out in each pupil's homework diary. These are discussed at length at the beginning of each academic year by Form Tutors and Heads of Year. The policy is available upon request from the School office.

Policy Statement

A pupil may be excluded for a fixed period of time (temporary exclusion / suspension) or excluded permanently (expelled) from Alderley Edge School for Girls, or parents may be asked to remove a pupil, or a pupil may be required to leave permanently for reasons of misconduct.

The main categories of misconduct across the whole of Alderley Edge School for Girls which may result in exclusion, expulsion or removal are:

- Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, alcohol, tobacco or anything that can be smoked and includes, but is not limited to, cigarettes, electronic cigarettes, pipes

(including water pipes such as shipshape and hookah pipes), cigars and herbal cigarettes

- Theft, blackmail, physical violence, intimidation, racism and bullying
- Misconduct of a sexual nature; supply and possession of pornography
- Possession or use of unauthorised firearms or other weapons
- Vandalism or computer hacking
- Attitudes or behaviour which are inconsistent with the ethos of Alderley Edge School for Girls
- Inciting misbehaviour of other girls through peer pressure
- Other serious misconduct towards a member of the school community or which brings Alderley Edge School for Girls into disrepute (single or repeated episodes) on or off school premises
- Parental behaviour which is inconsistent with the School's ethos

A pupil may 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 she remains at the School.

The fact that a pupil's offence is the first serious one cannot on its own, be deemed a reason for not excluding a pupil. In other instances, permanent 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. In such cases parents will have been consulted before such a stage is reached in an attempt to correct the behaviour.

Equality

The School will make reasonable adjustments for managing behaviour which is related to a pupil's special educational needs or disability. Where exclusion needs to be considered, the School will ensure that a pupil with a disability or special educational need is able to present their case fully where their disability or special educational needs might hinder this. Any religious requirements affecting the pupil will also be considered.

The aim of this policy is:

- To ensure procedural fairness and natural justice
- To promote co-operation between Alderley Edge School for Girls and parents when it is necessary for a pupil to leave earlier than expected

Policy Procedure

EYFS

For the Nursery and Reception exclusion would only take place once all other avenues have been explored and exhausted.

Junior School and Senior School

The Governors of Alderley Edge School for Girls make available to the Headmistress three sanctions for serious disciplinary matters.

- Suspension from School (also known as Temporary Exclusion)

- Removal at the Request of the School (also known as Required Withdrawal)
- Expulsion (also known as Permanent Exclusion).

There are three stages to the policy procedure:

- (I) Investigation
- (II) Disciplinary meeting with the Head
- (III) Governors' Review meeting

(I) Investigation Procedure

Investigation of a complaint or rumour about serious misconduct will normally be coordinated by the Deputy Head. This will include an interview with the pupil who will be asked to write and date an account of the incident. If there were witnesses to the incident, these will also be interviewed and asked to write and date their accounts. The pupils will be advised not to discuss the issue with other pupils.

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

The Head may delegate two members of the Senior Leadership Team to search the pupil's space and belongings if there is a reasonable cause to do so.

The information which has been gathered by this stage will be forwarded to the Head and parents will be informed, as soon as is reasonably practical, that an investigation is taking place.

It may be necessary to suspend an investigation, for example, where external agencies such as the police or childrens' services are involved and have advised that this is necessary. A decision to suspend an investigation will taken into account advice from an appropriate external agency and will be subject to periodic review.

Suspension (Temporary Exclusion)

Only the Headmistress can suspend a child. The Head of the Junior School and Deputy Head will always consult the Head prior to suspension. Before deciding to suspend a child the Head, Deputy Head and Head of the Junior School will:

- Ensure that an appropriate investigation has been conducted
- Ensure that all the relevant evidence has been considered
- Give the child an opportunity to be heard
- Consult other relevant people if necessary

Work will generally be set for a child to do at home during the period when they are suspended. In addition, consideration will be given to any relevant problems of the suspended child and how they might be addressed in the interim, together with reintegration post-exclusion. Should a suspension continue for a period of more than five School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. 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. Alternatively, the pupil may be placed under a segregated regime on School premises. If the pupil is suspended from the School, she must not try to enter the School during the period of the suspension.

