Tormead
SCHOOL

Exclusion and Dismissal Policy

This policy also applies to the Prep School

Introduction

At Tormead, it is understood that good behaviour and discipline is essential for promoting a high-quality education.

Amongst other disciplinary sanctions, the school recognises that the exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the school's Behaviour Policy or Parent Contract. Excluding a pupil may also be required in instances where allowing the pupil to remain in school would be damaging to the education and welfare of themselves or others; in all cases, excluding pupils will only be used as a means of last resort.

The school has created this policy to provide clarity on when the school's right to exclude a pupil may be exercised, and to ensure that our procedures are fair and promote natural justice. This policy does not apply to instances when a pupil must leave the school due to non-payment of fees or withdrawal by their parents.

This policy should be read in conjunction with the School's Behaviour Management Policy, Anti-Bullying Policy, Pupil Code of Conduct, E-Safety Policy and Complaints Procedure.

This policy is available on the School's website and also on request from the School office.

Sanctions for breaches of discipline that do not merit exclusion / required removal

It is hoped that pupils will respond to the School's positive encouragement and rewards and will comply with the School Rules at all times. However, the School acknowledges that from time to time, pupils' conduct may fall below the standards of behaviour reasonably expected by the School.

When poor behaviour is identified sanctions are implemented in line with the School's Behaviour Management Policy.

School staff can issue sanctions any time pupils are in school or elsewhere under the charge of a member of staff, including on school visits. This also applies in certain circumstances when a pupil's misbehaviour occurs outside of School.

We have a range of disciplinary measures for the Senior School which include:

- a verbal reprimand from a member of School staff
- Detention marks
- Lunch time detention
- Gating (6th Form only)
- After school detention

In the Prep School, conduct marks are given when a pupil breaches the Code of Conduct after being given an initial warning. Formal lunchtime detentions may be held when pupils accumulate a number of conduct marks or for some cases of serious breaches of the behaviour rules when a pupil has been referred by a teacher to the Deputy Head of Prep.

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. Where an incident is reported to the School of a pupil/s' poor behaviour outside of the School grounds and the incident has not been witnessed by School staff, the School will take an evidence-based approach and/or talk to witnesses before identifying further action and any sanctions required for such behaviour.

The School will usually report to the police any activity which it believes may amount to a criminal activity which takes place either within the school grounds or outside of its grounds. Suspected drugs and weapons will be confiscated immediately and held for the police as potential evidence. If the School believes a pupil may have taken drugs then the School will seek immediate medical advice and may involve the police.

Alleged sexual offences will generally be reported to the police immediately.

Other agencies, for example Children's Social Care, may also be notified where necessary and appropriate to the facts of the case.

Breaches of School Rules by pupils which merit exclusion:

A non-exhaustive list of the sorts of behaviour that could merit permanent exclusion (including behaviour or conduct outside of School) includes the following:

- physical assault against pupils or adults;
- behaviour which puts the safety of the pupil, or any other person, in jeopardy;
- verbal abuse/threatening behaviour against pupils or adults;
- bullying, including (cyber-bullying) in accordance with the School's Anti-Bullying Policy;
- committing a criminal offence;
- fighting;
- abuse on the grounds of race, religion/belief, disability, SENs (etc.) or any form of unlawful discrimination;
- sexual harassment or misconduct, including non-consensual sharing of nudes or semi-nude images and/or videos;
- drug and alcohol misuse (including supply/possession/use);
- damage to property;
- vandalism or computer hacking;
- theft or unauthorised possession of any property belonging to the School, another pupil, or a member of staff;
- wilful damage to property;
- bringing illegal, inappropriate or dangerous items into School, such as drugs, weapons, firearms, pornographic material etc;
- misconduct which adversely affects or is likely to adversely affect the welfare of a member or members of the School community;
- misconduct which brings or is likely to bring the School into disrepute; and
- persistent disruptive behaviour or breaches of the School's Behaviour Policy or Code of Conduct.

