

# Jack & Jill Family of Schools

## Exclusions Policy

### Legal Status:

- Prepared with regard to Early Years Foundation Stage Framework
- Behaviour and Discipline in Schools (January 2016);
- The Education (Independent School Standards) (England) Regulations 2014

### Applies to:

- Jack & Jill (Early Years Foundation Stage);
- Nightingale House Pre-Preparatory; and,
- Clarence House Preparatory School.

### Related Policies and Documents:

- Anti-bullying Policy
- Safeguarding Policy
- Behaviour Policy
- Jack & Jill Family of Schools Terms and Conditions

### Who is this policy for?

- Staff and volunteers;
- Parents;
- External agencies.

### Available from:

- School Office;
- School Website;
- SharePoint.

### References:

- “Parents” refers to parents, guardians and carers;
- “Staff” refers to employees, peripatetic staff, external providers (including Kinder Club and Swimquest) or specialist staff provided by an external provider;
- The “School” refers to Jack & Jill Family of Schools, Nightingale House Pre-Preparatory and Clarence House Preparatory School (CHPS);
- “Strategic Leadership Team” refers to the team managing the School, currently including the Deputy Principal, Headteacher of Clarence House and Pre-Preparatory Lead Teachers.

**Reviewer:** Strategic Leadership Team

**Review date:** October 2019

**Operational from:** October 2019 to October 2021

**Next review date:** October 2021

**Principal’s Signature:**



The Jack & Jill Family of Schools is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. It is our aim that all pupils achieve their potential.

The Jack & Jill Family of Schools promotes equality of opportunity and anti-discriminatory practice. We ensure that every child is included and not disadvantaged because of ethnicity, culture or religion, home language, family background, learning difficulties or disabilities, gender or ability. We promote the principles of fairness and justice for all through the education that we provide in our School.

## Section One: Policy

### 1. Introduction

Ultimate sanctions at the Jack and Jill Family of Schools are 'fixed term' and 'permanent' exclusions. Neither sanction is used lightly and only the School Principal has the power to exclude a child from the Family of Schools.

### Definitions

- **Permanent Exclusion: the Pupil is required to leave the School permanently in circumstances described in the *Jack & Jill Family of Schools Terms and Conditions***
  - The Pupil may be permanently excluded from the School if it is proved on the balance of probabilities that the Pupil has committed a very grave breach of discipline or a serious criminal offence. Permanent Exclusion is reserved for the most serious breaches. The Principal shall act with procedural fairness in all such cases. The Principal's decision to permanently exclude shall be subject to an Appeal if requested by the Parents. The Parents will be given a copy of the Appeal procedure current at the time. The Pupil shall be excluded from the School for a fixed term pending the outcome of the Appeal.
  
- **Removal: the permanent removal of the Pupil from the School in circumstances described in the *Jack & Jill Family of Schools Terms and Conditions***
  - The Parents may be required to remove the Pupil permanently from the School if, after consultation with the Parents and if appropriate the Pupil, the Principal is of the opinion that:
    - the Pupil has committed a breach or breaches of School rules or discipline for which Removal is the appropriate sanction; or
    - by reason of the Pupil's conduct, behaviour or progress, the Pupil is unwilling or unable to benefit sufficiently from the educational opportunities and / or the community life offered by the School; or
    - one or both Parents have treated the School or members of its staff or any member of the School community unreasonably; then in these circumstances, and at the sole discretion of the Principal, Withdrawal of the Pupil by the Parents may be permitted as an alternative to Removal being required. The Principal shall act with procedural fairness in all such cases and shall have regard to the interests of the Pupil and the Parents as well as those of the School. The Principal's decision to require the Removal of the Pupil shall be subject to an Appeal if requested by the Parents. The Parents will be given a copy of the Appeal procedure current at the time. The Pupil shall be excluded from the School for a fixed term pending the outcome of the Appeal.
  
- **Fixed Term Exclusion: the Pupil is sent home for a limited period as either a disciplinary sanction or pending the outcome of an investigation or pending an Appeal.**

### 2. Serious offences

Serious offences are those that may have a significant impact on the individual pupil or others in the school and they may result in ultimate sanction, fixed term or permanent exclusion.

Examples include:

- extreme or persistent bullying, racism or harassment;
- stealing;
- extreme or persistent violence, actual or threatened, against a pupil or member of staff;
- sexual abuse, assault or activity; and
- significant vandalism.

### 3. Exclusion as a result of serious and persistent breaches of the Family of Schools' rules

Serious and persistent breaches of the Jack & Jill Family of School rules, when normal disciplinary measures, have failed, may result in fixed term or permanent exclusion. Such exclusions will only take place when a pupil reaches Stage 6 of the Behaviour Ladder, in accordance with the Behaviour Policy.

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.

