



FRANCIS HOLLAND SCHOOL

SLOANE SQUARE

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| Name of Policy | Exclusions |
| Author | SLT |
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| Revision History | |
|--|--------------------------------|
| This section should be completed by the reviewer each time this policy is reviewed | |
| Changes made [brief description of edits] | Date [Term and Year] |
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Availability of this document:

Copies of this document are available at francisholland.org.uk/policies/ or on request from the school office, Francis Holland School, 39 Graham Terrace, London SW1W 8JF.

Exclusions

- 1 Scope:** This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be expelled from Francis Holland School, or required to leave permanently for misconduct or other reasons. The policy applies to all pupils at Francis Holland 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 withdrawal by her parents.
- 2 Interpretation:** "*Parent*" includes one or both of the parents, a legal guardian or education guardian. "*Removal*" means that a pupil has been required to leave, but without the stigma of exclusion. Subheadings are for ease of reading and not part of the policy.

Policy

3 Aims

The aims of this policy are:

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

4 Misconduct

The main categories of misconduct, which may result in exclusion or removal, are

- Repeated truancy
- Cheating in school, or public examinations or examination coursework
- Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco
- Other criminal actions
- Theft, blackmail, physical violence, intimidation, racism, and persistent bullying including cyber 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 behaviour which are inconsistent with the School's aims and ethos.
- 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.

While each case is viewed individually, it should be noted that the use or supply of illegal drugs is likely to lead to expulsion.

Very Serious Breaches of Discipline (all years)

In the case of repeated and/or very serious misdemeanours the Head may apply the following sanctions, as she deems appropriate, after appropriate investigation and consultation:

- **Suspension**
- **Requirement to leave**
- **Exclusion**

In each case, parents will be invited to meet with the Head before the imposition of the sanction, although the pupil may be suspended pending investigation and/or this meeting. The Head may at her discretion impose a sanction of suspension of up to one week. For longer periods she will consult with the Chairman of Governors or his/her representative. The Head will act in accordance with the procedure laid down by the Council for expulsion or requirement to leave, and will consult with the Chairman of Governors or his/her representative before a final decision is made.

In the case of exclusion and requirement to leave, all outstanding fees up to and including the term of the sanction shall be payable. However, parents will not be required to pay a term's fees in lieu of notice. Provided all outstanding fees are paid, the School will make efforts to assist in placing the girl in a new school. However, any reference will necessarily include the reasons for a girl's departure from the school.

Review

Requirement to Leave/ Exclusion

Parents are entitled to ask for a Council Review of a decision to exclude or require a pupil to leave. The review procedures will be supplied to parents at the time of the original decision. The Council Review is binding.

Other Sanctions

Parents and girls may request the Head to review the imposition of other sanctions, but there is no right to a Council Review. The Head's decision is final.

5 Other Circumstances

A pupil may be required to leave if, after all appropriate consultation, the Head is satisfied that she has persistently failed to meet the required standard of effort in academic work and/or that it is not in the best interests of the pupil, or of the School, that she remains at the School.

Investigation Procedure

6 Implementation

Investigation and disciplinary action may potentially involve three separate stages:

- Internal Investigation
- Disciplinary Meeting
- Governors' (Council) Review

7 Informal meeting

The Head may ask to meet the parents informally, with or without the pupil, for a preliminary discussion before the formal disciplinary meeting or a review meeting takes place. In some cases matters may be resolved at this stage.

8 Complaints

Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by the Deputy Head Pastoral or the relevant Head of Section in the first instance and the outcome will be reported to the Head and Senior Deputy Head.

9 Suspension

A pupil may be suspended and required to stay at home or with a guardian while a complaint is being investigated; alternatively, she may be placed under a segregated regime on the school premises.

10 Search

The school may decide to search a pupil's space and belongings, and ask her to turn out the contents of pockets or a bag, if the school considers 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. If necessary, the police would be called.

11 Interview

If a pupil is interviewed formally about a complaint, arrangements will be made for her to be accompanied by a member of staff of her choice. A pupil who is waiting to be interviewed may be segregated but made as comfortable as possible, accompanied or visited regularly by a member of staff, and given access to a toilet, telephone and adequate food and drink.

12 Ethos

An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a school, without formal legal procedures.

Disciplinary Meeting

13 Preparation

The Chairman of Council will be informed of the investigation. Documents available at the disciplinary meeting with the Head 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 Investigation Report.
- Relevant documents from the pupil's school file and any record of conduct available.
- The relevant school policies and procedures.

