

Queenswood



Expulsion, Removal and Review Policy

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EXPULSION, REMOVAL AND REVIEW POLICY

Introduction

Scope

This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be expelled from Queenswood (the “School”), or required to leave permanently for misconduct or other reasons. The policy applies to all pupils at Queenswood but does not cover cases when a pupil has to leave because of ill-health, non-payment of fees, or withdrawal by her parents.

Interpretation

References to the “Principal” includes, where appropriate, Deputy Heads and Assistant Heads. “Parent” includes one or both of the parents or a legal 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.

Definitions

Expulsion: This is for the most serious of offences. On the balance of probability if a pupil has committed a very serious breach of discipline or a criminal offence.

Removal: The School may require a pupil to be permanently removed by parents if after consultation the Principal believes that:

- (a) the pupil’s conduct, behaviour or progress shows that they are unwilling or unable to benefit sufficiently from the education or the community life offered by the School; or
- (b) the parents have treated the School, members of its staff or any member of the School community unreasonably.

Withdrawn by parents: this is where parents choose to remove their daughter from the School, following discussions with the Principal as to the best way forward

Suspension: unless otherwise stated, suspension is a neutral act whereby the pupil is sent home pending the outcome of an investigation. Suspension as a disciplinary sanction is defined in the School’s Behaviour Policy.

Policy

1. Aims

The aims of the 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 is necessary for a pupil to leave earlier than expected.

2. Misconduct

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

- Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco.
- Theft, blackmail, physical violence, intimidation, racism and persistent bullying.
- Misconduct of a sexual nature; supply and possession of pornography.
- Possession or use of offensive weapons.
- Vandalism and computer hacking, inappropriate use of social networking sites.
- 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.

3. Other Circumstances

A pupil may be required to leave if, after all appropriate consultation, the Principal 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.

4. Implementation

Investigation and disciplinary action may potentially involve three separate stages:

- Internal Investigation
- Disciplinary Meeting
- Governors' Review

In the event that the school suspects or knows that a crime may have been committed then the police will be contacted immediately.

Internal Investigation

1. Complaints

Investigation of a complaint or concern about serious misconduct will normally be co-ordinated by the Senior Deputy Head, Deputy Head Pupils or Head of Sixth Form, as appropriate. The Investigation Report will be given to the Principal.

If there is a complaint or allegation of a safeguarding / child protection nature, then the DSL or DDSLs will be contacted immediately and that no investigation will take place until the LADO has been consulted.

2. Suspension

A pupil may be suspended and required to live at home or with her guardian while a complaint is being investigated; alternatively, she may be placed under a segregated regime at Queenswood. Segregation will only be applied in 'exceptional circumstances' if no option to be sent home to parents or a guardian and will only be applied as 'long as necessary'. The policy would be strengthened to clearly state that a room will be used which allows the pupil to leave if required and able to contact a member of staff immediately if needed.

3. 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. Two female members of staff will be present when conducting the search unless the staff member considers or suspects there is immediate danger to the pupil or others. This search may also include a pupil's computer or other electronic devices and, where appropriate, she will be asked for access to her social networking sites. 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. Further detail is found in the Conducting a Search of a Pupil Policy.

4. 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.

5. 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.

6. Informal Meeting

The Principal 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.

Disciplinary meeting

1. Preparation

The Chair of Governors will be informed of the investigation. Documents available at the disciplinary meeting with the Principal 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

The documents will be made available to the pupil and her parents before the meeting unless for legal reasons we are unable to do so.

2. Attendance

The pupil and her parents (if available) will be asked to attend the disciplinary meeting with the Principal at which the Deputy Head or Head of Sixth Form will explain the circumstances of the

complaint and investigation. 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.

3. Proceedings

There are potentially three distinct stages of a disciplinary meeting:

(i) The complaints

The Principal will consider the complaint(s) and the evidence, including statements made by and/or on behalf of the pupil. Unless the Principal 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, ie 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 Principal will not normally refer to the pupil's disciplinary record at this stage.

(ii) The sanction

If the complaint has been proved the Principal will outline the range of disciplinary sanctions which she considers are open to her. She 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 Principal will give her decision, with reasons.

(iii) Leaving Status

If the Principal decides that the pupil must leave permanently, the Principal will either then, or at some later stage, communicate with the parents concerning the pupil's leaving status (see below).

4. Delayed Effect

A decision to expel 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' Review, the pupil shall remain suspended until the Review has taken place.

Leaving status

1. Explanation

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

2. Detail

Additional points of leaving status may include:

- The form of letter that will be written to the parents and the form of announcement in the School that the pupil has left.

- The form of reference that will be supplied for the pupil.
- The entry that 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 the 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 Old Queenswoodians and if so from what date.
- The conditions under which the pupil may re-enter the School premises in the future.
- Financial aspects: payment of any outstanding fees and extras; whether the acceptance deposit will be returned or credited; the refund of prepaid fees.

Governors' Review

1. Request for Review

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

2. Grounds for Review

In their application, the pupil or parents must state the grounds on which they are asking for a Review and the outcome that they seek.

3. Review Panel

The Review will be undertaken by a three-member committee of the Governors (the "Review Panel"). The Review Panel members will have no detailed previous knowledge of the case or of the pupil or parents and will not normally include the Chair of Governors. Selection of the Review Panel will be made by the Clerk to the Governors in consultation with the Chair of Governors. Parents will be notified in advance of the names of the Review Panel members. Fair consideration will be given to any bona fide objection to a particular member of the Review Panel.

4. Review Meeting

The Review Meeting will take place at the School premises, normally within 14 days after the parents' application has been received. A Review Meeting will not normally take place during the 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.

5. Attendance

Those present at the Review Meeting will normally be:

- Members of the Review Panel and the Clerk to the Governors or his deputy.

- The Principal and any relevant member of staff whom the pupil or her parents have asked should attend and whom the Principal 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 Governors must be given seven days' notice of the identity, occupation and relationship with the parents of any proposed attendee.

6. Conduct of Meeting

The Review Meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in an informal manner. The proceedings will not be tape-recorded without the consent of both the Chair of the Panel and parent(s) and any tape-recording will be used only to assist the Review 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 Review Meeting. All those present will be entitled, should they wish, to write their own notes. The Review Meeting will be directed by the Chair 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 Chair may at his or her discretion adjourn or terminate the Review Meeting. If the Review Meeting is terminated, the original decision will stand.

7. Procedure

The Review 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 expel or remove the pupil. The civil standard of proof, namely the balance of probabilities will apply; and
- Whether the sanction was warranted, that is, whether it was proportionate to the breach of discipline or 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 Review Meeting they must inform the Chair at the time and ask the Clerk to note their dissatisfaction and the reasons for it.

8. Identification

If the Principal considers it necessary in the interests of an individual or of the School that the identity of any person should be withheld, the Chair may require that the name of that person and the reasons for withholding it be written down and shown to the Review Panel members. The Chair at his or her discretion may direct that the person be identified, or not, as the case may be.

9. 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. Decision

When the Chair decides that all issues have been sufficiently discussed and if by then there is no consensus, he or she may adjourn the Review Meeting; alternatively, the Chair may ask those present to withdraw while the Review 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 Governors by letter or telephone within three days of the meeting.

Other related school policies and procedures

- Queenswood Parent Contract
- Behaviour Policy
- Searching, Screening, and Confiscation Policy
- Smoking, Alcohol and Drugs Policy
- Restraints Policy
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