The Headmistress, Deputy Head or Head of the Junior School will inform parents without delay, in person (whenever possible) or by telephone that the suspension will take place. The Head, Deputy Head or Head of the Junior School will also write to confirm the exclusion, stating the length and the reasons why the suspension has been given.

Temporary exclusion constitutes a clear warning about continued membership of the School and this warning should be regarded as final. The Head is in all cases reluctant to exclude temporarily more than twice.

(ii) Disciplinary Meeting with the Head

If there is a possibility that the pupil will be expelled or removal required, the Head will inform the Chair of Governors of the disciplinary meeting. The Head will invite the pupil and her parents to attend the disciplinary meeting which will take place at least one School day and no more than seven School days after the investigation has been completed. If parents are not available, then an adult 'friend' can be substituted. This cannot be a legal representative. However, if a parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the parent can be involved with the disciplinary process and their daughter's education. If the parent or guardian is unwilling to attend the meeting, the Head will lead the meeting which will go ahead regardless.

The Head, the Deputy Head who conducted the investigation and a note-taker will be present at the meeting.

There are potentially three distinct stages of a disciplinary meeting:

- (I) The complaint/s. The Head will consider the complaint and the evidence, including statements made by and/or on behalf of the pupil. The staff member who conducted the investigation will be asked to present the evidence. The pupil will have the opportunity to present her own point of view. The Head may ask questions to clarify her understanding of the events. The pupil and/or parents may provide other relevant information or raise any concerns they may have. The Head will clarify the facts of the case. Unless the Head considers that further investigation is needed, she will decide whether the complaint is sufficiently proved (e.g. the balance of probabilities).
- (II) The sanction. If the complaint has been proved the Head will outline the range of disciplinary sanctions which she considers are open to her. She will take into account any further statement which the pupil and/or others present on her behalf may wish to make. The pupil's disciplinary record will be taken into account. Then at some later time, normally within 72 hours, the Head will give her decision, with reasons.
- (III) Leaving Status. If the Head decides that the pupil must leave the School, she will consult with the parent before deciding on the pupil's leaving status. If the pupil is to be excluded or removed from the School, the Head will inform the parent/guardian of the review procedure. The pupil will be suspended until the review hearing can be convened. A decision to expel or remove a pupil shall take effect seven School days after the decision was first communicated to a parent. Until then, the pupil shall remain suspended and away from School premises. If within seven School days the parents have

made a written application for a Review by the Governors, the pupil shall remain suspended until the Review has taken place.

Leaving Status

If a pupil is excluded or required to leave, her leaving status will be one of the following: expelled, removed or withdrawn by parents.

Removal at the Request of the School (Required Withdrawal)

Parents may be required, during or at the end of a term, to remove the pupil, without refund of fees, temporarily or permanently from the School if, after consultation with a parent, the Head is of the opinion that the conduct or progress of the pupil has been unsatisfactory or if the pupil, in the judgement of the Head, is unwilling or unable to profit from the educational opportunities offered or a parent has treated the School or members of its staff unreasonably and in any such case removal is considered to be warranted. The Acceptance Fee will be refunded in the event of removal from the School and fees in lieu of notice will not be charged but all outstanding fees will be payable in full.

Only the Head can require parents to remove a pupil and before doing so she will follow the same procedure as for temporary exclusion.

In making decisions about exclusion the Head will take into account any special educational needs, disabilities, gender and cultural differences that may be relevant to the case, as well as an agreed list of issues relating to exclusion including:

- The form of letter which will be written to parents and the form of announcement in the School
- The form of reference which be supplied for the pupil
- The entry which will 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, her parents or another school
- Whether the pupil will be permitted to return to School premises to sit public examinations (when relevant)
- Whether the School can offer assistance in finding an alternative placement for the pupil (if relevant)
- Whether the pupil will be entitled to leavers' privileges
- 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.

The decision to exclude, suspend, require removal or expel a pupil and the manner and form of any announcement shall be in the sole discretion of the Headmistress. In no circumstances shall the School or its staff be required to divulge to parents or others any confidential information or the identities of pupils or others who have given information which has led to suspension, the requirement to remove or expulsion or which the Headmistress has acquired during an investigation.

