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# EXCLUSIONS POLICY

The School aims to operate by consent and not by imposition. If that consent is not forthcoming, in the last resort the School may permanently exclude a student. The decision on exclusion is The Head’s.

Verbal and written warnings would be given and ongoing discussion would always occur before such drastic action was taken unless it was a case of a single unacceptable action by the student. Even in such a case, the School having found that the student is liable to be excluded, discussion with parents and teachers would always take place before a final decision was taken. The decision is the Head’s. The Chair of Governors would be informed.

For example, a student may be excluded from Canbury:

1. If the student continues to break School rules (The Canbury Code) after warnings and previous punishments;
2. If the student is not prepared to accept School sanctions such as detentions;
3. If the student brings into the School (or takes at School) illegal drugs, tobacco, E-cigarettes, Vaping, CBD fluid/essence or alcohol;
4. If the student is a danger to other students or staff, including physical assault or threatening behaviour;
5. If the student personally disrupts lessons so that other students cannot learn;
6. If the student is a bad influence on other students;
7. If the student is grossly rude to member of staff or other employees of the School;
8. If all relevant facts are not disclosed on entry to the School;
9. If the student does not adhere to the anti-bullying policy including cyber-bullying;
10. For theft, sexual harassment, racist abuse, religious abuse, gender abuse, disability abuse, sexual misconduct and damage to property.
11. If a student has been found to have committed a criminal offence in or outside school or found to have behaved in a manner that tends to bring the School into disrepute.

**This list of examples is not exhaustive.**

If parents, after consultation, still disagree with the decision to exclude the student they should write to:

The Chair of the Governors’

Canbury School

Kingston Hill

Kingston upon Thames

Surrey

KT2 7LN

The Appeals Committee of Governors would be convened to hear their concerns. The student and his/her parents/guardians may, if they wish, be accompanied to the hearing by one “friend”. The Committee would either confirm the decision on exclusion or reinstate the student having suggested alternative sanctions. The Committee’s decision would be final.

# Breaches of discipline outside the School’s grounds

The School takes the conduct of its pupils out of school extremely seriously. A pupil’s misbehaviour outside of School can be damaging to the reputation of both the pupil and the School. Where a serious incident is reported to the School of a pupil’s poor behaviour outside of school, the School will follow the procedure set out in this policy.

This may apply in the following circumstances:

* + Misbehaviour when the pupil is:
    - taking part in any activity organised by the School, or related to the School; and/or
    - travelling to and from school; and/or
    - wearing PE uniform; and/or
    - in some other way identifiable as a pupil of the School.
  + Misbehaviour at any time, whether or not any of the above apply, that:
    - could have repercussions for the orderly running of the School; and/or
    - poses a threat to another pupil or member of the public; and/or
    - could adversely affect the reputation of the School.

In all cases, the above misbehaviour would apply whether it took place in person, over the telephone or online (including on social media).

# Exclusions Procedure

The Governors of Canbury School make available to the Head 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).

# Investigations

Before any sanction is issued under this Policy, the following procedure will apply. The Head will:-

* Ensure that an appropriate investigation has been conducted by a member of the SLT or Head of Year. As part of the investigation:-
  + The pupil(s) and staff involved may be asked to prepare written statements as soon as possible after the incident has taken place.
  + The pupil(s) may be interviewed informally by a member of staff to establish whether there are grounds for the reported complaint and/or a formal investigation. The School is not required to inform the parents that an informal meeting is to take place but will arrange for a member of staff to be present to support the pupil. A pupil who is waiting to be interviewed may be segregated and the School may confiscate a pupil's mobile phone or other personal belongings (as appropriate) for such a period as it is deemed necessary.
* Ensure that all the relevant evidence has been considered.
* Wherever possible, the Head will inform the parent(s) as soon as reasonably practicable of any incident that could lead to temporary or permanent exclusion or required withdrawal and of the details of the investigation taking place. This may not always be possible, in particular where on-going investigations produce new material.
* Give the pupil an opportunity to be heard and to put forward any mitigating factors, accompanied by a member of staff, or parent, if appropriate.
* Consult other relevant people, or agencies, if necessary.
* Consult with the parent(s) in person, or by telephone after the investigation but before a decision is reached.
* Consider the findings of the investigation.
* Hold a Disciplinary Hearing if appropriate (see below).
* Give a written decision about the incident and the appropriate sanction, together with reasons for those decisions, as soon as reasonably practicable.
* In circumstances involving the possibility of the pupil’s required removal on the grounds of unreasonable parental behaviour, the Head will meet with the parents.

On occasions, the Head may suspend a pupil and require them to remain at home whilst a complaint is being investigated, or require the pupil to remain under segregated arrangements in School.

If the Head considers that further investigation is needed, the meeting may be adjourned, and the reason for the adjournment will be explained to the pupil/their parents.

It may be necessary also on occasions to suspend an investigation where external agencies such as the police or Social Services are involved and they have deemed this necessary. Work will generally be set for a pupil to do at home during the period when they are suspended.

Consideration will be given to any relevant problems of the suspended pupil and how they might be addressed in the interim, together with the pupil’s reintegration post- exclusion.

The Head will advise the Chair of Governors before suspending a pupil.

