



PUPIL DISCIPLINE AND EXCLUSION POLICY

(Senior and Prep and Early Years Foundation Stage)

Our Vision

To be a school that lives the Gospel values, promotes the dignity of every individual and is committed to excellence.

Mission Statement

We are a Catholic School where every pupil, regardless of her individual faith:

- is valued
- is a member of a thriving, happy community
- is inspired to achieve academic excellence
- is given a wide range of opportunities to develop her talents
- is prepared for the challenges of adult life
- is helped to fulfil her responsibilities to self, family and society

Introduction

This policy is intended to clarify the School's procedures on serious sanctions, including suspension, expulsion and the removal of pupils. It is designed to be fair to all concerned, and to assist co-operation between School and parent. In the Prep Department the procedures set out below may need to be adapted as appropriate but the principles remain the same.

1. **Scope:** This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be expelled from the School, or required to leave permanently for misconduct or other reasons. The policy applies to all pupils at the School [whether or not in the care of the School] but does not cover cases when a pupil has to leave because of ill-health, non-payment of fees, or is withdrawn by her parent.
2. **Interpretation:** "Parent" includes one or both of the parent, 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 contains the following sections:

1. Policy Statement
2. Roles within the school community
3. Expectations of behaviour
4. General matters relating to the disciplinary process
5. Investigation procedures
6. Available sanctions
7. Appeal Process

1. Policy Statement

The Governors expect the School to be a place where:

- all individuals are respected and their individuality valued
- pupils are encouraged to achieve
- self-discipline is promoted and good behaviour is the norm
- rewards and sanctions are applied fairly and consistently

The Head has the day-to-day responsibility for maintaining discipline in the school, which will include making rules and provision for enforcing them. The Head will:

- promote self-discipline and proper regard for authority among pupils
- encourage good behaviour and respect for others, and prevent all forms of bullying among pupils
- otherwise regulate the conduct of pupils

The aims of this policy are:

- to support the School's behaviour and discipline code
- to ensure procedural fairness and natural justice
- to promote cooperation between the School and parent when it is necessary for a pupil to leave earlier than expected.

2. Roles within the school community

2.1 Pupils

The School Council will, at times, be involved in reviewing and discussing policies which relate to pupil behaviour and sanctions, and wider discussions in Form groups will inform the deliberations of the School Council, and ensure 'pupil voice' is considered.

Where pupils are involved in investigations that could lead to disciplinary sanctions, high priority will be given to their wellbeing, regardless of the reason for their participation. The school will remain ever mindful that those who have committed transgressions may have significant pastoral needs, and attention to this will be paid in the manner of investigation and delivery of sanctions. Where required, the pupil will be provided with support from the School's Independent Listener.

2.2 Staff

All staff are expected to encourage pupils' good behaviour and respect for others, and to apply all rewards and sanctions fairly and consistently. Well planned, interesting and demanding lessons make a major contribution to good discipline, and Heads of Department/staff with subject responsibility are charged with ensuring that lessons are of a consistently high standard.

The working of the School's policies and procedures will be discussed regularly at staff meetings. Staff will also be involved in discussions with pupils in Tutor Group time. Staff will also be called upon from time to time to identify problems that may be behind any bad behaviour, and to suggest possible courses of action.

2.3 Parent

It is the expectation of the School that parent will encourage their daughters to maintain good behaviour and positive habits, and adhere to all aspects of the School Rules and any other behaviour expectations set out by the School. The parent has the opportunity to discuss any questions they have regarding behaviour expectations with the School.

Where pupils are believed to have transgressed, the School will make a decision at what stage in any investigation to inform her parent. This may depend on the alleged nature of the transgression. It is to be expected that contact with the parent will usually be after the initial stages of the investigation have been carried out. The rationale for this includes, but is not limited to:

- the need to protect any of those involved, including any target, witnesses or the perpetrator
- the need to allow the investigation to proceed without any external influence
- the need to avoid involving parent or external parties, before reasonable steps have been taken to conclude that an offence has been committed.

Once an investigation has concluded, the findings will be shared with the parent, and they will be given the opportunity to ask any clarifying questions. Where it is deemed that suspension or expulsion are the appropriate sanction, the parent will be invited to attend a meeting with the Headmistress or to discuss the matter by telephone. Should the parent wish to appeal an expulsion, they should refer to the Appeal Process (section 8, below). As at all times, the Complaints Policy is also available to the parent.

Parental cooperation forms part of the contract between the School and all parents of pupils at the School. A refusal to abide by the terms of a suspension or expulsion may be considered a material breach of contract.

3. Expectations of Behaviour/disciplinary sanctions

The school has high standards of behaviour and endeavours to encourage good habits of work and behaviour from the moment a child enters the School, and to foster a positive and safe atmosphere.

These expectations are outlined in the Pupil Code of Conduct, found within the Behaviour Management Policy and included in pupil diary planners. All staff are expected to promote self-discipline amongst pupils and to deal appropriately with any unacceptable behaviour.

