



EXCLUSIONS POLICY

Owner(s)	Principal
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Governor committee	Education & Pastoral
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Document availability	Internal: T:\School Management\POLICIES\Whole School External (if applicable): www.queensgate.org.uk

This policy applies from Preliminary – KS5

1. Introduction

Our Behaviour Policies for the Senior and Junior Schools explain the School's expectations for behaviour and detail sanctions for most types of misbehaviour. This Exclusions Policy is intended to apply to major disciplinary issues, for example, when a pupil's misbehaviour is sufficiently serious or persistent. This policy should be read in conjunction with the School's Behaviour Management Policy, Anti-Bullying Policy, School Rules and Regulations, Drugs and Harmful Substances Policy, ICT Acceptable Use Policy and Complaints Procedure.

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

Queen's Gate promotes the encouragement of good teacher/pupil relationships and support for the School's values through a system of rewards and sanctions with our designed to promote a calm and disciplined learning environment. Our rewards and sanctions are detailed in our Promoting Positive Behaviour Policy.

However, Queen's Gate acknowledges that from time to time, pupils' conduct may fall below the standards of behaviour reasonable expected by the School. When poor behaviour is identified, sanctions are implemented in line with the Promoting Positive Behaviour Policy.

Queen's Gate will always remain mindful of the needs and dignity of all those involved in a disciplinary issue and our duty of care to all involved. In particular, we note that any pupil who has behaved in a way where suspension or expulsion is under consideration may have significant pastoral needs and/or safeguarding vulnerabilities.

When managing incidents that fall under the remit of this policy, care will be given to the nature of interactions with pupils, including when adjustments might be needed for age, SEND and/or pastoral circumstances. The relevant pastoral leads, including members of the Designated Safeguarding Team will be consulted.

1.1 Scope and involvement of external agencies

It should be noted that this policy is a non-contractual guide to the process that will be followed wherever it is believed a significant sanction may apply. The Principal reserves the right to alter or omit parts of this process and/or dispense with it, in appropriate circumstances. In particular, she may choose to make adaptations where the pupils involved are in the Junior School or merit reasonable adjustments due to special educational need and/or disability.

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 in almost all cases report to the police any activity which is believed 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 (including those committed online) will be reported to the police without undue delay.

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

1.2 Definitions

Principal: The Head of the School. The term 'Principal' may also include an individual nominated by her or the Governors to act on her behalf

Parent: This refers to one or both parents of the pupil and may include the pupil's legal guardian, or education guardian.

School: Queen's Gate School

School grounds: The School buildings, roof terraces, areas of Queen's Gate immediately outside the School buildings and spaces used directly by the School, e.g. Stanhope Gardens, sports facilities

Suspension: A suspension requires a pupil to remain away from School for a fixed period. When imposed as a sanction, suspension is intended to constitute a clear warning about a pupil's continued membership of the School. A pupil may also be suspended as a neutral act pending the outcome of an investigation or pending a Review.

Removal: This refers to the permanent removal of a pupil if, after consultation with the Parent and if appropriate the pupil, the Principal is satisfied that:

- there has been a breakdown of trust and confidence between the School and the pupil and/or the School and the Parent;
- by reason of the pupil's conduct, behaviour or progress, she is unwilling or unable to benefit sufficiently from the educational opportunities and/or community life provided by the School;
- the Parent has treated the School, members of its staff or any other member of the School community in a way that has caused harm, or is in breach of the Parent Contract;
- or the Principal is satisfied that it is not in the best interests of the pupil or the School that the pupil remains at the School.

Expulsion: A pupil may be permanently expelled from the School if the Principal is reasonably satisfied that the pupil has committed a serious breach of discipline and/or that the pupil's conduct (whether on or off School premises, or in or out of term time) has been prejudicial to good order or School discipline or to the reputation of the School. Expulsion is reserved for the most serious breaches.

1.3 Aims

This policy is intended to:

- clarify the School's procedures where suspension, removal or expulsion may be required;
- facilitate fairness and natural justice;
- assist cooperation between relevant parties.