Expulsion (Permanent Exclusion)

A pupil may be expelled at any time if the Head 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 Head will act fairly and in accordance with the procedures of natural justice and will not expel a pupil other than in grave circumstances. There will be no refund of fees following expulsion (and all unpaid fees must be paid). The Acceptance Fee will not be returned/credited, but fees in lieu of notice will not be charged.

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

Only the Head can permanently exclude a child and before doing so she will follow the same procedure as for temporary exclusion.

In making decisions about exclusion the Head will take into account any special educational needs, disabilities, gender and cultural differences that may be relevant to the case, as well as an agreed list of issues relating to exclusion, as above.

Suspended Expulsion

The Head may decide that the expulsion should be suspended for a specific period of time. This may be because:

- (I) The pupil will be sitting final public examinations during the next six months
- (II) The age of the pupil raises concern over the extent to which she understood the seriousness of her conduct
- (III) The serious misconduct being a first offence

In these cases, the suspended exclusion may be subject to review by the Head at her discretion during the period of the sanction. After the review, the Head may decide that the pupil's conduct is such that the exclusion should come into force, the exclusion is lifted or there is a further review dates set.

(iii) Governors' Review

A decision to permanently exclude, or require removal, of a child is not taken lightly and before it is reached the Head will have given careful consideration to any representations by the parents. In the process, she will consult the Chairman of the Governing Body and agree the issues relating to exclusion.

Parents may request a Governors' Review of the Head's decision to expel or require a pupil to leave, or whether a decision has been made to suspend a pupil for 11 School days¹ or more, or where suspension would prevent the pupil from taking a public examination. The application must be made in writing and received by the Clerk of the Governors within seven School days of the Head's decision being notified to the parents, or longer by agreement. If the parents or the pupil have any special needs or disabilities which call for additional facilities or adjustments, these should be made known to the Clerk so that appropriate arrangements can be made.

¹ 'School day' refers to a School day within the published term dates of Alderley Edge School for Girls when the School is in session

If parents wish Governors to review the case, they should set out the nature of their complaint in writing, detailing the nature of their grievance and the reasons they see for review. For the avoidance of doubt, a mere disagreement with the decision of the Head will not of itself be grounds sufficient for a Governors' Review. The Review will focus on the specific grounds on which the request was made.

Review Panel

The review will be undertaken by a three member panel. 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 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. The panel will include an independent member who is not concerned with the management or running of the School. The parents may be accompanied by a friend or relation, but legal representation will not be necessary. If the parents wish to be accompanied by a legal qualified person, the role of that person will be limited to providing advice to the parents if a point of law arises and they will not be permitted to act as an advocate as the hearing is not a legal proceeding. The clerk to the Governors must be given seven School days' notice if the friend or relation is legally qualified.

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

The meeting will take place at the School, normally within ten School days after the parents' application has been received. The parents and the Head will be asked to submit any documents they wish to refer to at the meeting and a single bundle will be circulated at least three School days before the meeting. On receipt of new information not previously available to the Head before her decision was made, the Clerk should contact the Chair who will decide whether to include the new information in the bundle or to omit the information if not relevant to the grounds for review or to make further enquiries to the parents or the pupil about the information or to refer the information to the Head for her consideration as to whether the decision should be revisited.

A Review meeting is a private procedure and all those who are involved in it are required to keep its proceedings confidentially subject to law.

Conduct of the Review Meeting

The meeting will be chaired by one member of the Review Panel and all statements made at the meeting will be unsworn. The Clerk will be asked to keep a hand-written minute of the main points which arise at the meeting. 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.

Procedure

The Panel will consider each of the points raised by the pupil or her parents and any documentation they wish to rely on so far as relevant to

- whether the facts of the case were sufficiently proved when the decision was taken to expel or require the removal of the pupil. The civil standard of proof, namely, "the balance of probability", will normally 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 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.

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 recommendations. The Panel's recommendations will be notified in writing, with reasons, to the Head and the parents by the Chair of the Review Panel or the Chair of Governors within three School days of the meeting. The Head will provide her response to those recommendations in writing within 72 hours. In the absence of a significant procedural irregularity, the Panel's decision will then be final.

Note that any concerns about the exclusion process will be dealt with by the Exclusions Policy and not by the Complaints Policy.
