



# Kingswood House School

## Suspension and Exclusion of Pupils Policy

This policy is reviewed annually to ensure its compliance with the latest regulations and relates to the whole school including the EYFS.

Reviewed by	Ian Mitchell
Date	January 2022 and updated on 21/9/22
Approved by	SLT February 2022
Review date	February 2023

### INTRODUCTION

At Kingswood House School ("the School"), our community is based upon respect, good manners and fair play. The School aims to encourage pupils to adopt the highest standards of behaviour, principles and moral standards and to respect the ethos of the school. We encourage the establishment of good teacher/ pupil relationships and support for the School's values through a system of rewards and sanctions, which are designed to promote a calm, disciplined learning environment. Our system of rewards includes:

- **Verbal praise** in front of peers, other members of staff or parents/guardians.
- **Positive comments** in notebooks or notes to parents in the prep diaries.
- **Reports**, which are also seen as a vehicle for constructive criticism and praise.
- **Displaying pupils' work** is a tangible reward available to the teachers. Staff try and ensure that SEN pupils' work is displayed if it deserves praise and in doing so the pupil will experience pleasure and self-satisfaction.
- **House Points** are awarded for good behaviour/manners/effort as well as for academic achievement and are recorded on the Epraise digital platform. The system gives pupils, staff and parents a comprehensive breakdown of how every house point is awarded. The system generates up-to-date individual and house totals. Small prizes are awarded to pupils who attain the highest number of house points per term in each class. A house point cup is awarded at the end of each term to the house with the highest average number of house points.
- **Commendations/Accolades** may be awarded for exceptional behaviour/manners/effort and count as five house points on Epraise. Younger Pupils see the Head to discuss why they were awarded a commendation and all pupils receive a virtual badge on Epraise. Commendations/accolades count towards termly individual and house point totals.
- **'Mentioned in dispatches'** - each week, the Headmaster receives nominations from staff about pupils who have worked effectively, behaved well or who have

been kind, helpful and considerate towards others. These are announced in assembly and in a weekly vlog. They are displayed in the weekly newsletter

- **‘Caught being Good’ awards** are presented in pupil briefings to a person in each division who was mentioned in the previous week’s mentioned in dispatches for being the most helpful, kind or considerate to others.
- **Respect, Integrity and Endeavour Badges** are awarded to pupils who have consistently demonstrated one of the three precepts that underline the Kingswood House Way. There are different badges for each precept.
- **Player of the Match certificates** are awarded to the best Kingswood House player in each team in each match. Other notable individual and team performances are mentioned in assemblies.
- **Headmaster’s Academic Award** – Outstanding work may be rewarded with a certificate awarded by the headmaster
- **Lower Prep ‘Achiever of the Week’ certificates** are awarded to one pupil in each of the Lower Prep classes every week.
- **Monitor roles** are used throughout the school including the Lower Prep. Pupils have monitor roles in their classes or houses. Pupils have the opportunity to sit on the School Council. Older pupils may be rewarded by being selected to be sports/house captains, librarians and even prefects.
- **Senior Pupils (Years 9-11) are allowed to go into Epsom Town Centre** every Friday afternoon. Incomplete preps or similar misdemeanours may result in pupils being denied town leave.
- **Duke of Edinburgh’s Award Scheme** - Each year pupils achieve Bronze and Silver Awards
- **Extra Curricular Achievements** – The school offers a wide range of clubs and workshops which offer many valuable life skills. Many programmes reward students with prizes and rewards e.g. forest school, Year 9 business programme
- **House Days and Charity Events** – These allow every pupil to have the satisfaction of raising money for worthwhile causes.
- **Assemblies, Newsletter, website and social media** – These are all used to celebrate children’s behaviour and achievements.

The School's Behaviour and Sanctions Policy contains full details of the School's reward system.

## **SANCTIONS**

When misbehaviour is identified, sanctions are implemented in line with the School’s Behaviour and Sanctions Policy. The vast majority of disciplinary offences committed by pupils at the School can be adequately dealt with using the Behaviour and Sanctions Policy, which should be read in conjunction with this policy.