3.1 Available sanctions

All rewards and sanctions must be applied fairly and consistently and in accordance with the School's policies, including the Equal Opportunities Policy. Sanctions will not be implemented in a manner that is considered degrading or humiliating.

Details of the rewards and sanctions that are available for use within the School can be found at Section 4 of the Behaviour Management Policy.

The School will mostly be able to manage pupil behaviour with a combination of informal rewards and sanctions. However, where necessary the School will follow the formal procedures set out in this policy to manage serious misconduct.

3.2 Suspension

Suspension is a sanction that is used where a pupil's behaviour goes well beyond that which is acceptable within the School community. In these circumstances the pupil is temporarily excluded from the School community. When a pupil returns from suspension the School tries to support her so that she returns to normal routines and is accepted back into the community as quickly as possible. It is important for pupils and parents to understand that suspension for an isolated offence is meant as a reminder of where the boundaries lie and is normally quickly forgotten.

In some instances, a pupil may be internally suspended (removal from class, but not the site).

In other circumstances it may be necessary for a pupil to be asked to leave the school site during the school day in order for a disciplinary investigation to proceed in a safe and fair manner for all concerned. This will be at the Headmistress's discretion, and will not be considered a formal suspension. However, the day may later be counted towards a suspension.

Only the Headmistress can suspend a pupil. Recommendations for suspension can only be made by the Senior Management Team, and the investigation will generally follow steps 1-6 in the Investigation Procedure, set out in Part 5 of this policy.

Pupils may be suspended for one or more fixed periods. Repeated offences may result in expulsion.

4. General matters related to the disciplinary process

4.1 Confidentiality

The School will deal with all disciplinary matters with discretion. Information relating to investigations and/or disciplinary matters will only be disclosed within School on a “need to know” basis and/or to safeguard the needs of other pupils within the School.

4.2 Searches for drugs/substances:

In all cases, the Headmistress or Deputy Head’s authorisation for a search is required. In addition, two members of staff should be present for a search, and in most cases it will be appropriate for the pupil herself also to be present.

When undertaking searches, the School will follow the advice from the Department for Education contained within their publication ‘Screening, Searching and Confiscation’, meaning that School staff are entitled to search pupils’ bags and/or lockers without their consent, when this is required for safety or legal reasons.

Clothing will not be searched unless removed by the wearer. Reasonable privacy will be afforded when conducting any search under this policy.

Wherever possible, and in most circumstances staff, will seek consent and consider the pupil's age and other factors when determining whether the pupil is capable of giving her consent. If a pupil refuses to give her consent to a search, she will be asked to say why she has refused. The School will be entitled to draw inferences from her response and to proceed, where they have reasonable grounds for suspecting that a pupil has a prohibited and/or dangerous item in their possession.

If the School seizes a controlled drug, the drug will be stored and logged and passed to the Police. In all other cases, the School may decide to request the involvement of the Police from the outset.

4.3 Corporal punishment

In accordance with the law there is no corporal punishment allowed by the school, neither is it permitted to threaten to use corporal punishment. If authorised by the Headmistress, a teacher, or another member of staff, may use 'reasonable force' to prevent a pupil from:

- committing an offence
- causing personal injury or damage (including to themselves)

4.4 Suspension pending investigation

Suspension may be initiated where reasonably necessary to permit the School to undertake any investigation (whether formal or informal). Where suspension is used for such purpose the School will put in place all reasonable plans for the continuance of a pupil’s education as are reasonable in the circumstances. This may also include implementing internal segregation.

4.5 Special Educational Needs/Disability

The School will make such reasonable adjustments to any aspect of this policy including where appropriate for investigating and managing behaviour that is related to a pupil's special educational need and/or disability.

5. Investigation Procedure

1. A complaint or report which could lead to a pupil being excluded or required to be removed will be investigated thoroughly and fairly. Investigation of a complaint or suspicion about serious misconduct will normally be coordinated by the Deputy Head, Head of Sixth form or Head of Prep, and its outcome will be reported to the Headmistress.
2. The pupil's parent will be informed of the alleged offence and the investigation as soon as reasonably practicable and invited to discuss the matter with the Headmistress and the pupil concerned.
3. A pupil being interviewed under this formal procedure may be accompanied by a member of staff in any investigation meeting.
4. Notes will be taken during any such meeting.
5. The pupil will have the opportunity to state her side of the case.
6. An investigation and any subsequent meeting/s will be conducted fairly and in a way which is appropriate to a school, without legal procedures. The School will make such reasonable adjustments to the format of any interview to ensure that a pupil with a special educational need and/or disability is not unduly disadvantaged in any such process.
7. Suspension of an investigation: It may be necessary to suspend an investigation, for example, where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to suspend an investigation will take into account advice from an appropriate external agency and will be subject to periodic review.

6. Disciplinary process

Following the formal investigation, the School will normally conduct a disciplinary meeting to consider whether there is a possible case to answer. The following is a non-contractual guide to the process that will be followed. The School may elect to omit parts of this process and/or dispense with it, in appropriate circumstances.

