Permanent Exclusion and Withdrawal: Review Procedure

Rookwood School

April 2026

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Policy owner (SLT)	Head
Policy owner (Proprietor)	Amit Mehta

Contents

1 Aims 3
2 Scope and application 3
3 Regulatory framework 3
4 Publication and availability 4
5 Definitions 4
6 Responsibility statement and allocation of tasks 4
7 Training 5
8 Record keeping 5
9 Version control 5

Appendix

Appendix 1 Review procedure 6
Appendix 2 Form for requesting a Review 10

1 Aims

1.1 This is the exclusion and withdrawal review procedure of Rookwood School (**School**).

1.2 The aims of this policy are as follows:

1.2.1 to support the School rules and policies on behaviour and discipline;

1.2.2 to ensure procedural fairness and natural justice;

1.2.3 to ensure that any decision to exclude a pupil is reasonable and proportionate, and used as a last resort; and

1.2.4 to promote co-operation between the School and Parents when it is necessary for the School to require a pupil to leave earlier than expected.

2 Scope and application

2.1 This policy applies to the whole School including the Early Years Foundation Stage (**EYFS**).

2.2 The policy applies to all pupils at the School but does not cover cases when a pupil has to leave because of ill-health, non-payment of fees, or withdrawal by their Parents.

2.3 The policy closely links to sanctions imposed within the Behaviour and Discipline policy.

2.4 Where a matter raises safeguarding concerns, the School's Child Protection and Safeguarding policy (including referral to the Designated Safeguarding Lead and, where appropriate, external agencies) will take precedence over this procedure.

3 Regulatory framework

3.1 This policy has been prepared to meet the School's responsibilities under:

3.1.1 Education (Independent School Standards) Regulations 2014, and particularly Part 3 (Welfare, health and safety of pupils)

3.1.2 Statutory framework for the Early Years Foundation Stage (DfE, September 2025);

3.1.3 Education and Skills Act 2008;

3.1.4 Childcare Act 2006;

3.1.5 Data Protection Act 2018 (DPA) and General Data Protection Regulation (UK GDPR). Last updated in March 2023 with amendments in April 2026; and

3.1.6 Equality Act 2010.

3.1.7 Where a school has boarding pupils, the National Minimum Standards for Boarding Schools, amended 2022.

3.2 This policy also has regard to Keeping Children Safe in Education (DfE, September 2025) (KCSIE).

3.3 This policy should be read alongside the parent contract, terms and conditions and other such documents.

3.4 Other School policies, procedures and resource materials may be relevant to this policy, including but not limited to:

3.4.1 behaviour and discipline policy;

3.4.2 anti-bullying policy;

3.4.3 policy on smoking, alcohol, drugs and substances;

3.4.4 safeguarding and child protection policy and procedures;

3.4.5 [• acceptable use policy;] [• and]

3.4.6 [• online safety policy;]

4 Publication and availability

4.1 This policy is available in hard copy from the School office on request, or can be sent by email

4.2 This policy can be made available in large print or other accessible format if required.

5 Definitions

5.1 Where the following words or phrases are used in this policy:

5.1.1 References to **working days** mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.

5.1.2 References to the **Head** may include other appropriate senior staff.

5.1.3 References to **Parent** or **Parents** includes one or both of the parents, a legal guardian or education guardian.

5.1.4 References to the **Review** and **Review Hearing** are to the review by the Panel of the Head's decision, in accordance with this policy.

5.1.5 References to the **Panel** are to the three-member panel selected by the Chair of the School Advisory Board to hear the Review.

6 Responsibility statement and allocation of tasks

6.1 The Proprietor has overall responsibility for all matters which are the subject of this policy.

6.2 To ensure the efficient discharge of its responsibilities under this policy, the Proprietor has allocated the following tasks:

Task	**Allocated to**	**When / frequency of review**
Keeping the policy up to date and compliant with the law and best practice	Head	As required, and at least annually
Monitoring the implementation of the policy, relevant risk assessments and	Head	As required, and at least annually

Task	Allocated to	When / frequency of review
any action taken in response and evaluating effectiveness		
Maintaining up to date records of all information created in relation to the policy and its implementation as required by the GDPR	Head	As required, and at least annually
Formal review	Proprietor	As required, and at least once every two years

7 Training

7.1 Those involved with this process will have the appropriate knowledge, skills and experience to deal with these types of situations, and they can seek advice from the ILG Advisory Board. They would normally be reminded of guidelines relating to fairness and independence, handling sensitive cases, and confidentiality.