### **Circuit Breaker**

A Circuit Breaker is a sanction when a pupil may be asked to stay at home by the Head for a period of between 24 hours and three days, following persistent disruptive behaviour or a serious incident. Although, the circuit break may be longer if the Head believes it is necessary.

The aim is to break the pattern of poor behaviour and allow individual pupils time to reflect upon their actions before returning to school. An additional aim of the circuit breaker is to act as a deterrent to prevent pupils from making further poor decisions, which may result in a formal suspension, or being put on the school's behaviour code. The School will provide the pupil appropriate educational work for the period of the circuit breaker. The absence from school will be recorded as 'an authorised absence'.

In the event that a pupil's behaviour is sufficiently serious or persistent, it may be necessary to exclude a pupil from the School. That exclusion may be temporary (i.e. suspension) or permanent (i.e. expulsion).

### **Suspension (Fixed Term Exclusion)**

The Head may suspend a pupil, for a period of between 24 hours and one week in accordance with this policy. Although, the suspension maybe longer if the Head believes it is necessary.

The School will provide the pupil appropriate educational work for the period of suspension.

If suspension proves ineffective, or the misbehaviour is serious, the School may be required to exclude the pupil, or to require him/her to be withdrawn in accordance with this policy.

### **Permanent Exclusion**

A non-exhaustive list of the sorts of pupil behaviour that could merit permanent exclusion includes the following:

- Drug abuse;
- Alcohol and tobacco abuse (including vapes);
- Theft; or unauthorised possession of any property belonging to the School, another pupil, or a member of staff;
- Bullying (including cyber bullying, prejudice-based and discriminatory bullying);
- Child on Child / Peer on Peer abuse;
- Physical assault/verbal/threatening behaviour;
- Fighting;
- Sexual violence and sexual harassment;
- Racist, sexist, misogynistic, transphobic or homophobic abuse;
- any form of abuse or unlawful discrimination on the grounds of race, religion/ belief, disability, special education needs, sexual orientation (etc.);

- Sexual misconduct including sexting and/or the consensual or non-consensual sharing of nudes/semi-nudes;
- Damage to property; and
- behaviour which puts the safety of the pupil, or any other person, in jeopardy;
- bringing illegal, inappropriate, or dangerous items into school, such as: drugs, weapons, firearms, or pornographic material;
- persistent disruptive behaviour or serious breaches of the School's Behaviour and Sanctions Policy or School Rules; or
- other serious misconduct (on or off the School premises) which actually, or potentially, or indirectly, brings the School into disrepute or damages its reputation.

A permanent exclusion may also be imposed by the School as a sanction for a series of minor misdemeanours.

### **Breaches of discipline outside of the school grounds**

The School takes the conduct of its pupils outside of school grounds extremely seriously. A pupil's misbehaviour outside of school can be damaging to the reputation of both the pupil and the School, and the School may discipline pupils for misbehaviour outside of school premises, in accordance with the provisions of its Behaviour and Sanctions Policy, to the extent that it is reasonable to do so. Where a serious incident is reported to the School of a pupil's poor behaviour outside of the school grounds, the School will follow the investigation procedure set out in this policy. In any event, whether the misbehaviour is a serious or minor incident, the School will take an evidence-based approach and may talk to witnesses before identifying further action and any sanctions required for such behaviour.

This may apply in the following circumstances:

- Misbehaviour when the pupil is:
  - taking part in any activity organised by the School, or related to the School;
  - travelling to and from school;
  - wearing school uniform; or
  - in some other way identifiable as a pupil of the School.
- Misbehaviour at any time, whether or not the conditions above apply, that:
  - could have repercussions for the orderly running of the School;
  - poses a threat to another pupil or member of the public; or
  - could adversely affect the reputation of the School.

In all cases, the above misbehaviour would apply whether it took place in person, over the telephone or online (including on social media).

In all cases, the member of staff may only discipline the pupil when on school property (or elsewhere, where the pupil is under the supervision of that member of staff).

