

LVS ASCOT



LVS Ascot

A Co-educational Day & Boarding School
for young people aged 4 - 18

EXCLUSION POLICY – TEMPORARY AND PERMANENT

Whole school including the EYFS

| | |
|--|----------------------------------|
| Relevant Statutory Regulations: | ISSR Part 3, Part 6, Part 7. |
| Nominated member of SMT responsible for the policy: | Christine Cunniffe |
| Updated: | 24th November 2021 |
| Date of next review: | No later than 23rd November 2022 |

Contents

| | |
|--|---|
| Rationale | 1 |
| Introduction..... | 2 |
| Exclusions procedure..... | 3 |
| Behaviour Outside School | 4 |
| Malicious Allegations against Staff..... | 5 |
| Right of Appeal | 5 |

Rationale

This policy deals with the policy and practice which informs the School's use of exclusion. It contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be excluded from LVS Ascot ('the School'), or required to leave permanently for misconduct or other reasons.

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 his/her parents.

This policy is underpinned by the shared commitment of all members of the School community to achieve two important aims:

1. To ensure the safety and well-being of all members of the School community, and to maintain an appropriate educational environment in which all can learn and succeed;
2. To realise the aim of reducing the need to use exclusion as a sanction.

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

LVS ASCOT

Introduction

The decision to exclude a pupil will be taken in the following circumstances:

- (a) In response to a serious breach (or several minor breaches) of the School's Pupil Personal Conduct Policy; and/or
- (b) If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the School.

Exclusion is an extreme sanction and is only administered by the Principal (or, in the absence of the Principal, the Vice Principal who is acting in that role), with the agreement of the Director of Education and the Chair of the Ascot Governing Body.

The main categories of misconduct which may result in permanent exclusion include but are not limited to:

- Verbal abuse of staff and others
- Verbal abuse of pupils
- Physical abuse of/attack on staff
- Physical abuse of/attack on pupils
- Inappropriate/sexual behaviour
- Deliberate damage to property including vandalism and computer hacking
- Supply/possession/use of controlled drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco
- Theft
- Blackmail, intimidation, racism or persistent bullying
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which School sanctions and other interventions have not been successful in modifying the pupil's behaviour
- Other serious misconduct by a pupil or parent (by association) which affects the welfare of a member or members of the School community or which brings the School into disrepute (single or repeated episodes) on or off school premises.

This is not an exhaustive list and there may be other situations where the Principal makes the judgment that exclusion is an appropriate sanction.

The School will make reasonable adjustments for managing behaviour which is related to a pupil's disability. Where exclusion needs to be considered, the School will ensure that a disabled pupil is able to present their case fully where their disability might otherwise hinder such presentation.

LVS ASCOT

A pupil may also be required to leave if, after all appropriate consultation, the Principal is satisfied that it is not in the best interests of the pupil, or of the School, that he/she remains at the School.

Exclusions procedure

The procedure which will normally be followed is set out below, although this is not intended to and does not have contractual effect. All procedures will be conducted fairly to all parties involved and in a way that is appropriate to the circumstances.

Before deciding whether to exclude a pupil either permanently or for a fixed period the following steps will be taken:

- **Investigation:** The Principal will ensure appropriate investigations are carried out. Investigation of a complaint or rumour about serious misconduct will normally be coordinated by a senior member of staff, and its outcome will be reported to the Principal. Where a member of staff investigating the matter deems it necessary to interview pupils they will be accompanied by an appropriate adult (which will usually be a member of staff). Pupils should be allowed to give their version of events. Parents will be informed, as soon as reasonably practicable and usually ahead of any investigation, if a complaint under investigation is of a nature that could result in the pupil being excluded.
- **Meeting:** The pupil (where appropriate) and their parents will be invited to a disciplinary meeting with the Principal and will be given the opportunity to state their side of the case. The Principal will consider all the available evidence (including statements made by or on behalf of pupils) and take into account the School's Personal Conduct, Equal Opportunity and Equality Policies. The Principal will check whether the incident may have been provoked, for example by bullying or by sexual or racial harassment or other discriminatory behaviour. Unless the Principal considers that further investigation is needed, s/he will decide whether the complaint has been sufficiently proved. If the Principal is satisfied that, on the balance of probabilities, the pupil did what he or she is alleged to have done, the Principal will decide on the appropriate sanction.
- **Sanction:** If the complaint has been proved the Principal will consider the range of disciplinary sanctions which s/he considers are open to him/her. The Principal will consider any factors s/he deems to be relevant when determining the sanctions including the pupil's disciplinary record. Then, or at some later time, the Principal will give his/her decision, with reasons. In considering the appropriate sanction, the Principal will look at each case on its own merits. In considering whether permanent exclusion is the most appropriate sanction, the Principal will consider:

LVS ASCOT

- a) The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Personal Conduct Policy or other relevant policies, and
- b) The effect that the pupil remaining in the School would have on the education and welfare of other pupils and staff.

The Principal may, as an alternative for less serious breaches of school discipline, exclude a pupil for a fixed term. Fixed term exclusions are generally of a short duration (e.g. one or two days).

Following a decision to exclude a pupil for a fixed term, parents or guardians will be sent a letter giving details of the exclusion and the date the exclusion ends. A return to school meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Management Team and other staff as appropriate. It is school practice to place the pupil on report for one week following his/her return to school to monitor behaviour and work. If the fixed term exclusion is greater than five days or arises as a consequence of an accumulation of disciplinary sanctions, a Pupil Contract will be drawn up. This needs to be agreed with the School, pupil and parents. During the course of a fixed-term exclusion, parents are advised that the pupil will not be allowed on the School premises, and that daytime supervision is their responsibility, as parents/guardians.

A decision to exclude a pupil permanently is a serious one. There are three main types of situation in which permanent exclusion may be considered:

- I. A final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include, for example, persistent and defiant misbehaviour, including bullying.
- II. There are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a serious first or 'one off' offence.
- III. For one or more serious breaches of school discipline as listed at the start of this policy.

The School may consider police involvement for any potentially criminal offences where appropriate.

Behaviour Outside School

Pupils' behaviour outside School on school "business" - for example, school trips and journeys, away school Sports fixtures or a work experience placement - is subject to the School's Personal Conduct Policy. Inappropriate behaviour in these circumstances, including incidents where it is considered that the School has been brought into disrepute, will be dealt with as if it had taken place in School and in accordance with this policy where the circumstances warrant it.

LVS ASCOT

Malicious Allegations against Staff

A pupil who is found to have made malicious allegations against a member of school staff will be managed in accordance with this policy which may result in permanent exclusion from the School.

Right of Appeal

Parents of a pupil who is excluded have the right of appeal through the School's Complaints Policy and Procedure available on the School's website. An appeal of the Principal's decision should be in writing as a Stage 3 Complaint to the Director of Education c/o LVS Ascot (ian.mullins@ltcharity.org.uk) who will arrange a panel hearing which includes at least one independent person.