

## Exclusion Policy

This policy sets out the school's expectations for classroom practice and the responsibilities of different staff in contributing to an outstanding learning environment it should be read in conjunction with the following policies.

Child Protection and Safeguarding Policy	Acceptable Use and eSafety Policy
Early Years Policy	Inclusion Policy
Equality Policy	Health and Safety Policy
Special Educational Needs Policy	

The following have been considered in the development of this policy:

<a href="#">Behaviour and Discipline in School 2016</a>
<a href="#">Equality Act 2010</a> (Abolition of Corporal Punishment) (Independent Schools) Regulations 1989
<a href="#">Education (Independent School Standards) Regulations 2014</a>
<a href="#">Preventing and Tackling Bullying (July 2017)</a>
<a href="#">Cyberbullying: advice for Headteachers and School Staff (2014)</a>
<a href="#">Keeping children safe in education 2023</a>
<a href="#">‘Use of reasonable force’ (2013, reviewed 2015)</a>

## Contents

Introduction .....	2
Fixed Term Exclusion and Permanent Exclusions .....	2
Reasons for Exclusion .....	3
Policy Review and Dissemination.....	4
Appendix.....	5
A guide to procedure for serious breaches of behaviour standards .....	5

Date of update	(U) Updated (R) Reviewed by	How was updated disseminated	Parents informed	Policy on website	Gov rev
Sept 2018	H. Gee (U)		Yes	Yes	
Dec 2019	H.Gee	Email to all staff	Yes	Yes	
Nov 2020	H. Gee	Teams notification and link			
Jan 2022	H. Gee	Staff briefing / TEAMs link shared	Yes	Yes	
Jan 2023	H. Gee (R)	TEAMs link shared			
Dec 2023	H. Gee (R)	TEAMs link shared			

## Introduction

Bowdon Preparatory School seeks to avoid exclusions. These take place only for very serious incidents or when other strategies, that have been tried and tested, have failed over time. Each child and situation will be treated individually. We will always work with all the staff and parents to ensure the best interests of the child, only as a last resort will exclusion be considered.

Pupils guilty of serious misconduct may be liable to either fixed-term or permanent exclusion. In circumstances where a pupil's behaviour, while she is not at school (as defined below), damages or threatens, actually or potentially, the wellbeing of any member of the school community or the reputation of the school, the school may investigate the pupil's conduct. As a result of this investigation, if it is considered appropriate to protect the wellbeing of other pupils and the school's reputation, sanctions may be imposed proportionate to the seriousness of the misconduct.

When judging whether to exclude a pupil permanently or for a fixed-term, the school will take into account all the circumstances: these will include the age of the pupil, the seriousness of the offence, its impact upon the school and any member of the BPS community (pupils and staff), and any extenuating circumstances raised by the pupil in his/her defence.

For the purposes of this policy "at the school" means each of the following:

- on school premises;
- anywhere where a pupil is engaged in an activity organised by School staff or anyone acting on behalf of the school; and
- whenever and wherever the pupil is wearing school uniform or other clothing which identifies her as a BPS pupil

"Serious Misconduct" means :

- violent or threatening behaviour
- indecent, offensive, abusive, bullying or harassing behaviour
- theft
- deliberate or reckless damage to property
- rudeness to a member of staff or other adult involved in or encountered in the course of an event organised by the school, or acting on behalf of the school
- serious misuse of School ICT facilities (see the ICT Acceptable Use Policy)
- repeated breaches of the Behaviour Policy
- distribution of illegal drugs
- bringing into school objects which may cause harm to other members of the community or pornographic literature or images.
- engaging in sustained bullying of other pupils
- making allegations against a member of the school community which are confirmed to be malicious
- malicious use of social media

## Fixed Term Exclusion and Permanent Exclusions

We expect all members of the school community to act in a reasonable, supportive and respectful manner in ensuring the well-being of our community. Where this is compromised by serious misconduct of a child or parent, exclusion will be considered.

