



# Exclusions Policy

Written By:	Head	Autumn 2025
Reviewed By:	LT	Autumn 2025
Approved by:	Council	Autumn 2025

# Introduction

It is a legal requirement for the School to have a policy to cover the exclusion of a pupil and the process by which parents may appeal such an exclusion.

The following statutory, regulatory and advisory documents underpin this policy:

- The Human Rights Act 1998
- The Education Act 2002, Part 10
- The Equality Act 2010
- Education (Independent School Standards) Regulations 2014 as amended including by the Education (Independent School Standards) Regulations 2018
- 'Behaviour and Discipline in Schools: Advice for Headteachers and School Staff', DfE, February 2024
- ISI Inspection Framework and Handbook, September 2024
- ISI Regulations and National Minimum Standards for Boarding currently in force
- Keeping Children Safe in Education, DfE, September 2024

All Schools have the legal right to impose reasonable sanctions if a pupil misbehaves. DfE guidance advises that sanctions that a School might use include: a reprimand and reminder of the expectations of behaviour, the setting of written tasks such as an account of their behaviour, School based community service, regular reporting, loss of privileges, detention, suspension or in the most serious cases, permanent exclusion. Physical punishment is, of course, illegal. Exclusion, whether temporary or permanent, should be considered only as a last resort.

Independent Schools are required to have written behaviour and exclusions policies that are accessible to parents and pupils (on the School website, for example, or in the parent handbook).

Part 3, Paragraph 9 of the ISS Regulations states that *"the standard in this paragraph is met if the proprietor promotes good behaviour amongst pupils by ensuring that:*

- a written behaviour policy is drawn up that, amongst other matters, sets out the sanctions to be adopted in the event of pupil misbehaviour;*
- the policy is implemented effectively; and*
- a record is kept of the sanctions imposed upon pupils for serious misbehaviour".*

Part G of the National Minimum Standards for Boarding Schools states that *"Positive behaviour and respectful relationships are encouraged and praised. Any sanctions for misbehaviour are well understood and implemented fairly and consistently."*

All actions by the School and parents relating to exclusions must follow School policies and the Parent Contract.

# What Behaviour Merits Exclusion?

Behaviour that may merit exclusion is not confined to actions occurring in the School grounds. It also encompasses actions that take place outside the School and/or online.

Examples of behaviour that might merit exclusion include the following, which is not an exhaustive list:

- Physical assault against pupils or adults;
- Behaviour which puts the safety of the pupil, or any other person, in jeopardy;
- Verbal abuse/threatening behaviour against pupils or adults;
- Bullying (including cyber-bullying) [in accordance with the School's Anti-Bullying Policy];
- Committing a criminal offence;
- Fighting;
- Abuse on grounds of race, sex, sexual orientation, gender reassignment, religion/ belief, disability, SENDs or any form of unlawful discrimination;
- Sexual harassment or misconduct, including non-consensual sharing of nude or semi-nude images and/or videos;
- Drug and alcohol misuse (including supply/possession/use);
- Damage to property;
- Vandalism or computer hacking;
- Theft or unauthorised possession of any property belonging to the School, another pupil, or a member of staff;
- Wilful damage to property;
- Bringing illegal, inappropriate or dangerous items into School, such as: drugs, weapons, firearms, pornographic material etc;
- Misconduct or behaviour which adversely affects or is likely to adversely affect the welfare of a member or members of the School community;
- Misconduct or behaviour which brings or is likely to bring the School into disrepute; and
- Persistent disruptive behaviour or breaches of the School's [Behaviour Management Policy or School Rules.

Examples of reasons which do not relate to a pupil's behaviour but which may cause the School to require the removal of that pupil include the following:

- Where a pupil's attendance is unsatisfactory and/or, in the reasonable opinion of the Head, the removal is in the School's best interests and/or those of the pupil in question and/or of other children;
- Where a pupil's progress is unsatisfactory and/or, in the reasonable opinion of the Head, the removal is in the School's best interests and/or those of the pupil in question and/or of other children;
- The School is unable to meet the pupil's needs, including cases where the School cannot reasonably accommodate adjustments or reasonably provide the nature or level of support required by the pupil.

- Unreasonable parental behaviour or conduct. This may include (but not be limited to) parental conduct and/or behaviour which:
  - represents a serious or persistent breach of the Parent Contract or any policy in place with regards to parental conduct or equivalent policies that may be in place from time to time; and/or
  - causes a breakdown of trust and confidence (between the School and the parents); and/or
  - adversely affects (or is likely to adversely affect) their child and/or other children's progress at the School; and/or
  - adversely affects the wellbeing of School staff; and/or
  - brings (or is likely to bring) the School into disrepute (among the School community or general public).

Exclusion or Required Removal may also be imposed as a result of repeated misconduct or a series of minor misdemeanours by the pupil. All aspects of a pupil's record may be taken into account in this regard.

