



EXCLUSIONS POLICY

This policy should be read in conjunction with the Behaviour Policy which explains the School's expectations for behaviour and details sanctions for misbehaviour. The following policy deals only with major disciplinary issues.

1. POLICY STATEMENT

1.1. A pupil may be excluded for a fixed period of time (temporary exclusion / suspension) or excluded permanently (permanently excluded/expelled) from THE RIVER SCHOOL, or parents may be asked to remove a pupil, or a pupil may be required to leave permanently for reasons of misconduct.

1.2. The main categories of misconduct which may result in exclusion, expulsion or removal are:

1.2.1. Supply/possession/use/inciting the use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco.

1.2.2. Theft, blackmail, physical violence, intimidation, racism and persistent bullying including cyber-bullying.

1.2.3. Misconduct of a sexual nature; supply and possession of pornography.

1.2.4. Possession or use of unauthorised firearms or other weapons.

1.2.5. Vandalism and computer hacking.

1.2.6. Persistent attitudes or behaviour which are inconsistent with the ethos of the School.

1.2.7. 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.

Please note that this is not an exhaustive list and other behaviours may result in exclusion.

1.3. Action will be taken following a single offence where that offence is deemed to be sufficiently serious. In most cases, temporary exclusion will be the result of a first offence, although the Headteacher may 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.

1.4. A pupil may also be required to leave if, after all appropriate consultation, the Headteacher is satisfied that it is not in the best interests of the pupil, or of the School, that he/she remains at the School.

1.5. The aim of this policy is:

1.5.1. to ensure procedural fairness and natural justice.

1.5.2. to promote co-operation between the School and parents when it is necessary for a pupil to leave earlier than expected.

1.6. The policy applies to all pupils at THE RIVER SCHOOL, 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.

2. POLICY PROCEDURE

The following procedures specifically deal only with major disciplinary issues.

3 For the **NURSERY AND RECEPTION** exclusion would only take place once all other avenues have been explored and exhausted, including one to one intervention.

4. THE TRUSTEES MAKE AVAILABLE TO THE HEADTEACHER THREE SANCTIONS FOR SERIOUS DISCIPLINARY MATTERS

4.1.1. Suspension from School (also known as Temporary Exclusion)

4.1.2. Removal at the Request of the School (also known as Required Withdrawal)

4.1.3. Expulsion (also known as Permanent Exclusion).

4.2. Only the Headteacher, or their representative, may suspend a child. Where possible, Deputies or Assistant Heads will ensure the Headteacher is consulted prior to suspension. Before deciding to suspend a child, the relevant person will:

4.2.1. Ensure that an appropriate investigation has been conducted

4.2.2 Ensure that all the relevant evidence has been considered

4.2.3 Give the child an opportunity to be heard

4.2.4 Consult other relevant people if necessary

5. SUSPENSION FROM SCHOOL (also known as Temporary Exclusion)

5.1. Work will be set for a child to do at home during the period when they are suspended/temporarily excluded (as far as is reasonably possible). In addition, consideration will be given to any relevant problems of the suspended child and how they might be addressed in the interim, together with reintegration post-exclusion.

5.2. The Headteacher, or their representative, will inform parents. They will also write to confirm the temporary suspension, stating the length of time and the reason(s).

5.3. Suspension constitutes a clear warning about continued membership of the School and this warning might be regarded as final. The School is highly reluctant to exclude temporarily more than twice.

6. REMOVAL AT THE REQUEST OF THE SCHOOL (Required Withdrawal)

6.1. Parents may be required, during or at the end of a term, to remove the pupil, without refund of fees, temporarily or permanently from the School if, after consultation with a parent, the Headteacher is of the opinion that the conduct or progress of the pupil has been unsatisfactory or if the pupil, in the judgement of the Headteacher, is unwilling or unable to profit from the educational opportunities offered (or a parent has treated the School or members of its staff unreasonably) and in any such case removal is considered to be warranted. The deposit will be refunded in the event of removal from the School and fees in lieu of notice will not be charged but all outstanding fees and extras will be payable in full.

6.2. Only the Headteacher can require parents to remove a pupil and before doing so he/she will follow the same procedure as for temporary exclusion.