1.4 Misconduct

The following are examples of misconduct that will normally be regarded as serious misconduct which may warrant suspension, removal or expulsion:

- Possession, use and/or supply of certain drugs and solvents, alcohol or tobacco, or their paraphernalia or substances intended to resemble them
- Theft, blackmail, discrimination of any kind or bullying, including cyber-bullying
- Verbal abuse/threatening behaviour against any other member of the School community, whether in person or online, including the use of any form of hate speech
- Physical violence against or intimidation of any other member of the School community
- Misconduct or harassment of a sexual nature including non-consensual sharing of nude or semi-nude images and/or videos; supply or possession of pornography
- Possession or use of unauthorised firearms or other weapons
- Vandalism or damage to School or to a person's property and/or computer hacking
- Misuse of the School's IT systems, e.g. computer hacking, bringing illegal software or viruses onto the system
- Conduct which puts the safety of any other person in jeopardy, or which poses a threat to, or harms, any member of the School community and/or the public and/or may harm the reputation of the School.
- Committing a criminal offence
- Persistent attitudes or conduct which are inconsistent with the ethos of the School
- Persistent breaches of the School's Behaviour Policies.

This list is intended as a guide and is not exhaustive.

1.4.1 Use of historically offensive terms and words

Where words and terms have been used historically to demean and degrade certain groups, particularly those with protected characteristics, their use will be considered offensive at Queen's Gate, and will be dealt with under this policy.

The School understands that in some contexts those within certain communities have embraced historically offensive terms in order to build cultural solidarity and to strip these terms of their historical weaponisation. However, we seek to protect all members of our community at Queen's Gate, and therefore also acknowledge that there is no consensus on the use of such terms for the following reasons:

- Older generations and those who have experienced language used to demean may experience such terms as highly offensive and linked to trauma
- It can be legitimately argued that some words are intrinsically linked to dehumanisation and should therefore never be used by anyone regardless of background, community, race, ability, gender or orientation.

In this context, the School will consider the word 'use' to include both pupils directly using the term themselves (either in writing or verbally), or posting/sharing material that features the term.

1.5 Other circumstances

The Parent may be required to remove a pupil from the School if the Principal is satisfied that:

- there has been a breakdown of trust and confidence between the School and the pupil and/or the School and the Parent;
- by reason of the pupil's conduct, behaviour or progress, she is unwilling or unable to benefit sufficiently from the educational opportunities and/or community life provided by the School;
- the Parent has treated the School, members of its staff or any other member of the School community in a way that has caused harm, or is in breach of the Parent Contract;
- it is not in the best interests of the pupil or the School that the pupil remains at the School.
- Conduct or behaviour (including conduct or behaviour outside of School) which is unsatisfactory and/or in the reasonable opinion of the Principal, 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 Principal, 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 Principal, 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.

This list is intended as a guide and is not exhaustive.

A breakdown of trust and confidence may manifest itself in a number of ways, including, but not limited to:

- In the case of the relationship between the School and the pupil:
 - persistent misconduct; or
 - when the pupil's conduct, behaviour or progress has been unsatisfactory, or the Principal concludes that the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and/or community life provided by the School.

- In the case of the relationship between the School and the Parent:
 - the Parent not supporting the School in behaviour management;
 - vexatious behaviour, such as the Parent repeatedly bringing unsubstantiated claims or 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;
 - abusive or unreasonable behaviour by the Parent to the School's staff, pupils or other parents;
 - the Parent failing or refusing to provide the School with information required by the School to satisfy it as to the Parent's identity, the child's identity, the child's right to enter, live and study in the United Kingdom, or the source of funds they are using to pay the fees, as required under the Parent Contract;
 - the Parent treating the School, members of its staff or any other member of the School community unreasonably and/or in a way that has caused harm, or in any other way breaching the terms and conditions outlined in the Parent Contract;
 - Making a malicious allegation about a member of staff.

1.6 Frequency and location

Action may be taken in respect of a single isolated incident, or where there are repeated breaches of the relevant policies.

Where appropriate, action may be taken even if the misconduct occurs off School premises, or outside of normal School hours.

2. Procedure

Before any suspension, removal or expulsion is imposed, the matter will be investigated. All procedures will be conducted fairly and in a way that is appropriate to the circumstances. The

procedure which will normally be followed is set out below. The Principal reserves the right to vary the procedure in appropriate circumstances.

2.1 Procedure

Parents will be informed as soon as reasonably practicable in the event there is a complaint, concern, allegation or circumstance that could result in the pupil being excluded or removed.

Although the School will endeavour to process investigations and disciplinary steps as swiftly as reasonably practicable, there may be factors which require the School to pause or delay their internal processes.^{[\[1\]](#)}

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. The nature and level of investigation carried out by the School will depend on the circumstances of the case. Parents will be provided (to the extent appropriate) with the information / evidence collated which is relevant to the allegation, concern or circumstance (which could result in the pupil's exclusion or removal) and on which the School proposes to consider when reaching its decision.

