

# Exclusions

## 1. Policy Statement

*At Bournemouth Collegiate School we expect the school to be a place where:*

- *all individuals are respected and their individuality valued within the school*
- *pupils are encouraged to achieve*
- *self-discipline is promoted and good behaviour is expected*
- *rewards and sanctions are applied fairly and consistently*
- *bullying or anti-social behaviour is not tolerated and is pro-actively combated*

*With this in mind, a pupil may be excluded from Bournemouth Collegiate School, or parents may be asked to remove a pupil, or a pupil may be required to leave permanently if a series of disciplinary offences has been committed or if an exceptional 'one-off' offence has been committed (as detailed below). The policy applies to all pupils at Bournemouth Collegiate School, including boarders and those in our EYFS setting, but does not cover cases when a pupil has to leave because of ill-health or withdrawal by his/her parents.*

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

*In line with our Provision of Information policy, this document is available to all interested parties on our website and on request from the Senior school and Prep school offices and should be read in conjunction with the following documents: the school's statement of ethos and aims, Behaviour, Rewards and Sanctions, Admissions, Equal Opportunities, Complaints, Drugs*

*The aim of this policy is:*

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

*This document is reviewed annually by Alison Davies and Kay Smith or as events or legislation change requires. The next scheduled date for review is October 2012.*

## 2. Key Personnel

Exclusions in the Senior school are authorised by the Principal or, in his absence, the Vice Principal. Exclusions in the Prep school and EYFS are authorised by the Head of Prep, Kay Smith in consultation with the Principal.

The DCE of UCST is always notified of potential exclusions.

### **3. Procedures**

A pupil may be excluded for a fixed period of time (temporary exclusion / suspension) or excluded permanently (expelled) from Bournemouth Collegiate School, 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 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, 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
- Persistent attitudes or behaviours which are inconsistent with the ethos of Bournemouth Collegiate School
- Other serious misconduct towards a member of the school community or which brings Bournemouth Collegiate School or the United Church Schools Trust into disrepute (single or repeated episodes) on or off school premises.

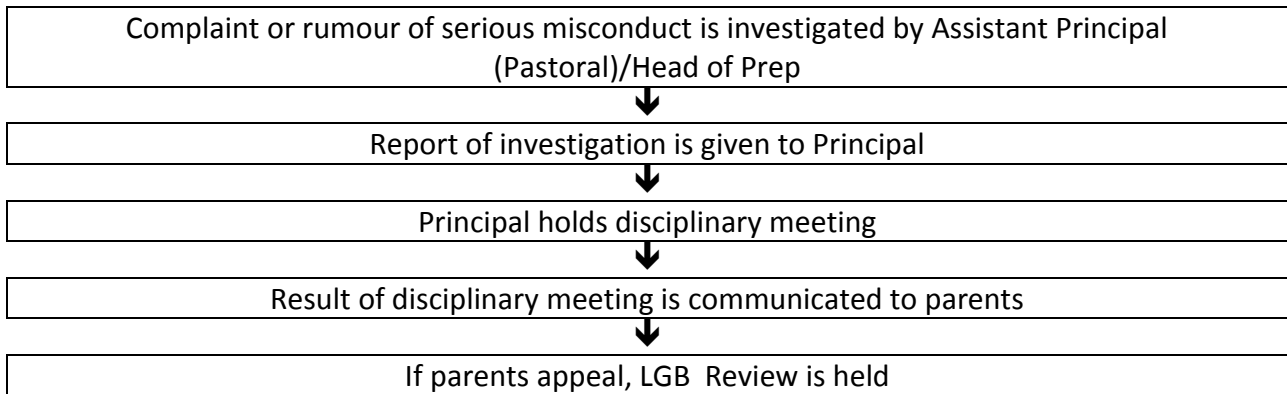
Action will be taken following a single offence where that offence is deemed to be sufficiently grave. In most cases, temporary exclusion will be the result of a first offence, although the Principal and Assistant Principal (Pastoral) may at their discretion to permanently exclude any pupil for a first 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 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 Principal is satisfied that it is not in the best interests of the pupil, or of the school, that he/she remains at Bournemouth Collegiate School.

The policy applies to all pupils at Bournemouth Collegiate School [whether or not in the care of the school] including boarders and 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 his/her parents.

## 1. SUMMARY OF PROCESS



## 2. INVESTIGATION PROCEDURE

**Ethos:** An investigation 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 coordinated by the Assistant Principal (Pastoral)/Head of Prep and its outcome will be reported to the Principal.

**Suspension:** A pupil may be suspended (temporarily excluded from school) while a complaint is being investigated.

**Search:** On suspicion, consent is sought for any searches of pupils' belongings or property e.g. lockers. Any searches are 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 will take place with another adult present. Parents will be requested to accompany pupils under the age of 11 or who, because of a special educational need, staff judge insufficiently mature to understand the significance of the process. In all circumstances the following protocols will be observed.

- It will be explained that answers to questions will be written down
- What has been alleged will be clearly explained (although confidentiality may not allow the accused to be told by whom)
- Notes of the interview will be read through at the end and the pupil (or the parent accompanying them) and the witness will be asked to sign, date and time the notes
- The next stages of the investigation will be explained

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

### 3. DISCIPLINARY MEETING

**Ethos:** 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 Chair of the Local Governing Body will be informed of the investigation. Documents available at the disciplinary meeting before the Principal 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 Vice Principal's Investigation Report (Senior) / Head of Prep's Investigation Report (Prep)
- The pupil's school file and (if separate) conduct record
- The relevant school policies and procedures.

