



## **Exclusions Policy**

This policy outlines how the School will process incidents which the Headmaster believe to be sufficiently serious that he considers permanent exclusion to be a potential sanction. All other sanctions which do not result in the permanent removal of a pupil from Rookwood School, including fixed-term exclusion, are explained in the Behaviour, Rewards and Sanctions Policy.

The underlying philosophy behind this policy is that of natural justice. Therefore every pupil:

- Has a right to know the nature of the accusations against him or her
- Has a right for a full and fair investigation of the facts
- Has a right to a fair hearing
- Has a right to proportionate and fair sanctions
- Has a right of appeal against any decision to permanently exclude him or her

### **Behaviours which may lead to permanent exclusion**

The following list is non-exhaustive and each incident will be considered on its own merit. However, the following behaviours are likely to be sufficiently serious that permanent exclusion may be warranted:

- Criminal activity, including whilst off the school premises
- Drug-taking or possession of illegal drugs, including whilst off the school premises
- Serious violent behaviour
- Exposing younger or more vulnerable children to serious, inappropriate behaviour (for example, but not limited to, alcohol, smoking, pornography or deeply offensive language)
- Bringing the school into serious disrepute, including whilst off the school premises
- Other repeated behaviour where previous sanctions, such as fixed-term exclusion, have already been applied

### **Procedure**

Instances of poor behaviour should be investigated according to the Behaviour, Rewards and Sanctions Policy. However, if the investigating staff member believes that permanent exclusion may be warranted then the incident should be referred to the Headmaster or, if he is unavailable, the Deputy Head at the earliest opportunity.

If the Headmaster (or Deputy) agrees that permanent exclusion is a potential sanction then an Exclusion Hearing will be called and parents of the child concerned informed. The investigation should continue, with notes taken of all meetings and interviews, pending the Hearing. However, the child concerned should not be interviewed alone, instead a parent should be present or, where this is not possible, an appropriate staff member (for example, the child's form tutor, boarding houseparent or mentor).

The Exclusion Hearing should only be held once the investigation has concluded and, in any instance, after a minimum of 48 hours from when the parents were informed. It is anticipated that the child concerned will not attend school whilst waiting for the Exclusion Hearing; however, depending on the circumstances, it may be possible for the child to attend but in isolation from his or her peers. In either case, the school will ensure that appropriate work is provided during this time.

The Exclusion Hearing will be heard by an Exclusion Panel consisting of the Headmaster (or, in his absence, the Deputy Head) and two other members of the Senior Leadership Team. This should not include the investigating staff member. The hearing must be minuted.

The Panel should review all relevant evidence. The parents of the child concerned and, depending on the child's maturity and willingness, the child himself/herself will be invited to attend. Legal or other representation is not permitted. Where there is an alleged victim(s), they and their parents will be invited to give a written statement, which may be provided in addition to any interview statements previously collected.

Upon considering the evidence, the Panel should decide the appropriate sanction, if any, to be applied or whether further investigation is required before a decision can be made. The decision (or timescale, if investigating further) should be communicated to the child's parents by the end of the next working day. If the Headmaster is not on the Panel, any recommendation to permanently exclude must be ratified by the Headmaster at the earliest opportunity.

The Headmaster will inform the Chair of Governors when an Exclusion Hearing is called and, once known, the outcome of the Exclusion Hearing.

#### **Right of appeal**

In the event that a child is permanently excluded, the child's parents have the right to appeal the decision. The appeal should either be on the grounds that the sanction was disproportionate or that this policy, including the Exclusion Hearing, was not followed fairly. The excluded child will not be allowed to return to the school whilst waiting for the appeal; however, the school will ensure that appropriate work is provided during this time.

In the event that a child is not permanently excluded, parents of any alleged victim have the right to appeal the decision. The appeal should either be on the grounds that the sanction was disproportionate or that this policy, including the Exclusion Hearing, was not followed fairly.

Appeals must be made in writing within 14 days of the date the decision was communicated to the parents. The appeal will be heard by an Exclusion Appeal Panel comprising two governors and a third person independent to the running of the school. The panel should meet as soon as practicable and, wherever possible, within 14 days of the appeal being made. If this is not possible, the parents concerned should be kept informed of the likely timescale.

The Exclusion Appeal Panel may choose to uphold the original sanction, apply a different sanction or request a new Exclusion Hearing. The decision of the Exclusion Appeal Panel is final.