2.2 Suspension during investigation

The School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure, this may be, for example, to protect the integrity of any investigation or to support the welfare of the pupil themselves and/or other members of the School community or in compliance with direction from statutory agencies. Alternatively, depending on the circumstances of the case, the pupil may be placed under a segregated regime if they remain on School premises.

2.3 Investigations during School Holidays

Due to the difficulty of completing investigations effectively and fairly when the School is closed, it is likely that any reports of misconduct received during School holidays will be investigated and dealt with when the School reopens.

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Although the School will endeavour to process investigations and disciplinary steps as swiftly as reasonably practicable, there may be factors which require the School to pause or delay their internal processes.^{[\[1\]](#)}

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. The nature and level of investigation carried out by the School will depend on the circumstances of the case. Parents will be provided (to the extent appropriate) with the information / evidence collated which is relevant to the allegation, concern or circumstance (which could result in the pupil's exclusion or removal) and on which the School proposes to consider when reaching its decision.

The School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure, this may be, for example, to protect the integrity of any investigation or to support the welfare of the pupil themselves and/or other members of the School community or in compliance with direction from statutory agencies. Alternatively, depending on the circumstances of the case, the pupil may be placed under a segregated regime if they remain on School premises.

7. Appeal

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 [five working days] of the pupil's exclusion / required removal.] For clarity, the pupil will remain excluded or removed from the School pending the outcome of the appeal. 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.

Reasonable adjustments and the application of this policy to pupils with SEND

At all stages of the procedures outlined above, consideration will be given to any SEND or other accessibility needs relating to the pupil and/or her Parent, and/or any others involved. This will include attention to any support required for those for whom English is an additional language.

Where a pupil is diagnosed as having SEND, her behaviour will be considered in relation to this. Consideration will also be given to the pastoral needs of all pupils involved, along with any known or suspected safeguarding concerns. The Head of Learning Support will be consulted, along with the pastoral leads for the pupil(s) involved.

However, Queen's Gate does need to be able to manage behaviour effectively, whether or not the pupil has underlying needs.

Under the Equality Act 2010, schools have duties to take such steps as are reasonable to avoid any substantial disadvantage to a disabled pupil caused by the School's policies or practices. Likewise, under the Children and Families Act 2014, schools have a duty to use their "best endeavours" to meet the needs of those with SEND. Any preventative measures should take into account the specific circumstances and requirements of the pupil concerned.

On occasion, it may be the case that the School, even with reasonable adjustments and other relevant support, is unable to meet the needs of an SEND pupil and/or is unable to manage their behaviour such that it presents a risk of harm to other pupils and/or staff. In such cases, the School will usually seek legal advice before proceeding to required removal or expulsion.

8. Confidentiality

The dignity and safety of all those involved in an investigation and/or disciplinary matter is of the highest priority.

All the procedures above are confidential. The School will be under no obligation to divulge the identities of any individuals involved in the investigation, whether as a witness or otherwise, or any other information pertaining to the investigation. Such information will be disclosed only where it is strictly necessary for it to be disclosed. Any documents shared during an investigation, disciplinary hearing and/or review panel may be redacted or a summary provided.

Within the School, any information relating to an investigation or disciplinary matter will only be disclosed on a 'need to know' basis.

9. Other pupils

The School is mindful of the impact significant misconduct has on other pupils, particularly any who have been targeted by the behaviour concerned. Where a pupil has been targeted, the School will notify the Parent of the target and provide reassurance that the matter is being dealt with appropriately. As noted above, any procedure under this policy is confidential and information will only be disclosed to a target pupil and her Parent where it is strictly necessary for it to be disclosed. The School will inform the target pupil and her Parent when a disciplinary process has reached its conclusion. However the School will be under no obligation to disclose the outcome of the disciplinary process or any other information. Appropriate pastoral care will be provided for the target pupil, including support from one of the School's Counsellors if necessary.

Where the sanctioning decision is suspension, and the pupil who has committed the misconduct will be returning to the School, care will be taken to minimise any chance that she can cause further harm to the affected pupil and/or any other pupils who have been involved in the investigation.

11. **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 the School's Sanctions Record.

Related Policies

Behaviour

Complaints

Safeguarding

SEND and EAL