

KIRKHAM GRAMMAR SCHOOL

POLICY DOCUMENT

EXCLUSION

This is a whole-school policy and is applicable to Kirkham Grammar Senior School (KGS) and Kirkham Grammar Junior, Infant and Pre-School (KGJS).

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| Policy number: 36 | Originating date: March 2004 | Date last reviewed: November 2022 | Next review: November 2025 |
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INTRODUCTION

A pupil may be excluded at any time if the Headmaster/Headmistress is reasonably satisfied that the pupil's conduct whether on or off school premises, in or out of term time, has been prejudicial to good order or school discipline or to the reputation of the school.

TERMINOLOGY

Suspension and *exclusion* mean that a pupil has been sent or released home for a limited period either as a disciplinary sanction or pending the outcome of an investigation or a Governors' review.

Withdrawal means that the parents/carers have withdrawn the pupil from the school.

Expulsion and *removal* mean that the pupil has been required to leave.

PROCEDURE

The Headmaster/Headmistress shall act with procedural fairness in all such cases. A complaint or rumour of misconduct will be investigated. A pupil may be questioned and his/her accommodation or belongings may be searched in appropriate circumstances. All reasonable care will be taken to protect the pupil's human rights and freedoms and to ensure that his/her parents/carers are informed as soon as reasonably practicable after it becomes clear that the pupil may face serious disciplinary action and also to make arrangements for the pupil to be accompanied and assisted by a parent/carer or teacher of the pupil's choice.

Procedural Fairness

Investigation of all complaints which could lead to expulsion, removal or withdrawal of the pupil in any circumstances shall be carried out in a fair and unbiased manner. All reasonable

efforts will be made to notify the parents/carers so that they can attend a meeting with the Headmaster/Headmistress before any decision is taken in such a case. In the absence of a parent/carer the pupil will be assisted by an adult of his/her choice.

Suspension

For serious or repeated acts of indiscipline the Headmaster/Headmistress may suspend a pupil for a specific period of time. In the absence of the Headmaster/Headmistress the Senior Deputy Head may suspend the pupil pending the Headmaster/Headmistress' return. After a pupil is suspended the parents/carers will be notified as soon as possible and will be responsible for collecting the pupil from school. On return from suspension the pupil or his/her parents/carers must meet with the Headmaster/Headmistress.

Expulsion

A pupil may be formally expelled from the school if it is proved on the balance of probabilities that the pupil has committed a very grave breach of school discipline or a serious criminal offence. A pupil may also be expelled if, as a consequence of repeated indiscipline, a final warning has been issued and a further incidence of misbehaviour occurs resulting in the matter being brought to the Headmaster/Headmistress' attention. The Headmaster/Headmistress shall act with procedural fairness in all such cases. The parents/carers will be given a copy of the Review Procedure current at the time. The Headmaster/Headmistress' decision shall be subject to a Governors' review if requested by a parent/carer. The pupil shall remain away from school pending the outcome of the review.

Removal in Other Circumstances

The parents/carers may be required during or at the end of term to remove the pupil temporarily or permanently from the school or from boarding if, after consultation with the pupil and the parents/carers, the Headmaster/Headmistress 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 offered by the school, or if a parent/carer has treated the school or members of staff unreasonably. In these circumstances the parents/carers may be permitted to withdraw the pupil as an alternative to removal being required. The Headmaster/Headmistress shall act with procedural fairness in all such cases and shall have regard to the interests of the pupil and parents/carers as well as those of the school.

Leaving Status

The expression 'leaving status' includes the following:

- whether the pupil has been expelled, removed or withdrawn;
- the reason for leaving that will be entered into the pupil's file;
- the pupil status as a leaver
- the transfer of the pupil's work to another educational establishment;
- the nature of the reference which will be given for the pupil;
- the financial aspects of the pupil's leaving

These and other relevant matters of leaving status will be discussed by the Headmaster/Headmistress with the parents/carers and where appropriate with the pupil at the time of the Headmaster/Headmistress' decision.

School Fees

There will be no refund of fees following expulsion and all unpaid fees must be paid. Fees in lieu of notice will not be charged.

Governors' Review

The parents/carers may ask for a Governors' review of a decision to expel or require the removal of a pupil from the school or from boarding (but not a decision to suspend a pupil unless the suspension is for 5 school days or more, or would prevent the pupil from taking a public examination).

Review Procedure

The Headmaster/Headmistress will advise the parents/carers of the procedure (current at that time) under which such a review will be conducted by a panel of 2 Governors and an independent member. If the parents/carers request a Governors' Review, the pupil will be suspended from school until the decision to expel or remove has been set aside or upheld. While suspended, the pupil shall remain away from school and will have no right to enter school premises during that time without written permission from the Headmaster/Headmistress.

The application for a review ('The Application') must be made in writing to:

The Chairman of Governors
Kirkham Grammar School
Ribby Road
Kirkham
Preston
PR4 2BH

The Application must be received within 7 days after the Headmaster/Headmistress' notification of the expulsion and the right to review will lapse if it is not.

In making the Application, the parent/carer should set out:

- The decision appealed against and the date of expulsion.
- A factual summary of the circumstances.
- The grounds for dissatisfaction.
- Any new evidence not available to the Headmaster/Headmistress at the time of his decision.

On receipt of the Application, the Chairman of Governors shall appoint a Review Panel to consider the Application. The Review Panel shall consist of 2 Governors and an independent member all of whom shall be appointed by the Chairman of Governors. The Chairman of Governors will appoint a Chairman of the Review Panel who shall normally be the independent member. The Review Panel will include at least one person of the same gender as the pupil under discussion.

The Chairman of the Review Panel shall convene a meeting of the Review Panel ('The Hearing') to consider the Application within 10 working days of its receipt

The Review Panel Members shall be provided in advance of the Hearing with a copy of the Application together with the Headmaster/Headmistress' report ('The Headmaster/Headmistress' Report') and copies of any papers referred to in the Application or Headmaster/Headmistress' Report. The Chairman of the Review Panel may request additional information from the parents/carers or the Headmaster/Headmistress prior to the Hearing. The Headmaster/Headmistress' Report together with any additional information will be sent to the parents/carers at least 3 working days before the Hearing and the Review Panel will take into account any response from the parents/carers.

Having considered the papers, the Chairman of the Review Panel may request the attendance at the Hearing of any members of staff or other parties referred to in the Application, Headmaster/Headmistress' Report or other papers presented to the Review Panel: and these parties shall attend the Hearing and give oral evidence if required by the Review Panel.

The parents/carers will be allowed to appoint another person to represent their interest and the Hearing may be attended throughout by the Headmaster/Headmistress, the parents/carers and the pupil.

The Headmaster/Headmistress and the parents/carers shall have the opportunity to present their case to the Review Panel, to examine such witnesses as may be called by the Chairman of the Review Panel and to discuss the issue fully. When all the evidence has been submitted, the Review Panel shall retire to make its decision, which shall be communicated to the parents/carers by the Chairman of Governors within 5 working days of the meeting.

The decision of the Review Panel is final.

This Appeal Procedure also applies to the section headed 'Removal in Other Circumstances'.

Kirkham Grammar School
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