## **REQUIRED REMOVAL**

The School may require the removal of a pupil when, in the opinion of the Head, there has been a breakdown of the relationship between the pupil and/or parent(s) and the School. This may arise through:

- A breakdown of trust between the School and the parent(s). This may manifest itself in a number of ways, including:
  - parent(s) not supporting the School in behaviour management;
  - vexatious behaviour, such as parents repeatedly bringing unsubstantiated claims;
  - abusive or unreasonable behaviour by parents to the School's staff, pupils or other parents (for example as a spectator at school fixtures);
- A breakdown of trust between the School and the pupil. This may manifest itself in a number of ways, including:
  - persistent misconduct such as unauthorised absence from school;
  - when a pupil has brought a malicious or unjustified allegation against a member of staff and where there are reasonable grounds that this may happen again in the future;
- Other circumstances where the Head (after appropriate consultation) is satisfied that it is not in the best interests of the pupil, or of the School, that the child remains at the School.

## **INVESTIGATORY PROCEDURES**

All misbehaviour or disciplinary incidents will be dealt with by the School, as soon as it is possible to do so.

In the event of an incident of serious misbehaviour, an investigation may be carried out to establish the facts. An investigation of a complaint or allegation about serious misbehaviour will normally be coordinated by the Deputy Head or an appropriate member of Senior Leadership team. Parents will be informed as soon as reasonably practicable if a complaint or allegation under investigation is of a nature that could result in the pupil being excluded.

In these circumstances, the pupil will always be given the opportunity to give their account of events and to put forward any mitigating factors. The pupils and staff involved may also be asked to prepare written statements as soon as possible after the incident has taken place. As part of the investigation the pupil may also be

interviewed informally by a member of staff to establish whether there are grounds for the reported complaint and/or a formal investigation. The School is not required to inform the parents that an informal meeting is to take place but will arrange for a member of staff to be present to support the pupil. A pupil who is waiting to be interviewed may be segregated and the School may confiscate a pupil's mobile phone or other personal belongings (as appropriate) for such a period as it is deemed necessary.

The findings of the investigation are presented to the Head for consultation and consideration.

### **Suspension (pending an investigation)**

While an investigation into a pupil's conduct is carried out, a pupil may be suspended from school and may be required to stay at home, or with his education guardian. Alternatively, the pupil may be placed under a segregated regime on school premises. When a pupil is suspended, teachers will set work to be completed by the pupil during their period of absence.

### **Search**

The School reserves the right to search pupils and their possessions. More information regarding the School's approach to searches and confiscation can be found in the School's Behaviour and Sanctions Policy.

### **Reports to the Police (and others)**

The School will usually report to the Police any activity which it reasonably suspects may amount to criminal activity, which takes place either within the School grounds or outside of its grounds. Possessions or items including (but not limited to) drugs, weapons or phones may be confiscated immediately and held for the Police as potential evidence.

If the School reasonably suspects a pupil may have taken drugs then the School will seek immediate medical advice and may involve the Police, where necessary.

Sexual offences will generally be reported to the Police immediately, including in cases where a pupil is suspected or alleged to have committed such an offence. The alleged victim's parents will usually also be informed immediately of the incident and told that the Police have been informed. The School will also apply the terms of its Child Protection and Safeguarding Policy to ensure there is sufficient support in place for the pupils involved.

Other agencies may also be notified where necessary and appropriate to the facts of the case.

### **DISCIPLINARY MEETING**

A formal disciplinary meeting is necessary where the investigation has identified a case for the pupil to answer for which expulsion is a possible outcome, and/or the pupil has been suspended pending the outcome of the disciplinary process.

## **Preparation for the meeting**

The Head will convene a meeting to consider the matter and will invite the pupil and his/her parents to attend the meeting.

The Chair of Governors will also be informed of the investigation and that a disciplinary meeting is to be held but shall not take part in either of them. Prior to the meeting, certain documents will be made available to pupils and parents, wherever possible. These documents may include, but are not limited to:

- a statement setting out the points of complaint;
- written witness statements;
- notes of the evidence in support of the complaint;
- the relevant school policies and procedures; and
- the investigation report.

Any such documents may be redacted or a summary provided for reasons of confidentiality and/or data protection. Any written submission provided by, or on behalf of the pupil must arrive at the Head's office no later than two working days before the disciplinary meeting.

