



Exclusions Policy

This policy applies to:

Whole College (including EYFS)

Person(s) responsible for the policy:

Head of College

Review dates:

Last review Sept 2024

Next review Sept 2025

Exclusions Policy

Introduction

Scope: This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be excluded from Ardingly College ('the **College**'), or required to leave permanently for misconduct or other reasons. The policy applies to all pupils at the College but does not cover cases when a pupil must leave because of ill-health, non-payment of fees, or withdrawal by his/her parents. This policy can be made available in large print or other accessible format if required.

Parent: includes one or both parents, a legal guardian or education guardian.

Behaviour Review: a formal review by College staff into a pupil's behaviour, including discussion with the relevant pupil and his/her parents, other pupils and staff. A Behaviour Review sets expectations for improvement and the provision of support to achieve the behaviour expectations. The College will look to seek external advice and/or refer for assessment should a pupil with, and/or suspected SEN need, be at risk of exclusion and the College will consider this cause of action/support being made before considering exclusion.

Failure to meet these expectations following a formal Behaviour Review may lead to consideration of the pupils' removal from school under this policy.

Sanctions: as part of the behaviour review, the sanctions and rewards logs may be used to determine patterns of behaviour. Such reports can be compiled to include detentions and fixed term suspensions.

Investigation: an investigation by College staff into an incident or series of incidents involving pupils. In cases where it has not been possible to secure conclusive evidence during an investigation, College staff will make a judgement based on the balance of probability.

Exclusion: means a dismissal from the College following serious misconduct formally recorded.

Removal: means that a pupil has been required to leave, but without the stigma of exclusion.

Policy statement

Aims: The aims of this policy are:

- To support the College's behaviour and discipline code
- To ensure procedural fairness and natural justice
- To promote co-operation between the College and parents when it is necessary for the College that a pupil should leave earlier than expected.

Misconduct: The main categories of misconduct which may result in exclusion or removal include but are not limited to:

- Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco;
- Theft, blackmail, physical violence, intimidation, racism, sexism (or intolerance of any protected characteristic is demonstrated) or persistent bullying;
- Misconduct of a sexual nature;
- Possession or use of unauthorised firearms or other weapons;
- Vandalism or computer hacking;
- Persistent attitudes or behaviour which are inconsistent with the College's ethos;
- Other serious misconduct which affects the welfare of a member or members of the College community or which brings the College into disrepute (single or repeated episodes) on or off College premises.

Roles: In exceptional circumstances – for example the absence or unavailability of specified members of staff – the roles of staff and governors in the process may need to be amended.

Behaviour related to a disability: the College will make reasonable adjustments for managing behaviour which is related to a pupil's disability, for example diagnoses of Special Education Need or mental health condition. The College would look to seek external advice and/or refer for assessment should a pupil with, and/or suspected SEN need be at risk of exclusion and the College will consider this cause of action/support being made before considering exclusion.

Where exclusion needs to be considered, the College will ensure that a disabled pupil is able to present their case fully where their disability might hinder this. Nevertheless, the College reserves the right to make decisions on the exclusion of pupils with a recognised disability to maintain high standards of behaviour and expectations for all pupils across the College.

Other circumstances: A pupil may be required to leave if, after all appropriate consultation, the Head of College is satisfied that it is not in the best interests of the pupil, or of the College, that the student remains at the College.

The procedure: 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.

1. Investigation procedure

Complaints: Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by a senior member of staff, and its outcome will be reported to the Head of Prep School, Senior Deputy Head or Head of College. Parents will be informed as soon as reasonably possible either before, during or after an investigation.

Suspension: A pupil may be suspended from boarding and/or from the College and required to live at home or with his education guardian while a complaint is being investigated or while an investigation is suspended (see 5 below). Should a suspension continue for a period of more than five school days, the College will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. The College will co-ordinate these arrangements with the pupil's parents or guardians. Parents or guardians should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, the pupil may be placed under a segregated regime on College premises.

Search: The College may decide to search a pupil's space and belongings and ask him/her to turn out the contents of pockets or a bag, if it is considered there is reasonable cause to do so. Clothing will not be searched until it has been removed from the wearer and care will be taken to ensure reasonable privacy. This policy does not authorise an intimate search or physical compulsion in removing clothing. Only outer clothing will be searched. If necessary, the police would be called.

Interview: 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). Notes of the interview will be recorded in writing.

Suspension of an investigation: It may be necessary to suspend an investigation, for example where external agencies such as the police or social become involved and have advised that this is necessary; or where other specialist advice is sought as part of an on-going assessment. A decision to suspend an investigation will take into account advice from an appropriate external agency and will be subject to periodic review.