6.1 Documents available at the disciplinary meeting may include:

- a statement setting out the points of complaint against the pupil;
- the Investigation Report;
- the pupil's School file and (if separate) conduct record
- the relevant School policies and procedures;
- Any other relevant medical or special educational needs information relevant to the pupil's behaviour; and
- information about the possible sanctions in the event that the allegation is upheld.

- 6.2** The member of staff who conducted the investigation, and any other appropriate staff will attend, along with the Headmistress.

The Headmistress will also speak to the pupil; however, this may be in a separate meeting. The pupil will have an opportunity to state her side of the case and to ask any questions.

- 6.3** There are potentially three stages of a disciplinary meeting:

1. The Headmistress will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil, and any comments she has received from the parent.
2. The Headmistress will consider the range of disciplinary sanctions that she considers are open to her. The pupil's disciplinary record will be taken into account.
3. If the Headmistress considers that the pupil must leave the School, she will notify the parent prior to issuing her decision. The Headmistress will also consult with the Chair of Governors, or another Governor appointed to assist with this matter.

- 6.4** The parent will be invited to attend a meeting with the Headmistress.

In this meeting a summary of the disciplinary process will be provided, including details about the offence, the pupil's response and other items, as relevant, and as set out in 6.1.

The parent will be given the opportunity to ask questions and to state their side of the case.

The meeting will include discussion of the leaving options. Then, or at some later time, and normally within two working days the Headmistress will give her decision with reasons. The decision will be confirmed in writing.

7 Possible outcomes from the disciplinary process

7.1 Required removal

A parent may be required to remove a pupil permanently from School if, after consultation with parent (and in some circumstances the pupil), the Headmistress is of the reasonable opinion that:

- (a) by reason of the pupil's conduct, behaviour and/or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and/or the community life offered by the School; or
- (b) if the parent has treated the School or members of its staff unreasonably and/or in breach of the School's terms and conditions.

7.2 Expulsion

A decision to expel a pupil will be taken as a last resort when a range of strategies for dealing with disciplinary offences have been employed to no avail or following a single serious offence and/or in cases of repeated misconduct.

The main categories of misconduct which may result in expulsion or removal:

1. Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco;
2. Blackmail, violence (actual or threatened), intimidation, racism against a pupil or member of staff;
3. Persistent bullying, whether physical, verbal or emotional
4. Misconduct of a sexual nature, including supply and possession of pornography;
5. Possession or use of unauthorised firearms or other weapons;
6. Theft or vandalism including computer hacking;
7. Persistent attitudes or behaviour which are inconsistent with the School's ethos and discipline;
8. Other serious misconduct towards a member of the school community or which brings the School into disrepute (single or repeated episodes) on or off school premises.

Any decision to exclude in a drug-related case will also refer to the School's Drugs and Substance Misuse Policy.

A pupil will be required to leave if the Headmistress is of the reasonable opinion that it is not in the best interests of the pupil, or of the School, that she remains at the School.

8. Appeal Process

1. Parent are entitled to appeal to the Governing Body against any expulsion and/or required removal decision.
2. A letter stating the intention to appeal should be sent to the Clerk to the Governing Body at the School within 72 hours of the decision being notified to parent. In their application the parent must state the grounds on which they are asking for a review and the outcome which they seek. The pupil shall remain suspended until the Appeal has taken place.
3. An Appeal Panel, comprising two Governors, will be set up and a review meeting will be arranged as quickly as practicable, and normally within 10 days after the parent's application has been received.
4. An Appeal will not normally take place during school holidays.
5. An Appeal Panel is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law. In addition to the panel members, it will be attended by the pupil's parent, the Headmistress and other Senior Management or pastoral staff, according to the decision of the Chair. A decision will be taken by the Headmistress as to whether the pupil should attend, and she will discuss this with the pupil's parent. The Chair of the Panel will invite

anyone else considered necessary to ensure a fair outcome and to comply with any necessary reasonable adjustments. Everyone is expected to show courtesy, restraint and good manners.

6. The meeting will be directed by the Chair of the Appeal Panel who will conduct it so as to ensure that all those present have a reasonable opportunity to ask questions and make appropriate comments.
7. The Appeal Panel will consider whether the facts of the case were sufficiently proven at the time of the decision using the civil standard of proof i.e. the “balance of probability”. The requirements of natural justice will apply.
8. A minute taker will be appointed to take notes of the Appeal Panel which will be circulated as soon as possible after the hearing to the pupil’s parent.
9. The Chair of the Appeal Panel may at her/her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.
10. The Governors' decision is final. It will be notified, with reasons, to the parent, normally within three days of the meeting.

Related Policies

Anti-Bullying Policy

Behaviour Management Policy

Drugs and Substance Misuse Policy

Equal Opportunities Policy

Force to Restrain Policy

Safeguarding Policy

Use of ICT and Acceptable Use Policy

Reviewed: February 2021

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