Bowdon Preparatory School will apply its behaviour and anti-bullying policies in a consistent, rigorous and non-discriminatory way and all areas of application of these policies will be monitored routinely. The following forms of exclusion are considered as an ultimate sanction

- On-site Exclusion – removal from usual activities but not from the school site, such an exclusion will last up to a full day. An internal exclusion may be the initial part of a fixed term exclusion while the school awaits the

collection of the child by parents.

- Fixed Term Exclusion – the child is removed from school for set period of time at the discretion of the school.
- Permanent Exclusion – the child is removed from the school roll. This will be preceded by a fixed term exclusion to ensure proper investigation and consideration of events.

Parents are also subject to the above conditions, relating to fixed term and permanent exclusion, where the welfare of other members of the school community is threatened by the conduct of a parent. Sanctions applied to a parent may include:

- On site - Access to the site and school events is only permitted under certain conditions.
- Fixed Term - Barring the parent from the site and school events for a fixed period
- Permanent – Permanent barring from the school site. Removal of children from the school roll.

The school will communicate with the police where it is deemed necessary for the welfare of the community.

The power to exclude a pupil can only be exercised by the Headmistress or Phase Leader in the absence of the Headmistress, and then only in consultation with the Headmistress. If the Headmistress excludes a pupil, the parents are informed immediately, giving reasons for the exclusion. The Headmistress will discuss all exclusions with a member of the Governing Body. A member of the Safeguarding committee will monitor exclusions and ensure that the school policy is administered fairly and consistently.

## Reasons for Exclusion

The continued presence of any pupil in the school is solely at the discretion of the Headmistress and depends upon the pupil's application, progress, conduct, attendance and behaviour (including outside of school) being in accordance with such standards as the school deems necessary and appropriate.

Exclusion may be the result of repeated failure to abide by the school's expectations of good conduct or an act of serious misconduct.

Every pupil has a right to confidentiality during the consideration of a possible exclusion; an investigation will be undertaken in the strictest confidence and the details only disclosed to those who need to know. This does not preclude the conclusion of an investigation being made public to the school community on completion of an investigation, if the person being investigated has been found to be culpable. If the School decides (after completing the investigation or as a result of new evidence and further investigation) that it is necessary to extend a fixed term temporary exclusion or to convert it into a permanent exclusion, the Headmistress will write again to the parent with the reasons for this decision. Where exclusion has taken place the parents will be notified immediately, followed by a letter. This will detail the following:

- Length of exclusion and whether it is temporary or permanent.
- Reasons for the exclusion.
- Parents' right to make representation to the Head. If they are not satisfied with the Head's decision, stage 3 of the school's complaints procedure (the panel hearing) will be used as a template for an appeal against a permanent exclusion. During an appeal process, an exclusion will remain in place, except at the discretion of the Headmistress.

The child will be given work to do at home for the first five days of a fixed term exclusion.

Telephone number for the Advisory centre for education (ACE) exclusions information line is 0207 704 9822 or [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

## Policy Review and Dissemination

All members of staff and Governors will receive a copy of this policy. Copies may be reviewed by parents. This policy will be reviewed, evaluated and updated as required and formally on an annual basis to assess its relevance and effectiveness.

# Appendix

## A guide to procedure for serious breaches of behaviour standards

In drawing up the procedure below, the School has had due regard to DfE guidance Behaviour and Discipline in Schools: guidance for headteachers and staff, which provides a helpful benchmark of good practice.

The procedure which will normally be followed is set out below but does not have contractual effect. All procedures will be conducted fairly and in a way that is appropriate to the circumstances.

### **Rules of Natural Justice**

The School's procedure is based on the principles of natural justice. These can be summarised in the following two basic rules:

- No person is to be a judge in their own cause; and
- No person is to be condemned unheard.

