



## **MISBEHAVIOUR AND EXCLUSIONS POLICY**

### **INTRODUCTION**

We observe a 'Promoting Good Behaviour Policy' at Newbridge Preparatory School, with rewards and motivational activities to promote the understanding of good behaviour. Should a child not adhere to our Good Behaviour principles, outlined in our policy, then we would take measures to address the behaviour (Sanctions). Parents are fully informed in the staged process of sanctions, involving form teacher/practitioners, Deputy Head. Should the matter reach beyond the normal steps then the Headmistress and parents will be involved in a dialogue about serious sanctions for the child which may involve temporary or permanent exclusion from the school. This policy outlines the procedures regarding such serious misbehaviour and excluding children.

This policy is drawn up in line with the DfE Non Statutory advice Behaviour in Schools (2014).

### **MISBEHAVIOUR AND EXCLUDING CHILDREN POLICY**

All schools have the legal right to impose reasonable sanctions if a child misbehaves. Physical punishment is illegal. DfE guidance advises that sanctions a school might use include: a reprimand, a letter to parents or guardians, removal from a class or group, loss of privileges, confiscation of a possession that is inappropriate in the classroom, detention, or exclusion. Exclusion, whether temporary or permanent, is a last resort. Permanent exclusion is used only in the most serious circumstances. Independent schools are required to have discipline and exclusions policies that are accessible to parents.

The principal legislation to which this policy relates is:

- The Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

### **THE SCHOOL-PARENT RELATIONSHIP**

The school-parent relationship underpins the entire connection between a school, its children and their parents and is fundamentally important to the way in which the exclusion process operates.

### **MISBEHAVIOURS**

A non-exhaustive list of the sorts of behaviour that could merit exclusion includes the following:

- Aggressive/Physical assault against children or adults; beyond the normal everyday rough and tumble associated with young children.
- Verbal abuse/threatening behaviour against children or adults

- Bullying
- Racist abuse
- Sexual misconduct
- Non-Accidental Damage to property
- Theft
- Persistent disruptive behaviour which has been reported to parents
- Parental misbehaviour

Conversely, the sorts of behaviour that should not normally justify exclusion (at least for a first offence) would include:

- Lateness or truancy
- Poor academic performance

## **THE PROCEDURE**

### **THE FIRST STEPS**

When a potential exclusion presents itself, the key considerations are as follows:

#### **WHAT EXACTLY IS THE ALLEGATION?**

Clarity at this stage is essential, not least because the child must be informed. For example, if the allegation is that child A stole from child B, child A should be told all the elements of this (i.e. the identity of the other child, what was allegedly stolen, when and where) and asked to explain what happened.

#### **WHAT INFORMATION IS AVAILABLE AND WHAT FURTHER INFORMATION IS REQUIRED?**

Consider what evidence is already available to support the allegation. Next, consider what additional information is required and how best to obtain it.

#### **IS ANYONE AT RISK (I.E. DO THE POLICE OR SOCIAL SERVICES NEED TO BE INFORMED)?**

This is an important issue that needs to be addressed.

#### **WHO SHOULD BE DEALING WITH THIS?**

Where possible, a different person should conduct each of the following stages:

- Interviews with witnesses and general investigation of the incident
- The Exclusion Meeting

It will generally make sense for the investigation to be carried out by the Deputy Head or Early Years Coordinator and for the Exclusion Meeting to be conducted by the Headmistress.

## **INVESTIGATION**

### **INFORMATION GATHERING**

Before a decision to exclude can be taken fairly, it is essential to establish the facts. If exclusion is being considered, then statements should be taken from key children and staff who were involved in, or witnessed, the incident. All written statements should be signed and dated. The statement should also be countersigned by the person who made the statement (if age appropriate) or the person who was present when the child gave the

information. The original statement should be kept on file. It is good practice for another adult to be present when children are being interviewed. However, this need not be a parent. A neutral adult such as the school secretary or another member of staff is preferable.

#### **WHEN SHOULD THE PARENTS BE INFORMED?**

As a general rule, however, it will normally make sense for the parents to be informed after initial investigations have been made but sufficiently in advance of any Exclusion Meeting. In cases where Social Services or the Police become involved, parents should be informed as soon as possible.

#### **SHOULD THE CHILDREN INVOLVED BE KEPT APART?**

Yes, to the extent that this is reasonably possible. The child should be told not to discuss the matter with other children and, in particular, with the other children involved. This is particularly important where the accusation relates to issues such as bullying and physical or verbal abuse.

#### **THE EXCLUSION MEETING**

Once the information gathering stage has been completed, the next step is obviously to hold the Exclusion Meeting itself. The Exclusion Meeting will generally be heard by the Headmistress and attended by the parents, a note-taker and any other person required (e.g. the member of staff who carried out the investigation).

A checklist for conducting the Exclusion Meeting is set out below.

#### **BEFORE THE EXCLUSION MEETING:**

- Notify the parents of the Exclusion Meeting as soon as possible, by telephone on the same day if possible. This should be confirmed by letter
- The letter should set out precisely what allegations have been made
- It should also contain all relevant practical details (e.g. the time, date, place and purpose of the Exclusion Meeting and who will be attending) if not held on the same day

#### **AT THE EXCLUSION MEETING**

- Explain the purpose of the Exclusion Meeting
- The Headmistress should set out how the Exclusion Meeting will be conducted and the role of all those present
- The information regarding the incident should be presented to the parents. Generally this will be done by the person who conducted the investigation
- Allow the child/parents to ask questions
- The parents may wish to present their point of view
- The Headmistress should ask questions of the parents
- The purpose is for the Headmistress to establish all the relevant facts to allow a fair decision to be reached

- Minute the Exclusion Meeting. A designated note-taker should note the names and roles of all people present, items discussed and the decision reached, including the reasons stated

#### **FOLLOWING THE EXCLUSION MEETING**

- Inform all parties of the decision
- This can be done face to face in the first instance but should always be confirmed in writing, preferably within one school day of the Exclusion Meeting
- The letter should state the decision in relation to the incident, the sanction, when it takes effect and the reasons

#### **THE SANCTION**

Once the Exclusion Meeting has been held, the Headmistress will have a range of sanctions open to her. Exclusion can range from half a day up to Permanent Exclusion. A decision to exclude a pupil permanently should only be taken:

- In response to a serious breach, or persistent breaches, of the school's behaviour policy
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school

When an exclusion may be an appropriate sanction, the Headmistress should take account any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that a pupil has suffered bereavement has mental health issues or has been subject to bullying.

#### **THE COMPLAINTS PROCEDURE**

If the parents are unhappy with the process that has taken place, they may make a complaint by following the school's 'Complaints Procedure'.

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