Investigation outcome: after the investigation has been concluded, the full documentation will be sent to the Head of Prep or Senior School who will decide whether a formal Exclusion meeting is required.

2. Exclusion meeting

Reasons for calling an exclusion meeting

The Head of Prep or Head of College may call an exclusion meeting if in their judgement the evidence from an Investigation or Behaviour Review requires one.

Attendance and transparency of evidence

The pupil and their parents will be asked to attend the meeting. If parents cannot attend in person, where possible they will be invited to join the meeting online. Other members of staff may also be asked to join the meeting if needed.

Evidence and information relevant to the Investigation or Behaviour Review will be made available to the pupil and parents prior to the exclusion meeting.

The pupil and parents will have an opportunity during the meeting to ask questions about the matters under discussion and in the case of pupils to explain their actions and account.

If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the College so that appropriate arrangements can be made.

The sanction: a period of time may be required for consideration after an Exclusion meeting. Unless in exceptional circumstances this will be no more than 48 hours before notifying parents of the decision.

Delayed effect: A decision to exclude or remove a pupil shall take effect seven days after the decision is communicated to a parent. Until then, the pupil shall remain suspended and away from College premises. If within seven days the parents have made a written application for appeal, the pupil shall remain suspended until the appeal has taken place.

Withdrawal: A parent may decide to withdraw their child from the College at any time, including prior to or during an exclusion meeting. The benefit of withdrawal for the pupil is that enables the College to assist the parents and pupil in finding another school which is not possible after exclusion (see below).

3. Appeal procedure

Request for appeal: a request to appeal the decision of an exclusion meeting must be made in writing and received by the Clerk to Governors within seven days of the decision being notified in writing to a parent.

Grounds for appeal: In their application the parents must state the grounds on which they are asking for an appeal and the outcome which they seek. For the avoidance of doubt, a mere disagreement with the decision will not of itself be grounds sufficient for appeal.

Appeal Panel: The Clerk to Governors will convene an appeal panel that includes at least one governor of the College. The panel members will have no detailed previous knowledge of the case.

Role of the Panel: The role of the Panel is to consider the representations made and to decide whether to uphold an exclusion decision.

Appeal meeting: The meeting will take place at the College premises.

Attendance: Those present at the review meeting will normally be:

- Members of the Appeal Panel and the Clerk to the Governors or their deputy
- The Head of Prep, Senior Deputy or the Head of College and any other whom the pupil or their parents have asked should attend and whom the panel chair considers should attend in order to secure a fair outcome.
- The parents making the appeal. If only one parent is available, they may be accompanied by a friend or relation. Legal representation is not appropriate in this meeting. Parents should inform the Clerk in writing within three days of the meeting of the identity of the person accompanying them.
- Attendance of the pupil is at their discretion and that of his/her parents.

Conduct of meeting: A hand-written minute of the main points which arise at the meeting will be taken. 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 may at his/her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

The Panel will consider whether the Investigation or Behaviour Review and the Exclusion meeting was conducted according to the College's policies and procedures and whether the sanction of exclusion was warranted and proportionate taking into consideration factors such as its impact on the pupil(s) being excluded, the impact and likely impact on other pupils or staff, and the duty of care that the College holds for the welfare of its pupils, staff and the whole community for the maintenance of high standards and the reputation of the College.

Decision: The Panel's decision will be notified in writing, with reasons, to the parents by the Chair of the Appeal Panel or the Chair of Governors, normally within three working days of the meeting.

4. Considerations following exclusion or appeal

If the decision of the Panel is to uphold the appeal, the pupil may resume school with immediate effect. This may be subject to certain conditions as decided by the Appeal Panel and confirmed in writing. These conditions may include the following:

- the return of a pupil to the College for a limited period of time, for example to complete a course of study, after which their enrolment at the College will be withdrawn.
- on-going review of the pupil's place at the College and support to achieve expectations.
- final warning of the pupil's place at the College and terms under which it may be withdrawn with immediate effect by the Head of College without further recourse to this policy.

The Panel may also make certain recommendations to College staff as to its policies and practice in relation to investigation, behaviour review and exclusion.

If the decision of the Panel is to uphold the decision to exclude, the pupil may not resume his or place at Ardingly. Arrangements will be made for the return to the College of College property eg. Surface device and the return to the pupil of any belongings at school.

It is the responsibility of the parents of an excluded pupil to find a place for their excluded child at another school. The College will provide references on request by a school, but may not seek to assist parents securing a place for their excluded child at another school.