Circumstances which may merit required removal:

A non-exhaustive list of the sorts of circumstances that could merit required removal (including behaviour or conduct outside of School) includes the following:

- Conduct or behaviour (including conduct or behaviour outside of School) which is unsatisfactory and/or in the reasonable opinion of the Head, the removal is in the School's best interests, and/or those of the pupil in question and/or other children;
- Where attendance is unsatisfactory and/or, in the reasonable opinion of the Head, the removal is in the School's best interests and/or those of the pupil in question and/or of other children;

- Where progress is unsatisfactory and/or, in the reasonable opinion of the Head, the removal is in the School's best interests and/or those of the pupil in question and/or of other children;
- Circumstances where the School is unable to meet the pupil's needs, including cases where the School cannot reasonably accommodate adjustments or reasonably provide the nature or level of support required.

As set out in the School's Parent Contract, the School may also require the removal of a pupil in circumstances where the Head considers in their discretion that the behaviour or conduct of a parent (or both parents) is unreasonable; and/or adversely affects (or is likely to adversely affect) their child's and/or other children's progress at the School, and/or the wellbeing of School staff; and/or brings (or is likely to bring) the School into disrepute (among the School community or the general public); and/or is not in accordance with their obligations under the Parent Contract. A non-exhaustive list of the sorts of behaviour that could merit required removal of a pupil on the grounds unacceptable parental behaviour or conduct includes the following:

- treating the School or a member of staff unreasonably;
- making a malicious allegation about a member of staff or the School;
- communicating with the School in person or in writing (directly or indirectly), in a manner which is deemed voluminous, and/or relentless, and/or confrontational, and/or unreasonable, and/or overly aggressive;
- behaving in a manner which adversely affects (or in a manner which is likely to adversely affect) the welfare of a member or members of the School community; and
- breaching the Parent Contract.
- The School reserves the right to impose sanctions for parental behaviour falling short of required removal, including but not limited to placing restrictions on a parent's access to School / School events, communications with the School and/or the imposition of a warning (up to and including a final written warning).

Please note that exclusion / required removal may also be imposed by the School as a sanction for a series of more minor misdemeanours (whether that be pupil or parental related) and/or repeated short-term absence in the case of the pupil (as well as long term absence).

<u>Power to suspend or exclude</u>

Only the Head has the power to permanently exclude a pupil from the school, which is derived from the Parent Contract, and they will decide whether a suspension or exclusion is appropriate. The Head and the Deputy Heads have the power to suspend a pupil from school.

The Head is able to consider a pupil's disruptive behaviour outside of the school premises as grounds for suspension or exclusion, in accordance with the school's Behaviour Policy.

The Head will apply the civil standard of proof when responding to the facts relating to a suspension or exclusion, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true.

<u>Procedure</u>

The Head will inform the parents of a pupil under investigation for an incident that may result in suspension exclusion as soon as is reasonably practical.

The Head for their part undertakes to make decisions in respect of exclusions or required removals fairly, and, where appropriate, after due investigative action has taken place (such investigation to be carried out by the Head or their nominee). Any findings of fact will be made on the basis of the balance of probabilities.

When a decision is made to suspend or exclude a pupil, the headteacher will immediately inform the parents, in person or by telephone, of the period of the suspension or the permanency of the exclusion and the reasons behind this.

The School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure. Alternatively, the pupil may be placed under a segregated regime if they remain on School premises.

Decision to exclude / require removal

Prior to any decision being taken by the Head to exclude or require the removal of the pupil, the Head will meet with the pupil and their parents or (in circumstances involving the possibility of the pupil's required removal on the grounds of parental unreasonable behaviour) the parents.

The Head will not be required to share confidential information, or the identities of pupils or others who have provided information that has formed part of the evidence against a pupil, with parents.

If the Head considers that further investigation is needed, the meeting may be adjourned, and the reason for the adjournment will be explained to the pupil / their parents.

Following the conclusion of the meeting the Head will reach their decision. The Head will communicate their decision in writing within 5 working days from the meeting.

Appeals against exclusion / required removal

The School will always offer the right of appeal to any pupil excluded or required to be removed from the School. Any appeal against exclusion will be dealt with under Stage 3 of the School's Complaints Procedure, and should be made in writing to the Head within 15 working days of the pupil's exclusion/required removal.

The outcome of the appeal process is final and there shall be no further right to appeal.

If a decision is taken by the parents to withdraw the pupil, the parents will waive any right to an appeal.

For the purposes of this policy "working days" refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term.

Recording and monitoring

Where the School imposes exclusion, required removal or suspension as a sanction, the written report on the investigation will be placed on the pupil's file.

Details of the exclusion, required removal or suspension will be recorded on CPOMS.