**Procedural fairness:** Investigation of an allegation, complaint or rumour that could lead to Permanent Exclusion, Removal or Withdrawal of the Pupil in any of the circumstances explained below shall be carried out in a fair and unbiased manner. If a disciplinary meeting with the Principal is required before a decision is taken, the School will make reasonable efforts to notify the Parents or education guardian so that they can attend. In the absence of the Parents or education guardian, the Pupil will be assisted by an adult (usually a teacher) of his / her choice.

## Section Two: Procedures

Before resorting to any form of exclusion, the school will put measures in place to support the pupil, in accordance with the Behaviour Policy. If a pupil fails to respond to the support provided, and reaches Stage 6 of the Behaviour Ladder, exclusion may be deemed necessary.

### **4. Exclusion as a result of serious and persistent breaches of the Family of Schools' rules**

Serious and persistent breaches of the Jack & Jill Family of School rules, when normal disciplinary measures, have failed, may result in fixed term or permanent exclusion.

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.

### **5. Exclusion as a result of an individual serious offence**

If serious offence is committed by a pupil, the School will commence an investigation which may lead to a fixed term temporary exclusion or to permanent exclusion.

In such a situation the Principal will inform the parent without delay by telephone and the telephone call will be followed by a letter within one school day. The letter will include information about:

- the nature of the offence and the results of any investigation to date
- that the sanction of a fixed term temporary exclusion or permanent exclusion may be imposed
- the parents' right to state their case, and the latest date that the parent may give a written statement to this accord

A detailed investigation will be held into the nature of the offence and before deciding whether a pupil should be excluded, the Principal will consider all the relevant facts and evidence and will allow the pupil to give their own version of events. Records of the investigation will be kept.

If the outcome is that a pupil should be permanently excluded, the Principal will provide the parent with information in writing that:

- the exclusion is permanent
- the parents have the right to appeal, with an explanation of the appeals process.

The decision to exclude a pupil permanently will only be taken as a last resort when a wide range of strategies for dealing with disciplinary offences has been employed to no avail or an exceptional 'one-off' offence has been committed.

If the School determines that a child should be excluded for a fixed period, the Principal will provide the parent with information in writing as to:

- the period of the Fixed Term Exclusion
- the arrangements, such as setting work, to allow the child to continue their education during the fixed term exclusion.

If after completing the investigation or as a result of new evidence and further investigation it is decided that an extension to the fixed period temporary exclusion or conversion to a permanent exclusion is necessary, the Principal will write again to the parent with the reasons for this decision.

Following a fixed term exclusion, a re-integration meeting will be held involving the pupil, parents, class teacher and the Deputy Principal / Nightingale House Lead Teachers / Clarence House Preparatory School Headteacher as appropriate. A plan will be put in place to support the pupil.

As with any non-standard deregistration, the Family of Schools would report any child who has been permanently excluded to Achieving for Children at Richmond. The Family of Schools would actively check the destination school of the excluded child and liaise regarding handover.

## **6. Appeal**

The Parents may request an appeal panel hearing (Appeal) of the decision to permanently exclude or require the Removal of the Pupil from the School (but not a decision to exclude the Pupil for a fixed term unless the fixed term exclusion is for 11 School days or more or would prevent the Pupil taking a public examination). The Principal will advise the Parents of the Appeal procedure current at that time when she informs the Parents of her decision. An Appeal will be conducted under fair procedures in accordance with the requirements of natural justice.

If parents or guardians wish to appeal then they must do so in writing to the Principal, within one week of the letter notifying the parents or guardians of the exclusion.

The Principal will establish an Appeal Panel to consider the appeal. This Appeal Panel will consist of three members including an independent person to act as Chair of the Panel and will normally convene within three weeks of the receipt of the letter requesting the appeal. The parents or guardian may bring a representative to the meeting. The Principal will not be a member of the Panel but will be asked to present the supporting facts and materials.

All letters and documents relied on by the Principal shall be made available to the parents or guardian prior to the hearing. The parents or guardian or their representative may ask questions of the Principal or may raise any relevant matter for the consideration of the Panel. The Panel may call for any further information it requires. No evidence or argument shall be presented to the Panel in the absence either of the parents or guardian or their representative, or in the absence of the Principal.

At the conclusion of the hearing, the Panel shall retire to consider what recommendation it may make. The Panel may recommend:

- The exclusion is confirmed
- The exclusion is rescinded
- The exclusion be rescinded and replaced with an alternative sanction.

The recommendation will be communicated to the parents or guardian and the Principal. Every child has a right to confidentiality – the decision will be kept in the strictest confidence and only disclosed to those who need to know.

### **Divulging information**

Except as required by law, the School and its staff shall not be required to divulge to the Parents or others any confidential information or the identities of pupils or others who have given information which has led to the complaint or which the Principal has acquired during an investigation.

The Deputy Principal will monitor and record the number of fixed term and permanent exclusions.



## Key Points of Exclusion Policy