## **Investigation 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.

### **Informal Interview**

A pupil may be interviewed informally by a member of the Leadership Team (LT) chosen by the Head to establish whether there are grounds for a formal investigation. After the informal interview parents will be informed as to whether the pupil will face a formal investigation or be handled within the School's routine disciplinary procedures. If the member of LT believes that there are reasonable grounds for suspecting that the pupil has been involved in misconduct which, if proven, would normally result in permanent exclusion or required removal, a formal investigation should take place.

### **Formal Investigation**

Parents will be informed as soon as reasonably practicable if a formal investigation is warranted. The pupil being investigated will be offered the opportunity to be accompanied by a member of staff of their choice during any interviews that form part of the formal investigation. The formal investigation shall be conducted by a member of LT delegated for this task by the Head. A written minute will be kept of all interviews conducted as part of the formal investigation.

### **Search**

The law permits a school to search for any prohibited item without consent. Parents' consent will not be sought but parents will normally be notified if a search has been undertaken and prohibited items found. Such items include knives and other weapons, alcohol, illegal drugs, stolen items,

cigarettes and smoking paraphernalia, fireworks, pornographic images, and any item suspected or having been, or likely to be, used to commit an offence and/or cause personal injury or damage to property. The search may include the pupil's room or property, but only outer clothing may be searched. This policy does not authorise intimate searches or physical compulsion to remove clothing. If necessary, the police may be called to conduct such a search.

Items found during a search may be destroyed (or, in the case of digital items, deleted) if this is deemed appropriate by the Head. The police and/or other external authority shall be notified if the search uncovers items reasonably suspected of being linked to criminal activity, such as weapons, drugs, or stolen items.

## **Suspension**

A pupil may be suspended from the School and required to remain at home or with guardians while a formal investigation is being carried out. Should such a suspension continue for more than five days, the School will take reasonable steps to put in place arrangements for the pupil's continued education. Alternatively, a pupil may be placed under an internal suspension if the School deems this appropriate and practicable.

## **Decision to exclude a pupil or require their removal**

Prior to any decision being taken by the Head to exclude or require the removal of the pupil, the Head will meet with the pupil and their parents or (in circumstances involving the possibility of the pupil's required removal on the grounds of parental unreasonable behaviour or ability to meet need) the parents.

In circumstances where the School believes removal may be warranted because the School is unable to meet the pupil's needs, reasonably accommodate adjustments or reasonably provide the level or nature of support required, the School will collate relevant information and evidence (including where available and appropriate any external or expert evidence or assessments), share and discuss these with the parents and provide the parent with a reasonable opportunity to share their views.

If the Head considers that further investigation/information is needed, the meeting may be adjourned, and the reason for the adjournment will be explained to the pupil / their parents.

Following the conclusion of the meeting the Head will reach their decision having taken all the relevant circumstances into account. The Head will communicate their decision in writing within five working days from the meeting.

## **Withdrawal**

Sometimes, the School may decide to offer parents the option of withdrawing their child to avoid exclusion or a required removal. In such circumstances, no decision has been made in respect

of the disciplinary allegations or in respect of an appropriate sanction. There is therefore no exclusion / required removal decision to appeal.

Should parents accept this offer, no right of appeal is available. However, parents may raise a complaint under the Complaints Procedure about the process which has been followed prior to their decision to withdraw their child. In those circumstances the School will consider the complaint carefully as it is likely that aspects of it may fall within the scope of the School's Complaints Procedure (if it was raised whilst the pupil was a current pupil at the School).

Careful thought will be given to a decision to offer the parents the option of withdrawing their child and the appropriate timeframe for them to make such a decision. The option of withdrawal may not be an appropriate approach in some cases, depending on the nature of the allegation that has been raised against the pupil. In the event this offer is extended to parents, the School will ensure that parents have a reasonable period of time to consider the option.

## **Appeals against exclusion / required removal**

The School will always offer the right of appeal to any pupil excluded or required to be removed from the School. Any appeal against exclusion will be dealt with under Stage 3 of the School's Complaints Procedure, and should be made in writing to the Head within five working days of the pupil's exclusion / required removal. For clarity, the pupil will remain excluded or removed from the School pending the outcome of the appeal. The outcome of the appeal process is final and there shall be no further right to appeal. If a decision is taken by the parents to withdraw the pupil, the parents will waive any right to an appeal.

For the purposes of this policy "working days" refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term.

## **Recording and monitoring**

Where the School imposes exclusion, required removal or suspension as a sanction, the written report on the investigation will be placed on the pupil's file. In cases where the decision to require removal was not due to the pupil's behaviour or conduct, for example, because of the School's inability to meet need or unreasonable parental conduct, this will be clearly noted.

Details of the exclusion, required removal or suspension will be recorded on the School's Sanctions Record.