



BEHAVIOUR MANAGEMENT AND EXCLUSION POLICY

| | |
|--------------|--|
| Last review: | September 2022 |
| Next review: | October 2023 |
| Prepared by: | Emily Coffey - Assistant Head Pastoral/DSL |
| Approved by: | Governing Body |

Purpose

This policy acknowledges the college's legal duties under the Equality Act 2010, Keeping Children Safe in Education (KCSIE) September 2022, and Working Together to Safeguard Children (WTSC) August 2018, in respect of safeguarding (and in respect of pupils with special educational needs - SEN). This policy follows the DfE guidance: Behaviour in schools Advice for Headteachers and school staff September 2022

At Slindon College we believe a happy, safe, well-supported environment is essential to the successful provision of education, because effective teaching and learning, across all age ranges, can only take place in a well-ordered environment. Pupils are entitled to a safe and happy learning environment to assist them in achieving their full academic potential and staff are entitled to work in an environment free from deliberate disruption. This policy aims to set out agreed standards of behaviour at Slindon College for day pupils and for boarders and the measures in place for promoting good behaviour and for managing poor behaviour. It applies to all pupils whilst they are in college, travelling to and from college and whilst participating in activities or events organized by or associated with the college.

College conduct and classroom rules

We aim to help our pupils to accept responsibility for their conduct and the way in which it is perceived, both as individuals and collectively and help them to understand that conduct, work and appearance demonstrates respect for others and for themselves. Our college rules reflect these aims and also general common sense and common courtesy. Slindon College also has four classroom rules that pupils are expected to follow in all learning, boarding and support environments.

1. No one has the right to stop others from learning by shouting out, interrupting or being silly.
2. No one has the right to say unkind things to make others feel bad.
3. No one has the right to hurt others physically or verbally by hitting, punching, kicking or using banter.
4. We all have the right to be respected and should show respect by being polite and understanding.

A more detailed code of conduct is included under Appendix 1 of this policy.

Any failure to follow the college code of conduct or classroom rules or any other act of uncivilised behaviour, breach of common sense or common courtesy will be interpreted as a breach of college code of conduct and will be responded to within the scope of this policy.

Leadership and management

The governors will establish, in consultation with the Headteacher and other staff, the policy for the promotion of good behaviour and keep it under review. They will ensure that the policy sets high expectations, is non-discriminatory and is communicated to staff, pupils and parents/carers.

The Headteacher and the Senior Leadership Team (SLT) are responsible for

the implementation and day-to-day management of the policy and procedures. With this in mind, the Assistant Headteacher has been identified as the lead staff member for pastoral care, which includes positive behaviour, managing poor behaviour, anti-bullying and support for staff faced with challenging behaviour.

The Heads of Houses and Boarding House Parents have day-to-day responsibility for the pastoral care, discipline and behaviour of the pupils and are the first point for rewards and consequences. They are also responsible for the record-keeping of behavioural incidents (See Appendix 2 for more information).

House staff and boarding staff have immediate responsibility for the pastoral care of their pupils and are viewed as the first point of contact for parents and/or pupils in pastoral or behavioural matters.

All staff are responsible for ensuring that the policy and procedures are followed and consistently and fairly applied. Mutual support amongst all staff in the implementation of the policy and procedures is essential.

Parents/carers have an essential role to play in assisting the college in maintaining high standards of behaviour and have a duty to take responsibility for the behaviour of their child, both inside and outside the college. They will be encouraged to work in partnership with us to ensure consistency between college and parental expectations. Parental concerns about the application of the policy will be listened to and investigated. Parents/carers who refuse to accept this policy may be asked to withdraw their child.

Pupils will be expected to take responsibility (at a level dependent upon their understanding) for their own behaviour and will have a responsibility to ensure that incidents of disruption, violence, bullying and any form of harassment are reported, as we consider ourselves to be a 'telling college'.