# Disciplinary Hearing

A formal disciplinary hearing is necessary where the investigation has identified a case for the pupil to answer for which expulsion or required withdrawal is a possible outcome.

Preparation for the hearing

The Head will convene a hearing to consider the matter and will invite the pupil and her parents to attend the hearing.

The Chair of Governors will also be informed of the investigation and that a disciplinary hearing is to be held but shall not take part in either of them. Prior to the hearing, certain documents will be made available to pupils and parents, wherever possible. These documents may include, but are not limited to:

* a statement setting out the points of complaint;
* written witness statements;
* notes of the evidence in support of the complaint;
* the relevant school policies and procedures; and
* the investigation report.

Any such documents may be redacted or a summary provided for reasons of confidentiality and/or data protection. Any written submission provided by, or on behalf of the pupil must arrive at the Head’s office no later than the working day before the disciplinary hearing.

The pupil should be in attendance throughout the disciplinary hearing, and may be accompanied to the hearing by a member of staff. Legal representation is not appropriate and is not permitted. The Head should be informed of all attendees at least 24 hours before the disciplinary hearing.

Proceedings

The process to be followed at the disciplinary hearing shall be determined by the Head. The hearing will be conducted in a manner appropriate to the age, understanding and maturity of the pupil(s) involved, taking into account any additional needs of the pupil(s) in all circumstances.

Notes will be taken by the School during the disciplinary hearing and a copy of the notes will be provided to the parents.

The pupil will have an opportunity to provide her account of the circumstances surrounding the incident and both the pupil and her parents will be able to ask questions. The pupil and/or parents will also be able to address the Head on the issue of sanctions.

If the Head considers that further investigation is needed, the disciplinary hearing may be adjourned, and the reason for this adjournment will be explained to the pupil. If an adjournment is not necessary, the Head will make a decision after the hearing. The Head will give a written decision about the incident and the appropriate sanction, together with reasons for those decisions, as soon as reasonably practicable.

If the Head considers that exclusion or required withdrawal may be the appropriate sanction, the Head may take into account any previous disciplinary history, special educational needs, disabilities, cultural differences and any other favourable or unfavourable conduct that may be relevant to the case.

# Sanctions

**Suspension (Temporary Exclusion)**

Only the Head or in her absence, a member of the SLT to whom this authority has been temporarily given, can suspend a pupil.

Work will generally be set for a pupil to do at home during the period when they are suspended. In addition, consideration will be given to any relevant problems of the suspended pupil and how they might be addressed in the interim, together with the pupil’s reintegration post-suspension.

Temporary exclusion constitutes a clear warning about continued membership of the School. The Head is normally reluctant to temporarily exclude more than twice and will usually then move to permanent exclusion or required withdrawal.

# Removal at the Request of the School (Required Withdrawal)

Only the Head can require parents to remove/withdraw a pupil.

Parents may be required, during or at the end of a term, to remove the pupil permanently from the School if, in the opinion of the Head, there has been a breakdown of the relationship between the pupil and/or parent(s) and the School. This may arise through:

A breakdown of trust between the School and the parent(s). This may manifest itself in a number of ways, including, but not limited to:

* + - parent(s) not supporting the School in behaviour management;
    - vexatious behaviour, such as parents repeatedly bringing unsubstantiated claims;
    - abusive or unreasonable behaviour by parents to the School's staff, pupils or other parents;
    - parent(s) failing or refusing to provide us with information we consider to be satisfactory as to their identity, their child’s identity, their child’s right to enter, live and study in the United Kingdom, or the source of funds they are using to pay the fees, as required under the Parent Contract.
    - A breakdown of trust between the School and the pupil. This may manifest itself in a number of ways, including, but not limited to:
    - persistent misconduct;
    - when a pupil has brought a malicious or unjustified allegation against a member of staff and where there are reasonable grounds that this may happen again in the future;
    - when the conduct or progress of the pupil has been unsatisfactory or if the pupil is unwilling or unable to profit from the educational opportunities offered.
    - other circumstances where the Head (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.

There will be no refund of fees following required withdrawal and all unpaid fees and extras must be paid. The deposit will not be returned/credited, but fees in lieu of notice will not be charged.

In making decisions about required withdrawal, the Head may take into account any previous disciplinary history, special educational needs, disabilities, cultural differences and any other favourable or unfavourable conduct that may be relevant to the case.

# Expulsion (Permanent Exclusion)

Only the Head can permanently exclude a pupil.

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 School and 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.

Some parents prefer, after due consideration, voluntarily to withdraw their child rather than the School imposing permanent exclusion. However, the Head reserves the right to insist on permanent exclusion.

If the Head agrees that the pupil may be withdrawn by the parents in order to avoid permanent exclusion, there is no right of appeal (see below).

There will be no refund of fees following expulsion or voluntary withdrawal as above and all unpaid fees and extras must be paid. The deposit will not be returned/credited, but fees in lieu of notice will not be charged.

In making decisions about exclusion, the Head may take into account any previous disciplinary history, special educational needs, disabilities, cultural differences and any other favourable or unfavourable conduct that may be relevant to the case.

# Appeal

A decision permanently or temporarily to exclude, or require withdrawal of a pupil 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 Chair of the Board of Governors and agree on the issues relating to exclusion. If parents are not satisfied with the Head’s decision to exclude or to require withdrawal, they may appeal in writing to the Head