Where practicable the documents will be made available to the pupil and her parents before the meeting.

14 Attendance

The pupil and her parents (if available) will be asked to attend the disciplinary meeting with the Head at which the circumstances of the complaint and her investigation will be explained. The pupil may also be accompanied by a member of staff of her choice. The pupil and 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.

15 Proceedings

There are potentially three distinct stages of a disciplinary meeting:

- **The complaints**

The Head will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless the Head considers that further investigation is needed, she 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 and any documents such as School Rules and work or attendance record that may be relevant to the factual basis of the complaint, but the Head will not normally refer to the pupil's disciplinary record at this stage.

- **The sanction**

If the complaint has been proved the Head will outline the range of disciplinary sanctions

which she considers are open to her. The Head will take into account any further statement which the pupil and/or others present on her behalf wish to make. The pupil's disciplinary record will be taken into account. Then, or at some later time within 24 hours, the Head will give her decision, with reasons.

- **Leaving Status**

If the Head decides that the pupil must leave permanently, the Head may then, or at some later stage, consult with the parents concerning the pupil's leaving status (see below).

16 Delayed Effect

A decision to exclude or remove a pupil shall take effect 72 hours after the decision was first communicated to a parent. Until then, the pupil shall remain suspended and away from school premises. If within 72 hours the parents have made a written application for a Governors' (Council) Review, the pupil shall remain suspended until the Review has taken place.

Leaving Status

17 Explanation

If a pupil is excluded or required to leave, her leaving status will be one of the following: "excluded", "removed", or "withdrawn by parents"

18 Detail

- Additional points of leaving status may 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, 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.
- Whether the pupil will be eligible for membership of the Association of Old Girls and if so from what date.
- 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.

Governors' (Council) Review

19 Request for Review

A pupil or her parents, if aggrieved at the Head's decision, may make a written application for a Review by a panel of members of the Council. The application must be received by the Clerk to the Council within 72 hours of the decision being notified to a parent, or longer by agreement.

20 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.

21 Review Panel

The Review will be undertaken by a three member sub-committee of the Council. 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 Council. Selection of the Review Panel will be made by the Clerk to the Council in consultation with the Chairman. 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.

22 Review Meeting

The meeting will take place at the school premises, normally within 21 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.

23 Attendance

Those present at the Review Meeting will normally be:

- Members of the Review Panel and the Clerk to the Council or his deputy.
- The Head and any relevant member of staff whom the pupil or her parents have asked should attend and whom the Head considers should attend in order to secure a fair outcome.
- The pupil together with 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 but not a legal representative acting in that capacity. The Clerk to the Council must be given 7 days' notice if the friend or relation is legally qualified.

24 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 will be asked to keep a hand-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 Chairman 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 Chairman may at her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

25 Procedure

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

- Whether the facts of the case were sufficiently proved when the decision was taken to exclude or remove 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 her parents are dissatisfied with any aspect of the meeting they must inform the Chairman at the time and

ask the Clerk to note their dissatisfaction and the reasons for it.

26 Identification

If the Head 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 Chairman at her discretion may direct that the person be identified, or not as the case may be.

27 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.

28 Leaving Status

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

29 Decision

When the Chairman decides that all issues have been sufficiently discussed and if by then there is no consensus, she may adjourn the meeting; alternatively the Chairman 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 Chairman of the Review Panel or the Chairman of Council by letter or telephone within three days of the meeting.

Exclusions – Summary for Pupils

Policy on Exclusion

- 1** A pupil will not be expelled without grave cause. The circumstances which may lead to exclusion (or required removal as an alternative to exclusion) include:
 - Repeated truancy
 - Cheating in school or in public examinations or examination coursework
 - Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco.
 - Other criminal actions
 - Theft, blackmail, physical violence, intimidation, racism, and persistent bullying, including cyber-bullying
 - Offences of a sexual nature; supply and possession of pornography and unauthorised firearms.
 - Vandalism and computer hacking.
 - Persistent attitudes or behaviour which are inconsistent with the School's ethos.
 - 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.

- 2** A pupil may be required to leave if, after all appropriate consultation, the Head is satisfied that she has persistently failed to meet the required standard of effort in academic work and/or that it is not in the best interests of the pupil, or of the school, that she remains in school.

- 3** A complaint which could lead to a pupil being excluded or required to leave the School permanently will be investigated thoroughly and fairly. The pupil will have an opportunity for the assistance of her parents and/or a teacher to state her side of the case and she would also have a right to ask for the decision to be reviewed by a panel of Governors.