

## Serious Misconduct, Suspension and Exclusion

### 1. Policy Statement

Infringements of School rules and disciplinary matters generally will be dealt with on a day to day basis by the Headmaster and staff of the School. In the case, however, of serious misconduct, the Headmaster has the right to suspend or expel a pupil. The following procedure will be followed in cases of serious misconduct. The objective is to deal appropriately with the case in question but also to afford to the pupil his or her rights in natural justice. No unacceptable, excessive or idiosyncratic punishments are used including any punishments intended to cause pain, anxiety or humiliation. The school does not use corporal punishment.

### 2. Investigation procedure for Serious Misconduct

#### Contact with Parents

#### Recording

Incidents of a serious nature are recorded in the child's file, with copies held in 'Pastoral Notes' on the portal.

#### Complaints

Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by the Deputy Headmaster and/or Head of Department, and its outcome will be reported to the child's tutor and to the Headmaster.

Parents will be informed as soon as reasonably practicable if a complaint under investigation is of a nature that could result in the child being expelled or required to leave.

#### Search

A child's space and belongings may be searched and they may be asked to turn out the contents of pockets or a bag if it is considered that 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.

#### Restraint

Any use of physical restraint is by reasonable and non-injurious means, only when immediately

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necessary and for the minimum time necessary to prevent injury to self or others or very serious damage to property, and it is always recorded in writing.

### **Interview**

A child may be interviewed informally by a member of staff to establish whether there are grounds for a further investigation.

If the child is then interviewed formally about a complaint or rumour, arrangements will be made for them to be accompanied by their tutor or a member of staff of his choice. Notes will be taken at this meeting.

### **Results of the Investigation**

Depending on the seriousness of the facts revealed by the investigation, the Headmaster, or in his absence his Deputy, may deal with the case in one of the following ways:

1. case closed – no further action;
2. oral advice – not recorded;
3. oral warning – recorded;
4. formal written warning;

Or, where the facts appear to warrant more serious steps, the following action may be taken:

5. suspension from the School for a period not exceeding ten days;
6. Removal from the School with or without notice.

## **3. Suspension**

As a result of the investigation a child may be suspended from the school (or from boarding) and required to live at home or with his/her education guardian.

The Headmaster will inform the parents or guardians of the decision to suspend the child.

If expulsion or requirement to leave is a possibility, the Headmaster will inform the parents of his intention to consider the matter further.

### **Process**

Following the investigation the Headmaster will consider the complaints and the evidence at a meeting with the Deputy Head Pastoral, Head of Department, and any other key staff involved in the investigation.

The Headmaster will take into account any further statements made on the child's behalf as well as the child's disciplinary record.

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If the Headmaster is satisfied that suspension is the appropriate sanction he will inform the parents and arrange to see them with the child on his/her return to School.

#### 4. Expulsion or removal

The circumstances which may lead to removal or expulsion include:

- Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol or tobacco
- Theft, blackmail, physical violence, intimidation, racism and persistent bullying. (NB: the anti-bullying policy is available on the School's website)
- Misconduct of a sexual nature; supply and possession of pornography
- Possession or use of unauthorised firearms or other weapons
- Cyber bullying or inappropriate use of technology
- Vandalism
- Computer misuse
- Other serious misconduct towards a member of the school community or which brings the School into disrepute on or off school premises

#### Other circumstances

A child may be asked to leave if, after all appropriate consultation, the Headmaster is satisfied that it is not in the best interests of the child, his/her parents or the School, that the child remains at St. Andrew's.

If the Headmaster decides that the child must leave the school, he will consult with the parents before deciding on the child's leaving status (see below).

#### Procedure for Removal (Expulsion)

The Headmaster may, in consultation with the Governors, require the removal of any pupil:

- a) upon one full term's notice in writing
- b) without notice if the Headmaster considers that the pupil is not capable of profiting, or profiting further, from education at the School
- c) without notice if the pupil is in breach of any of this agreement or any of the policies, procedures, codes of conduct and rules referred to in this policy
- d) without notice if the pupil is in serious or persistent breach of the School's disciplinary rules
- e) without notice if the pupil's presence is adversely affecting other pupils
- f) without notice if the behaviour of a parent, family member or guardian is detrimental to the well-being of any pupil, parent, guardian, school employee, Governor or member of public.

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If the Headmaster is considering removal in any of the circumstances (b) to (f) above, he will do so in consultation with parents as far as possible.

The removal of a child/ward under (d) to (f) above will be treated for the purposes of payment of fees as a withdrawal of the pupil by the parents and therefore they shall be obliged to pay to the School one full term's fees in lieu of notice.

### **Leaving status**

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

Points considered as part of the decision on leaving status will include:

- The form of letter which will be written to the parents and the form of announcement in the school that the child has left.
- The form of reference which will be supplied for the child.
- The entry which will be made on the school record and the child's status as a leaver.
- Arrangements for transfer of any work to the child, his parents or another school.
- Whether (if relevant) the child will be permitted to return to school premises to sit examinations.
- Whether (if relevant) the school can offer assistance in finding an alternative placement for the child.
- The conditions under which the child may re-enter school premises in the future.

### **Policies and other relevant information**

Prospective parents should be aware that policies and information which relate to the following are available either on the School's website or on request from the School Office.

- Accessibility Plan Policy
- Admissions Policy
- Data Protection Policy
- Educational Trips and Visits Policy
- Fire Procedures Policy
- Fire Risk Assessment Policy
- Mobile Devices Policy
- Photographic Policy
- Pre-Prep and Nursery Behaviour Policy
- Recruitment Selection and Disclosures Policy
- Risk Assessment Policy
- Social Media Policy
- Child Protection Safeguarding Policy
- Anti-bullying Policy
- Curriculum Policy

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- Special Educational Needs and Learning Difficulties and/or Disabilities Policy Supervision and Registration of Pupils including Duty
- Special Educational Needs Information Report
- Health and Safety Policy
- Rewards and Sanctions (including Behaviour Policy)
- Complaints Procedure
- List of staff and their qualifications
- Equal Opportunities Policy
- First Aid Policy

**Please Note: A Parents' Handbook is sent to all parents of newly registered children before entry to the School.**

### 5. Review

If the parents of the child concerned are not able to agree the way forward with the Headmaster they may request a Governors' Review, the procedure for which can be found under stage 3 of the School's Complaints policy (see website for details).

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