



Liverpool College

**EXCLUSION POLICY AND
PROCEDURE**

Mission Statement

Liverpool College values the dignity of each individual and promotes the development of character and learning through a commitment to high standards within a caring community.

- **We recognise** that all pupils have different talents and strive to ensure that every pupil has an equal opportunity to find and develop the talents they do possess.
- **We believe** that the development of character, creativity, intellect and spirituality are the primary aims of education.
- **We work** together to create a happy and caring school community which is engaged in our local community and the wider world.
- **We pursue** high standards in every area of school life.

Introduction

The Governors of Liverpool College, with regard to the Mission Statement, consider that the use of the Principal's power to exclude from school can be essential for the purposes of establishing and maintaining good order and discipline. They believe that its use should be reasonable and proportionate. Within these limits they support the Principal in using his/her discretion in the exercise of these powers.

This policy is a whole school policy and applies to EYFS, Pre Prep, Prep School and Upper School and Boarding Halls.

Purpose

This policy and procedure document is intended to give a clear indication to staff, parents and pupils/students the kinds of circumstances within which the Principal will use his powers to exclude and the procedures that will be followed in exercising them. Governors will rely on this in reviewing the actions of the Principal in excluding pupils.

POLICY

Fixed Term Exclusions

While always having regard to the circumstances of a particular case the Principal or Headmaster of the Preparatory School will be likely to use fixed term exclusions in the following kinds of cases. This list does not list every offence for which fixed term exclusion may be used but gives an indication of the kinds of case where it will be used.

- Sustained challenge to the authority of a member of staff
- Bullying, harassment or abuse (including on the grounds of gender, race, ethnicity, religion or sexual orientation)
- Persistent defiance of a school rule/s
- Acts of vandalism or minor physical violence
- Conduct likely to bring the school into disrepute

The length of the exclusion will be proportionate to the gravity of the offence.

Long Fixed Term Exclusions

Long fixed term exclusions (over 15 days) will generally be used to enable support to be obtained in assessing, moving, or reintegrating a pupil with severe problems where the alternative would be permanent exclusion.

Boarding students are required to go to their guardians during the period of a fixed term exclusion.

Permanent Exclusion

Permanent Exclusion will be reserved for offences that will have a seriously damaging effect on the life of the school, the well-being of other pupils or of staff or seriously and persistently interfere with teaching and learning in the school. This can include but is not limited by:

- Serious violence which creates fear and anxiety among staff or pupils
- Possession of an offensive weapon on the school site *
- Dealing in drugs on or near the school site or during or related to any school activity
- Use of alcohol or drugs on or near the school site or during or related to any school activity
- Persistent defiance of school authority or disruption of teaching and learning
- Persistent bullying, harassment or abuse (as above)

* *The school site includes the Boarding Halls.*

Modifying an Exclusion

An exclusion may be extended or made permanent where:

- It was necessary to exclude the pupil in order to complete the investigation freely. If new evidence has come to light, an excluded pupil/student will always be given the opportunity to respond to it before the exclusion is extended or made permanent.
- The pupil has also been reported to the police and the result of that investigation provides additional evidence to the school.

PROCESS

Investigation

- In the Upper School, the investigation will not be undertaken by the person who will decide on exclusion unless circumstances dictate this.
- In the Prep School, either the Headmaster or the Deputy Headmaster will conduct the investigation.
- Witness statements will be recorded, signed and dated in the Upper School. In the Prep School, witness statements will be recorded and dated.
- Anonymity will not be promised unless this is the only way to obtain a statement. The statement will be signed and dated in the normal way but the name will be

withheld. All parties must recognise that less reliance can be placed on anonymised statements.

- The person accused of any offence will be given the opportunity to give his/her own version of events and respond to statements made by others. It is not necessary that there is a face-to-face confrontation.

Decision

- In cases which relate to the Preparatory School, the decision to exclude a pupil for a fixed term has been delegated by the Principal to the Headmaster of the Preparatory School. The decision will only be taken by the Headmaster.
- In the Upper School the decision to exclude a pupil for a fixed term will only be taken by the Principal or, in his absence, the Head of Upper School.
- A decision to permanently exclude a pupil, either in the Preparatory School or the Upper School will only be taken by the Principal, or in his absence, the appropriate Head of School.
- The decision will be taken on all the evidence available at the time.
- The decision will be taken on the balance of probability. Where the offence alleged is a criminal act the standard of proof will be that it is 'distinctly more probable than not' that the pupil/student committed it.

Informing

The following will be told without delay by pupil post, and/or letter and telephone message as appropriate:

- The persons having parental responsibility for the pupil/student;
- The Clerk to Governors.

If exclusion will prevent a pupil from taking a public examination then the Chairman of Governors will be informed immediately so that s/he can review the decision before the examination takes place.

Work for Excluded Pupils

Members of staff who teach excluded pupils/students will provide work for these pupils/students to do at home (or at the home of the guardian in the case of boarding students) and make it available as instructed by the Head of House responsible for those pupil/students in the Upper School. In the Preparatory School, work will be provided as instructed by the Head of School.

Exclusion Appeal Panel

Panel Hearing

If parents seek to appeal the Principal's or the Headmaster of the Preparatory School's decision to exclude, they will be referred to the Clerk to the Governors who has been

appointed by the Governing Body to call hearings of the Exclusion Appeal Panel. They must register that wish, in writing, to the Clerk to the Governors within five days of receiving the exclusion decision.

The matter will then be referred to the Exclusion Appeal Panel for consideration.

The Clerk to the Governors will convene a meeting of the Panel. The Clerk to the Governors, on behalf of the Panel, will then acknowledge the appeal; and schedule a hearing to take place as soon as practicable. This will normally be within ten working days of receipt of the parents' written request to appeal by the Clerk to the Governors, unless there are exceptional circumstances, which will lead to a date being fixed at a later time.

The Panel will consist of *at least three persons not directly involved in the matters detailed in the appeal*, one of whom shall be independent of the management and running of the school. Each of the Panel members shall be appointed by the Governing Body.

If the Panel deems it necessary, it may require that further particulars of the exclusion or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than two working days prior to the hearing.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. In the case of boarding students, the parents may request that the student's guardian attend in their place. Legal representation will not normally be appropriate.

If possible, the Panel will rule on the appeal of the exclusion immediately without the need for further investigation.

Where further investigation is required, the Panel will decide how it should be carried out.

After due consideration of all the facts they consider relevant, the Panel will reach a decision on the appeal and may make recommendations, including reinstatement, which it shall complete within three working days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it.

The decision of the Panel will be final.

The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Principal and where relevant, the Headmaster of the Preparatory School and the Governors within five working days of the Appeal hearing.

In cases involving a fixed term exclusion, appealing the decision to exclude will not postpone the fixed term exclusion. In most cases it is likely that a pupil will have returned to school before the Appeal Panel meet to consider the appeal. Therefore if the decision of the Panel is to uphold the parents' appeal, the fixed term exclusion will be removed from the pupil's school record and a copy of the Appeal Panel's findings will be placed in the pupil's file.

Reintegration

- Pupils returning to school after exclusion will be subject to a reintegration meeting organised by the Head of Guidance in the Upper School. This will normally involve the parents (or guardians in the case of boarding pupils) and a Head of House and/or the Head of Boarding.
- In the Preparatory School, this meeting will be organised by the Head of School and will normally involve the parents and Form Tutor and/or Head of School.

Related Policies

The Policy should be read alongside the following:

- Anti-Bullying
- Behaviour Management
- Drug Education and Prevention

HvMB

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