7.2 The level and frequency of training depends on role of the individual member of staff or member of the Advisory Board.

8 Record keeping

8.1 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

8.2 Details of individual reviews will be kept in line with data protection principles and DfE guidance. These records are normally retained for at least 6 years. Any reviews that have a safeguarding element will be retained in accordance with current government guidance.

8.3 Administration of major punishments are recorded, with the name of the pupil concerned, the reason for the punishment including relevant dates, and the name of the person administering the punishment.

8.4 The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy

9 Version control

Date of adoption of this policy	April 2026
Date of last review of this policy	April 2024
Date for next review of this policy	April 28
Policy owner (School)	Head

Appendix 1 Review procedure

1 **Review**

1.1 A pupil's Parent(s) may request a Review of the Head's decision to permanently exclude or require the withdrawal of a pupil, or where a decision has been made to impose the disciplinary sanction of suspension on a pupil for 11 working days or more or where such suspension would prevent a pupil from taking a public examination.

1.2 The Review is not a rehearing of the case, but a review of the Head's decision-making, except where the Panel considers it appropriate to consider the matter afresh. Where appropriate, pupil voice may be considered as part of the Review.

1.3 A pupil or their parents will not be disadvantaged for requesting a Review in good faith.

2 **How to request a Review**

2.1 A request for a Review must be put in writing to the Proprietor or Chair of the School Advisory Board (details on the School website) either by sending an email or using the request form at Appendix 2. They will appoint a Clerk to assist with the Review, who is normally either a representative from the School or ILG. The request must be made within five working days of the date of the Head's letter confirming their decision.

2.2 The request should include:

2.2.1 a copy of all relevant documents and full contact details; and

2.2.2 the grounds on which the Parents are asking for a Review and the outcome desired.

2.2.3 any document which relates to the appeal and on which the Parents' grounds for appeal rely.

2.3 For the avoidance of doubt, a mere disagreement with the decision of the Head will not of itself be grounds sufficient for a Review. It is necessary for Parents to be able to identify why they believe the decision taken by the Head is incorrect and worthy of a review. Typical grounds may include a procedural irregularity, new evidence, disproportionality, bias or unfairness.

2.4 If assistance with the request is required, for example because of a disability, this should be indicated in the request form.

2.5 The Proprietor, Chair of the School Advisory Board or appointed Clerk will acknowledge the request for a Review in writing within three working days of receipt.

2.6 Every effort will be made to enable the Review to take place within 20 working days of receipt of the request.

3 **Planning the Review**

3.1 The appointed Clerk will send written notification to each party of the date, time and place of the Review at least ten working days before the date of the Review.

3.2 Copies of any documents additional to those specified in the Review form that the Parents wish the Panel to consider should be sent to the appointed Clerk to be received at least seven working days prior to the Review.

3.3 The Panel will normally consider only the information available to the Head at the time of the decision, unless there is good reason to admit new evidence.

3.4 On receipt of new information not previously available to the Head before their decision was made, the appointed Clerk should contact the Chair of the School Advisory Board who will decide whether to:

3.4.1 include the new information in the bundle; or

3.4.2 omit the information if not relevant to the grounds for Review; or

3.4.3 make further enquiries of the Parents or the pupil about the information or

3.4.4 if the Chair of the School Advisory Board is content, they may instruct that the new information is added to the bundle of documents to be circulated to all parties with due notice in advance of the Hearing.

3.4.5 If new information or evidence is to be included, this could extend the timeframe of the Hearing.

3.5 The appointed Clerk will circulate a copy of the bundle of documents to be considered by the Review Panel to all parties at least three working days prior to the Review.

3.6 The Parents may be accompanied at the Review Hearing, for example by a relative or friend. The Review is an internal proceeding, not legal proceedings, and legal representation is unnecessary.

3.7 The Parents are required to notify the appointed Clerk if they wish to be accompanied by someone who is legally qualified in their initial request for a Review. The Parents should note that the Panel will wish to speak to them directly. The legally qualified person will not be permitted to act as an advocate or to address the Review unless invited to do so by the Chair of the Panel.

3.8 A person will be appointed to take a minute of the Review Hearing.

3.9 The School may, at its discretion, arrange for the Review Hearing to take place in person, remotely (for example via an online platform such as Teams) or in a hybrid format, where it considers this to be reasonable and appropriate in the circumstances. In all cases, the School and ILG will ensure that the chosen format allows all parties to participate fully and fairly.

