



Exclusion, Expulsion, Removal and Review

Policy

A pupil may be excluded for a fixed period of time (temporary exclusion/suspension) or excluded permanently (expelled) from Rowan Preparatory School, or parents/guardians 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 which may result in expulsion or removal are:

- Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco.
- Theft, blackmail, physical violence, intimidation, racism and persistent bullying.
- Misconduct of a sexual nature; supply and possession of pornography.
- Possession or use of unauthorised firearms or other weapons.
- Vandalism and computer hacking.
- Cyber bullying or use of Social media to bring the school into disrepute
- Persistent attitudes or behaviour which are inconsistent with the ethos of Rowan Preparatory School.
- Other serious misconduct towards a member of the school community or which brings Rowan Preparatory School or United Learning into disrepute (single or repeated episodes) on or off school premises.

Action will be taken following a single offence where that offence is deemed to be sufficiently grave. In most cases, temporary exclusion will be the result of a first offence, although the Headmistress may at her discretion permanently exclude any pupil for a first offence which is considered to warrant such a step.

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/guardians will have been consulted before such a stage is reached in an attempt to correct the behaviour.

A pupil may also be required to leave if, after all appropriate consultation, the Headmistress is satisfied that it is not in the best interests of the pupil, or of the school, that she remains at Rowan Preparatory School.

The aim of this policy is:

- To ensure procedural fairness and natural justice
- To promote co-operation between Rowan Preparatory School and parents/guardians when it is necessary for a pupil to leave earlier than expected.

Rowan Preparatory School seeks to implement this policy through adherence to the procedures set out in the rest of this document and in conjunction with the school's Behaviour and Discipline, Anti-bullying, Admissions and Complaints policies and procedures.

The policy applies to all pupils at Rowan Preparatory School including those in our EYFS setting, but does not cover cases when a pupil has to leave because of ill-health, non-payment of fees, or withdrawal by her parents/guardians.

Rowan is fully committed to ensuring that the application of this policy is non-discriminatory in line with the UK Equality Act (2010). Further details are available in the school's Equal Opportunity Policy document.

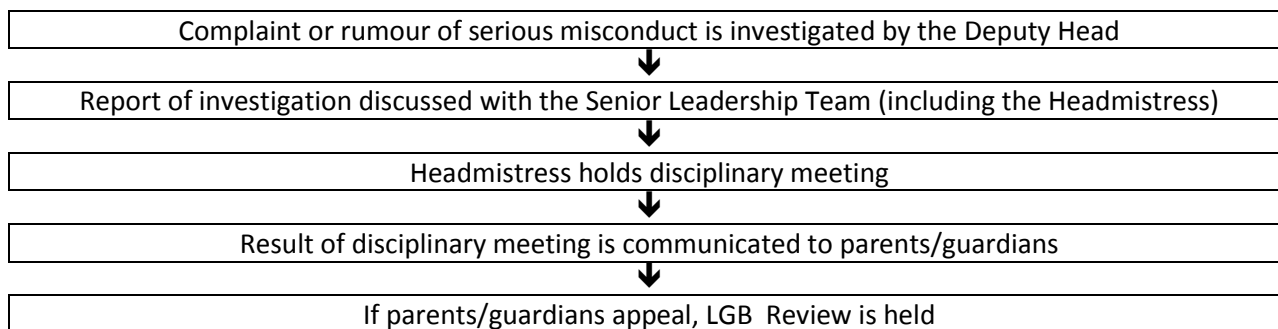
For information:

References to "Parent" includes one or both of the parents/guardians, a legal guardian or education guardian. "Removal" means that a pupil has been required to leave, but without the stigma of expulsion. Subheadings are for ease of reading and not part of the policy.

This policy is available to all interested parties on our school website and available on request from the school office in line with our Provision of Information policy.

Procedures

1 Summary of process:



2 Investigation procedure

Ethos: An investigation and any subsequent meeting will be conducted fairly with respect for individuals and for natural justice and in a way which is appropriate to a school, without formal legal procedures.

Complaints: Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by the Deputy Head.

Suspension: A pupil may be suspended while a complaint is being investigated.

Search: On suspicion, consent should be sought for any searches of pupils' belongings or property eg lockers. Any searches must be in the presence of a second adult witness. Individuals should be aware that if consent is refused the school may proceed in calling the Police or the parent. Physical searches of pupils are not allowed by the law.

Interview: If a pupil is interviewed formally about a complaint it must take place with another adult present. Parents /guardians may be invited to accompany their child and maybe required to do so where there is a special educational need and/or staff judge the pupil insufficiently mature to understand the significance of the process. In all circumstances the following protocols will be observed.

- Explain that answers to questions will be written down.
- Explain what has been alleged (although confidentiality may not allow the accused to be told by whom).
- Read through the notes, and ask the pupil (or the parent accompanying them) to sign, date and time the notes, and ask the witness to do the same.
- Inform the pupil of the next stages of the investigations.

A statement will then be written setting out the points of complaint. If deemed necessary the Headmistress will decide whether to continue.

3 Disciplinary meeting

Ethos: An investigation and any subsequent meeting will be conducted fairly with respect for individuals and for natural justice and in a way which is appropriate to a school, without formal legal procedures.

Preparation: The Chairman of the Local Governing Body will be informed of the investigation. Documents available at the disciplinary meeting before the Headmistress will include:

- A statement setting out the points of complaint against the pupil.
- Written statements and notes of the evidence supporting the complaint, and any relevant correspondence.
- The Investigation Report.
- The pupil's school file and (if separate) conduct record.
- The relevant school policies and procedures.