The pupil should be in attendance throughout the disciplinary meeting, and may be accompanied to the meeting by a member of staff. The pupil's parents may similarly be accompanied, should they wish. Legal representation is not appropriate and is not permitted. The Head should be informed of all attendees at least 24 hours before the disciplinary meeting.

## **Proceedings**

The process to be followed at the disciplinary meeting shall be determined by the Head. The meeting will be conducted in a manner appropriate to the age, understanding and maturity of the pupil/s involved, taking into account any additional needs of the pupil/s in all circumstances.

Notes will be taken by the School during the disciplinary meeting and a copy of the notes will be provided to the parents.

The pupil will have an opportunity to provide their account of the circumstances surrounding the incident and both the pupil and his/her parents will be able to ask questions. The pupil/parents will also be able to address the Head on the issue of sanctions.

If the Head considers that further investigation is needed, the disciplinary meeting may be adjourned, and the reason for this adjournment will be explained to the pupil. If an adjournment is not necessary, the Head will make a decision after the meeting. The Head will give a written decision about the incident and the appropriate sanction, together with reasons for those decisions, as soon as reasonably practicable.

If the Head considers that exclusion may be the appropriate sanction, the pupil's previous disciplinary history may be considered, and/or any other favourable or unfavourable conduct known to the School when reaching a decision in respect of the pupil.

### **Leaving status**

If the Head decides that a pupil should leave the School, the pupil's parents will be consulted to determine the appropriate leaving status for that pupil (i.e. permanent exclusion, required removal or voluntary withdrawal by the parents). If the decision is made by the parents to withdraw the pupil, there will be no right to appeal.

Pupils who have permanently left the School, irrespective of leaving status, are not permitted to re-enter School premises without prior consent from the School.

Pupils who have permanently left the School may not be permitted to sit public examinations at the School, irrespective of the timing of the offence(s). The School may make arrangements for the transfer of any course and project work to either the leaving pupil, the parents or to another school.

### **RIGHT TO APPEAL**

The School offers the right of appeal to parents or guardians of any pupil that has been permanently excluded, or is otherwise required to leave the School other than where the pupil is withdrawn by the parents. Appeals will be dealt with by way of a Governors' review hearing. The right to appeal does not extend to suspensions (whether pending an investigation or as a sanction).

Pending such appeal, the pupil shall remain suspended from the School.

### **Request for Review**

Upon notification of the Head's decision to exclude or require a pupil to leave the School, a pupil or his/her parents, may make a written application for a Governor's review hearing. The application must be received by the Clerk to the Governors within 72 hours of the decision being notified to the parents and must clearly set out the grounds on which they are asking for a review and the outcome that they seek.

### **Review Hearing**

The review will be undertaken by at least two governors and a third person that is independent of the School. They will have no detailed prior knowledge of the case, or of the pupil or parents. Parents will be notified in advance of the names of the members making up the review hearing.

The meeting will take place at the School premises unless notified otherwise, normally between 3 and 10 days after a request for appeal has been received, during term time. A review meeting is an internal procedure and all those involved, or who are concerned in the procedure, are required to keep its proceedings confidential. Those present at the hearing will usually be:

- members of the review hearing and the Clerk to the Governors;



- the Head and any relevant members of staff whose presence the Head considers to be necessary to secure a fair outcome for the pupil; and
- the pupil together with his/her parents and, if they wish, the parents may be accompanied by a friend or relation who is not legally qualified.

### **Conduct of the Review Hearing**

The review hearing will be chaired by one member. As with the disciplinary meeting, the hearing will be conducted in a manner appropriate to the age, understanding and maturity of the pupil involved, taking into account any additional needs of the pupil in all circumstances.

The Clerk to the Governors will be asked to take minutes of the hearing, and a copy of the minutes will be provided to the parents after the meeting.

The Chair of the review hearing will ensure that all those present have the opportunity to ask questions and make appropriate comment.

The Chair may at his/her discretion adjourn or terminate the hearing. If the hearing is terminated without a conclusion being reached, the original decision of the disciplinary meeting will stand.