3.10 The School will make reasonable adjustments in line with the Equality Act 2010. These may, for example, include the provision of additional support and translation services, if requested by one of the parties.

4 Composition of the Panel

4.1 The Chair of the School Advisory Board will be responsible for deciding upon the correct composition of the Appeal Panel and for notifying the members of the Panel of their appointment.

4.2 The Panel will comprise at least three individuals who have no detailed prior knowledge of the case or of the pupil or the Parents. The individuals may include members of the School Advisory Board, but will always include at least one person who is entirely independent of the management, governance and running of the School. (ie. not a member of staff, the proprietor, part of ILG or otherwise involved in governance, and will have no conflict of interest).

4.3 The Parents will be informed of the composition of the Panel and the relevant experience of the Panel members in advance of the Hearing. Fair consideration will be given to any reasonable objection to a particular member of the Panel.

4.4 The Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings.

5 **Role of the Panel**

5.1 The role of the Panel is to consider:

5.2 **Whether the decision-making followed a fair process**: whether an appropriate procedure was followed allowing the facts of the case to be sufficiently proved when the decision was taken to expel or remove of the pupil. The civil standard of proof, namely, "the balance of probability", will apply. Observance of the School's relevant policies and rules will be taken into account but may not be determinative.

5.3 **Whether the sanction was proportionate and in line with other policies**: whether it was warranted in respect of the breach of discipline or the other events that are found to have occurred and to the legitimate aims of the School's policy in that respect. Whether it was in line with other policies (notably the Behaviour and Discipline policy).

5.4 In addressing the matters above, the Panel will consider the documentation provided by the parties, representations made by the parties and any other factors which the Panel considers to be relevant.

6 The Panel will determine whether to uphold the Head's decision or refer the decision back to the Head with recommendations so that they may consider the matter further. **Review Hearing**

6.1 The Review will be conducted in an informal manner, ie. structured but non-adversarial, and observing principles of natural justice.

6.2 During the Review, the parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Review is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

6.3 All statements made at the Review will be unsworn. The parties will be entitled to write their own notes for reference purposes. If agreed by all parties, audio recording may be used.

6.4 All those present during the Review are expected to show courtesy, restraint and good manners or, after due warning, the Review may be adjourned or terminated at the discretion of the Chair of the Panel. Any person who is dissatisfied with any aspect of the way the Review is being conducted must say so before the proceedings go any further and their comment will be minuted.

6.5 The Chair of the Panel may, at their discretion, adjourn the Review if they consider it appropriate to do so. This may include an adjournment for the parties to take legal advice on a specific issue arising.

6.6 A Review is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law. The requirement is without prejudice to the parties' right to refer to the Panel's decision in any subsequent legal proceedings.

6.7 When the Chair of the Panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, he / she will conclude the Review Hearing.

7 Decision

7.1 The Panel's decision and any recommendations will be notified in writing, with reasons, to the Head and the Parents by the Chair of the Panel within five working days of the Review Hearing.

7.2 In the absence of a significant procedural irregularity, the Head's decision and that of the Review Panel will then be final within the School's internal procedures, with no further appeal process

Appendix 2 Form for requesting a Review

To Heads PA

office@rookwoodschool.org

Subject [• name of pupil]

I / we request a Review of the Head's decision to exclude or require the withdrawal of the above named pupil. I/we agree that the Review will be carried out in accordance with the School's Exclusion and Withdrawal Review Policy and I / we agree to abide by the terms of that Policy.

I / we confirm that I / we have parental responsibility for the above named pupil and that I / we have consulted the pupil who wishes the Review to be undertaken.

I / we understand that the Panel will be concerned with the fairness and proportionality of the Head's decision in accordance with the School's existing policies (where applicable and relevant) on educational, pastoral care and administration matters.

I / we understand that we may be accompanied at the Review Hearing, set out as below

I / we will inform the appointed Clerk if I / we have any special needs or disabilities requiring additional facilities or adjustments.

The grounds upon which I / we seek a Review and the outcome which I / we seek are as set out below.

Grounds for Review	
Desired outcome	
Details of accompanying person/peoples	
List of all documents which we wish the Panel to consider	

(please enclose copies if you have them)	

Signed	Signed
Full name	Full name
Relationship to pupil	Relationship to pupil
Date	Date
Address	Address
Telephone number	Telephone number

(Two signatures required where practicable)