**Attendance:** The pupil and his/her parents (if available) will be asked to attend the disciplinary meeting with the Principal at which the Assistant Principal (Pastoral)/Head of Prep will explain the circumstances of the complaint and the investigation. The pupil may also be accompanied by a member of staff of his/her choice. The pupil and his/her parents 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 Principal will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless the Principal considers that further investigation is needed, he will decide whether the complaint has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities. Appropriate reliance may be placed on hearsay evidence but the Principal will not normally refer to the pupil's disciplinary record at this stage.
- **The sanction** - if the complaint has been proved the Principal will outline the range of disciplinary sanctions which he considers are open to them and this may include exclusion from the school for a fixed period of time. He will take into account any further statement which the pupil and/or others present on his/her 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 Principal will give his decision, with reasons.
- **Leaving status** - If the Principal decides that the pupil must leave the school, he 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 will take effect three working days after the decision was first communicated to a parent. Until then, the pupil will remain suspended and away from school premises. If within three working days the parents have made a written application for a Review by the Local Governing Body, the pupil will remain suspended until the Review has taken place.

## ***Leaving status***

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

Additional points of leaving status to be decided include:

- The form of letter which will be written to the parents 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, his/her parents 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
- 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.

## **4. UCST LOCAL GOVERNING BODY REVIEW**

**Request for Review:** A pupil or his/her parents, aggrieved at the Principal's decision, may make a written application for a UCST Local Governing Body [LGB] Review. The application must be received by the Chief Executive within three working days of the decision being notified to a parent.

**Grounds for Review:** In their application the parents 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 Local Governing Body comprising of three members nominated by the Chair of the Local Governing Body. 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 Local Governing Body. 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.

**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 Principal and any relevant member of staff whom the Principal, the pupil or his/her parents have asked should attend and whom the Principal considers should attend in order to secure a fair outcome
- The pupil, together with his/her parents and, if they wish, a member of the school staff who is willing to speak on the pupil's behalf. The parents may be accompanied by a friend or relation [The Local Governing Body must be given 7 working 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 Chair 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 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 Chair 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 Chair 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 his/ her parents 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 his/her parents are dissatisfied with any aspect of the meeting they must inform the Chair of the Review Panel at the time and ask the scribe to note their dissatisfaction and the reasons for it.

**Identification:** If the Principal considers it necessary in the interests of an individual or of the school that the identity of any person should be withheld, the Chair 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 Chair 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 Principal's earlier decision, it is open to the Panel, with agreement of the Principal, the pupil and his/her parents to discuss the pupil's leaving status with a view to reaching agreement.

**Decision:** When the Chair 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 Chair of the Review Panel may ask those present to withdraw while the Panel considers its decision. In the absence of a significant procedural irregularity, the decision of the Review Panel will be final. It will be notified, with reasons, to the parents by the Chair of the Review Panel or the Chair of Local Governing Body by letter within three working days of the meeting.

### **Alternatives to Exclusion**

Before resorting to exclusion the school will normally try alternative solutions, unless the offence is so severe or extreme that the Principal judges this not to be appropriate:

For example:

- A restorative justice process – whereby the harm caused to the 'victim' can be redressed
- Internal exclusion (removal from class, but not the site)
- Temporary exclusion (suspension)

### **Inappropriate Exclusion**

The school does not see exclusion as normally appropriate in the following cases (and other means of internal discipline will be applied):

- Minor breaches of discipline
- Poor academic performance
- Truancy or lateness

### **Parental Co-operation**

Parental co-operation forms part of the contract between the school and all parents of pupils at the school. A refusal to abide by the terms of exclusion may be considered a breach of contract.

### **Continuing Education**

The School will continue to provide education for a pupil who remains on roll and in the case of an exclusion of more than 15 days, the school will consider:

- How the pupil's education will continue
- How his/her problems might be addressed in the interim
- Reintegration post-exclusion

### **Involvement of Parents**

Parents will be involved in discipline cases as appropriate. Individual staff should inform the Head of Prep School or Assistant Principal (Pastoral and Discipline) when they have contacted parents about discipline issues. Parents are also encouraged to support good behaviour and positive habits in their children through the school's 'Home-School Agreement', and at parent meetings.

## **Policy Summary (for inclusion in Pupil Handbook)**

At Bournemouth Collegiate School, a pupil will not be excluded temporarily (suspended) or excluded permanently (expelled) without grave cause. The circumstances which may lead to exclusion or expulsion (or Required Removal as an alternative to expulsion) include:

- ❑ 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
- ❑ Persistent attitudes or behaviours which are inconsistent with the ethos of BCS
- ❑ Other serious misconduct towards a member of the school community or which brings BCS or the United Church Schools Trust into disrepute (single or repeated episodes) on or off school premises

A complaint which could lead to you being expelled or required to leave the school permanently will be investigated thoroughly and fairly. You will have an opportunity for the assistance of your parents and/or a teacher to state your side of the case and you would also have a right to ask for the decision to be reviewed by a panel of the UCST Local Governing Body.