### **Decision**

The Governors' review will consider the grounds for the review and shall decide whether to either:

- uphold the decision of the Head and, if minded to do so, with agreement of the Head, discuss the pupil's leaving status (i.e. permanent exclusion, required removal, or withdrawal) with a view to reaching an agreement; or
- recommend the decision of the Head to be reviewed and, if minded to do so, require the Head to review the decision including recommending an alternative sanction.

The decision will be notified, together with the reasons for the decision, to the parents by the Chair of the review hearing in writing within 3 working days of the review meeting.

### **AFTERMATH**

The decision to exclude is always a serious matter for both the pupil and the school. After following a fair procedure, the School does all it reasonably can to minimise educational damage to the pupil.

### **After-care**

The consequences of a decision to exclude can be far-reaching, both in terms of the immediate issue of placing the pupil in another school but also in light of the

perceived blemish to a pupil's good character. The potential for emotional and psychological side effects should obviously be borne in mind and can be mitigated not only by the human way in which the process is managed, but also by the School's care for the pupil both during and after the process.

### **Fees after Expulsion**

If the Pupil is expelled, there will be no refund of the acceptance deposit or of fees for the current or past terms, but the overseas element (if any) of the acceptance deposit, and the unspent balance of any lump sum prepayment will be refunded without interest. There will be no charge to fees in lieu of notice but all arrears of fees and any other sum due to the School will be payable.

### **Removal in other Circumstances**

Parents may be required, during or at the end of a term, to remove the pupil, temporarily or permanently from the school. If, after consultation with the pupil and/or the parent, the Head is of the opinion that by reason of the pupil's conduct or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and/or community life offered by the School, or if a parent has treated the School or members of its staff unreasonably. In these circumstances, parents may be permitted to withdraw the pupil as an alternative to removal being required. The Head shall act with procedural fairness in all such cases, and shall have regard to the interests of the pupil and parents as well as those of the School (see appeal procedure above).

### **Fees Following Removal**

If the Pupil is removed or withdrawn in the circumstances described above, the rules relating to fees and the acceptance deposit shall be the same as for expulsion save that the acceptance deposit will be refunded in full without interest.

### **Leaving Status**

The expression "leaving status" has reference to whether the Pupil has been expelled, removed or withdrawn, and to the record which will be entered into the Pupil's file as to the reason for leaving, and the Pupil's status as a leaver, and the transfer of the Pupil's work to another educational establishment and to the nature of the reference which will be given in respect of the Pupil, and also to the financial aspects of the Pupil's leaving. These and any other relevant matters of leaving status will be discussed by the Head with the Parents and, where appropriate with the Pupil, at the time of the Head's decision.

### **Recording and monitoring**

Where the sanction imposed is exclusion, required removal or suspension, the written report on the investigation will be placed on the pupil's file.

## **OTHER IMPORTANT ISSUES**

### **Safety**

An exclusion should not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority.

### **Equal Opportunities**

Any decision to exclude should not be based on a person's race, sex, disability, sexual orientation or religious belief as stated in the Equality Act 2010.

### **Special Educational Needs**

Following the implementation of the Special Educational Needs and Disability Act 2001 ("SENDA") it is unlawful either to treat a disabled pupil less favourably for a reason related to their disability, or to fail to make reasonable adjustments in relation to a child's education and associated services to ensure that disabled pupils are not placed at a comparative substantial disadvantage.

The School must take account of any special educational needs when considering whether or not to exclude a pupil. The Head should ensure that reasonable steps have been taken by the School to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability. 'Reasonable steps' could include:

- developing strategies to prevent the pupil's behaviour
- requesting external help with the pupil
- staff training

Where reasonable adjustments to policies and practices have been made to accommodate a pupil's needs and to avoid the necessity for exclusion as far as possible, exclusion may be justified if there is a material and substantial reason for it. A specific incident affecting order and discipline in the school may be such a reason.

## **CONFIDENTIALITY**

All those participating in the application of this policy including parents and pupils are required to keep all statements, correspondence, notes and documents confidential except where legally required to disclose them.