The rules are therefore concerned with the manner in which a decision is taken. The over-arching principle is a duty to act fairly. Whilst the precise procedure to be followed in a given situation depends on the circumstances of the case, some key principles are as follows:

- A fair and thorough investigation should take place
- Pupils must be informed of the allegation and the evidence relied upon
- Pupils must be given a fair opportunity to exculpate themselves
- An appeal of the Head's decision should be offered.

### **The procedure**

It is very important to follow the correct procedures so that a fair decision-making process is followed from the outset.

#### First Steps

When a serious sanction or potential exclusion presents itself, some key considerations are as follows:

#### **What exactly is the allegation?**

Clarity at this stage is essential, not least because the pupil must be informed of the case against them. For example, if the allegation is that pupil A bullied pupil B, pupil A should be told all the elements of this (ie the identity of the other pupil, what was allegedly happened, when and where) and asked to explain what happened.

#### **What information is available and what further information is required?**

Consider what evidence is already available to support the allegation. Next, consider what additional information is required and how best to obtain it.

#### **Is anyone at risk ie do the police or social services need to be informed?**

#### **Who should be dealing with this?**

In most circumstances it will generally make sense for the investigation to be carried out by the Phase Leader. The Headmistress will ensure that a fair and thorough investigation will be held into the allegations against an individual pupil.

Key issues are as follows:

#### **Information gathering.**

Before any decisions are taken regarding sanctions, it is essential to establish the facts.

**Should another adult be present?**

Where a member of staff investigating the matter deems it necessary to interview pupils, they will be accompanied by an appropriate adult (which will usually be a member of staff). However, this need not be a parent. A neutral adult such as the School Secretary, or another member of staff is preferable. The pupil will be informed of the allegation and the evidence relied on by the member of staff investigating the incident and will be given a chance to respond to these allegations and give their version of events.

**When should the parents be informed?**

This will always depend on the facts of the particular case. As a general rule, however, it will normally make sense for the parents to be informed after initial investigations have been made. However, parents will be informed, as soon as reasonably practicable and usually ahead of any investigation, if a complaint under investigation is of a nature that could result in the pupil being excluded. Similarly, in cases where Social Services or the Police become involved, parents will usually be informed as soon as possible.

**Should suspects be kept apart?**

Yes, to the extent that this is reasonably possible. The pupil should be told not to discuss the matter with other pupils and, in particular, with the other pupils involved. This is particularly important where the accusation relates to issues such as bullying and physical or verbal abuse.

**When is suspension appropriate?**

In particularly serious cases it may be appropriate for the pupil to be suspended. It is important to be realistic in assessing how long the suspension needs to be. Any suspension should in principle be as brief as possible. If a relatively lengthy suspension is unavoidable, arrangements should be made for work to be sent home and marked. Parents should be told immediately of any decision to suspend and this should be followed up within one school day by a confirmatory letter.

Unless the Headmistress considers that further investigation is needed, they will decide whether the complaint has been sufficiently proved. If the Head is satisfied that, on the balance of probabilities, the pupil did what she is alleged to have done, the Head will decide on the appropriate sanction.

If the complaint has been proved, the Head will consider the range of disciplinary sanctions which they consider are open to them. The Head will consider any factors they deem to be relevant when determining the sanctions including the pupil's disciplinary record. Then, or at some later time, the Head will give their decision, with reasons.

In considering the appropriate sanction, the Head will look at each case on its own merits. In considering whether permanent exclusion is the most appropriate sanction, the Head will consider:

1. the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the school's Behaviour Policy and school rules, and
2. the effect that the pupil remaining in the school would have on the education and welfare of other pupils and staff.
3. The Headmistress may, as an alternative for less serious breaches of school discipline, temporarily suspend a pupil from the school.

All sanctions will be proportionate and reasonable and will take account the pupil's age, any SEND the pupil may have and any religious requirements affecting them.

If it is decided that a permanent exclusion is necessary, then an appeal will be offered to parents of the excluded pupil.

[Move to top of document](#)