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6.3. In making decisions about Required Withdrawal the Headteacher will take into account any special educational needs, disabilities, mental health concerns, gender and cultural differences that may be relevant to the case.

7. EXPULSION (Permanent Exclusion)

7.1. A pupil may be expelled at any time if the Headteacher 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 Headteacher will act fairly and in accordance with the procedures of natural justice and will not expel a pupil other than in serious circumstances. There will be no refund of fees following expulsion (and all unpaid fees must be paid). The deposit will not be returned/credited, but fees in lieu of notice will not be charged.

7.2. Some parents prefer, after due consideration, voluntarily to withdraw their child rather than the School imposing Permanent Exclusion. However, it must clearly be understood that the Headteacher reserves the right to insist on Permanent Exclusion.

7.3. Only the Headteacher can permanently exclude a child and, before doing so, he or she will follow the same procedure as for suspension.

7.4. In making decisions about exclusion the Headteacher will take into account any special educational needs, disabilities, mental health concerns, gender and cultural differences that may be relevant to the case.

8. DISCRETION

8.1. The decision to exclude, suspend, require removal or expel a pupil and the manner and form of any announcement shall be in the sole discretion of the School, acting on the recommendation of the Headteacher. In no circumstances shall the School or its staff be required to divulge to parents or others any confidential information or the identities of pupils or others who have given information which has led to suspension, the requirement to remove, or expulsion, or which the Headteacher has acquired during an investigation.

9. ACCESS

9.1. A pupil who has been withdrawn, suspended, removed or expelled from the School has no right to enter School premises, be on School grounds or attend School trips without the permission of the Headteacher.

10. TRUSTEE BODY APPEAL

10.1. Request for review: A decision to permanently exclude, or require removal, of a child is not taken lightly and before it is reached the Headteacher will have considered any representations by the parents. In the process, the Chair (or in his/her absence the Vice Chair) of the Trustee Body will have been consulted and agreed the issues relating to exclusion.

10.2. Grounds for review: Parents may appeal against the decision of the Headteacher, if they wish, by communicating with the Trustees, by letter. Any such letter should be addressed to The Clerk to the Trustees at the School. If parents wish Trustees to review the case, they should state the grounds on which they are asking for a review and the outcome they seek.

10.3. Under normal circumstances, a request for review must be made by parents within two weeks of the Headteacher's communication of the decision to permanently exclude a pupil.

10.4. Review Panel: The review will be undertaken by a three-member sub-committee of the Trustee 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 Chairman of Trustees. Selection of the Review Panel will be made by the Clerk to the Trustees. 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.

10.5. Review meeting: The meeting will take place at the School premises, normally between 3 and 10 days after the parents' application has been received. 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.

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

10.6.1. Members of the Review Panel and the Clerk to the Trustees;

10.6.2. The Headteacher and any relevant member of staff whom the pupil or her parents have asked should attend and whom the Headteacher considers should attend in order to secure a fair outcome;

10.6.3. The pupil together with his/her parents and, if they wish, up to two members of the School staff who are willing to speak on the pupil's behalf. The parents may be accompanied by a friend or relation. The Trustees must be given seven days' notice if the friend or relation is legally qualified.

10.7. 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 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 Clerk or other suitable member of the School staff will be asked to keep a handwritten 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 to ask questions and make appropriate comment. Everyone is expected to show courtesy, restraint and good manners. The Chairman may at his/her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

10.8. Procedure: The Panel will consider each of the questions raised by the pupil or his/her parents so far as relevant to:

10.8.1. 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 normally apply;

10.8.2. 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;

10.8.3. The requirements of natural justice will apply. If for any reason the pupil or her parents are dissatisfied with any aspect of the meeting they must inform the Chair at the time and ask the Clerk to note their dissatisfaction and the reasons for it.

10.9. Identification: If the Headteacher considers it necessary in the interests of an individual or of the School that the identity of any person should be withheld, the Chairman 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 at his/her discretion may direct that the person be identified or not, as the case may be.

10.10. 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.

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

10.12. Decision: When the Chair decides that all issues have been sufficiently discussed and if by then there is no consensus, he/she may adjourn the meeting; alternatively, the Chair 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 Trustees by letter or telephone within three days of the meeting.