Attendance: The pupil and her parents/guardians (if available) will be asked to attend the disciplinary meeting with the Headmistress at which the Deputy Head will explain the circumstances of the complaint and the investigation. The pupil may also be accompanied by a member of staff of her choice. The pupil and her parents/guardians 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.

Proceedings: There are potentially three distinct stages of a disciplinary meeting:

- The complaints - the Headmistress will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless the Headmistress considers that further investigation is needed, she will decide whether the complaint has been sufficiently proved. The standard of proof shall be the civil standard, ie the balance of probabilities. Appropriate reliance may be placed on hearsay evidence but the Headmistress will not normally refer to the pupil's disciplinary record at this stage.
- The sanction - if the complaint has been proved the Headmistress 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 his behalf wish to make. The pupil's disciplinary record will be taken into account. Then, or at some later time within three working days the Headmistress will give her decision, with reasons.
- Leaving status - if the Headmistress decides that the pupil must leave the School, she will consult with a parent before deciding on the pupil's leaving status (see below).

Delayed Effect: A decision to expel or remove a pupil shall take effect three working days after the decision was first communicated to a parent. Until then, the pupil shall remain suspended and away from school premises. If within three working days the parents/guardians have made a written application for a Review by the Local Governing Body, the pupil shall remain suspended until the Review has taken place.

4 Leaving status

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

Detail: Additional points of leaving status include:

- The form of letter which will be written to the parents/guardians and the form of announcement in the School that the pupil has left.
- The form of reference which will be supplied for the pupil.
- The entry which will be 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/guardians or another school.
- Whether (if relevant) the pupil will be permitted to return to school premises to sit public examinations.
- Whether (if relevant) the School can offer assistance in finding an alternative placement for the pupil.
- Whether the pupil will be entitled to leavers' privileges.
- Whether the pupil will be eligible for membership of the Old Girls' Association and if so from what date.

- 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; refund of prepaid fees.

5 United Learning Local Governing Body Review

Request for Review: A pupil or her parents/guardians, aggrieved at the Headmistress' decision, may make a written application for a United Learning Review. The application must be received by the Chief Executive within five working days of the decision being notified to a parent.

Grounds for Review: In their application the parents/guardians must state the grounds on which they are asking for a review and the outcome which they seek.

Review Panel: The Review will be undertaken by a three member sub-committee of the United Learning Local Governing Body comprising of three members nominated by the Chairman. The panel members will have no detailed previous knowledge of the case or of the pupil or parents/guardians and will not normally include the Chairman of United Learning Local Governing Body. Parents/guardians 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.

Review Meeting: A Review will not normally take place during school holidays. A Review Meeting is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law.

Attendance: Those present at the Review Meeting will normally be:

- Members of the Review Panel.
- The Headmistress and any relevant member of staff whom the Headmistress, the pupil or her parents /guardians have asked should attend and whom the Headmistress considers should attend in order to secure a fair outcome.
- The pupil, together with her parents /guardians and, if they wish, a member of the school staff who is willing to speak on the pupil's behalf. The parents /guardians may be accompanied by a friend or relation. [The United Learning Local Governing Body must be given 7 days' notice if the friend or relation is legally qualified.]
- A scribe to keep a written record of the main points of the meeting

Conduct of Meeting: The meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in an informal manner. All statements made at the meeting will be unsworn. The proceedings will not be tape-recorded without the consent of both the Chairman of the Review Panel and a parent and any tape-recording will be used only to assist the panel members in reaching their decision and formulating their reasons and will belong to the School. The Scribe will be asked to keep a hand-written minute of the main points which arise at the meeting. All those present will be entitled, should they wish, to write their own notes. The meeting will be directed by the Chairman of the Review Panel 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 Chairman of the Review Panel 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 questions raised by the pupil or her parents/guardians so far as relevant to:

- Whether the facts of the case were sufficiently proved when the decision was taken to expel or remove of the pupil. The civil standard of proof, namely, "the balance of probability" will 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/guardians are dissatisfied with any aspect of the meeting they must inform the Chairman of the Review Panel at the time and ask the Scribe to note their dissatisfaction and the reasons for it.

Identification: If the Headmistress considers it necessary in the interests of an individual or of the School that the identity of any person should be withheld, the Chairman of the Review Panel may require that the name of that person and the reasons for withholding it be written down and shown to the Panel Members. The Chairman of the Review Panel at his/her discretion may direct that the person be identified, or not as the case may be.

Pupil's Character: Up to two members of the school staff may speak generally about the pupil's character, conduct and achievements at the School if they are willing to do so.

Leaving Status: If, having heard all parties, the Panel is minded to confirm the Headmistress' earlier decision, it is open to the Panel, with agreement of the Headmistress, the pupil and her parents/guardians to discuss the pupil's leaving status with a view to reaching agreement.

Decision: When the Chairman of the Review Panel decides that all issues have been sufficiently discussed and if by then there is no consensus, s/he may adjourn the meeting; alternatively the Chairman of the Review Panel may ask those present to withdraw while the Panel considers its decision. In the absence of a significant procedural regularity, the decision of the Review Panel will be final. It will be notified, with reasons, to the parents/guardians by the Chairman of the Review Panel or the Chairman of United Learning Local Governing Body by letter within three days of the meeting.

This document is reviewed annually by the Headmistress or as events or legislation change requires. The next scheduled date for review is November 2019.