School Systems

Promoting positive behaviour

Effective behaviour management is essential for the smooth running of the college. The college recognises the importance of teaching respectful and positive behaviours and does this explicitly through the curriculum and implicitly through example. All members of the college are expected to help maintain an atmosphere conducive to learning with courtesy and consideration for others as basic requirements, allowing teachers to teach. Positive behaviour management is the responsibility of all staff and the wider college community. It is led by a core group consisting of Assistant Headteacher, the Heads of Houses and the House Parents, but in practice, it is a co-operative venture. We work as part of a team. Mutual support, consistency and communication are an essential component of this teamwork.

The aims are:

- To promote good behaviour and encourage achievement
- To support pupils in learning self-discipline

- To enable effective teaching and learning
- To create a safe and secure environment for pupils and staff
- To teach pupils to understand, accept and tolerate differences in individuals

All staff are responsible for the behaviour and discipline of pupils in their charge and should use effective strategies and sanctions to maintain an orderly environment for learning. In dealing with matters of indiscipline or unacceptable behaviour, staff should always:

- Act justly and fairly and be seen to do so
- Establish a relationship of respect with the pupil
- Deal promptly and personally in matters of discipline
- Apply a consistent approach

Both rewards and consequences will be used by staff to promote a positive ethos in the college and every lesson should incorporate praise and encouragement of pupils. The successful implementation of this policy depends on full participation. Every member of the college has a responsibility to ensure positive behaviour.

Rewards

As a college, we seek to reinforce good behaviour e.g. courtesy, academic achievement or effort, teamwork, consideration for others, helping someone in need and making a positive contribution to the community. The following is a table of possible rewards:

| Reward | For and by whom |
|---|---|
| Verbal praise | The expected normal in and around college, for all pupils by all staff. |
| Written praise on work | For work effort or achievement by teachers or LSA's. |
| Quick points | All staff can award quick points and these are managed by the Heads of Houses |
| Subject certificates are given in assembly | Outstanding work or effort for a specific piece of work or activity. Decided by teaching staff. |
| Call or email home | Outstanding effort or achievement in work, personal growth or the community. Decided by teaching or pastoral staff. |
| End of Year Cups and Awards | A variety of cups and awards from sport to science and for personal growth. Voted for by staff at the end of the year. |
| Special Events e.g. meals out or circus skills days | For whole groups or individuals who have worked well over a consistent period of time. Awarded by teaching or pastoral staff. |
| Sports medals | Given for effort and achievement both as individuals and for the house teams awarded by PE staff |

Discouraging unacceptable behaviour

The following are not acceptable at Slindon College and may, even at first offence, lead to immediate permanent exclusion, whether or not the offence occurs on its premises, or during college activities off-site or otherwise (e.g. on the internet). These statements apply to behaviour between pupils, pupil to staff or any members of our community or visitors.

- Offensive, insulting or abusive behaviour – whether verbal, physical or expressed using mobile devices, or electronic social media of any kind, whether or not they are using their own devices or those belonging to the college or others.
- Physical assault: lewd, crude or offensive physical behaviour or of a sexual nature; violence; aggression or even intimidation: making another fear a potential assault.
- Bullying of any kind (including cyberbullying, prejudice-based and discriminatory bullying) – whether expressed verbally, or by use of electronic social media, written material or any other form of transmission or expression e.g. gesture, tagging, name calling, or inappropriate comments sometimes referred to as 'banter'.
- Drugs (illegal substances or 'legal highs', medication prescribed for others), alcohol, solvents, tobacco (possessing, handling, using or supplying) and related materials e.g. matches, syringes, lighters, e-cigarettes – are forbidden on college premises, or during any official trip or college activity of any kind.
- Weapons: use and/or possession of e.g. knives, laser pens, glass, blowpipes. Incendiary devices or chemicals and toxic substances et al. The college has the right to take a view of the use of anything as a potential weapon (e.g. sharpened pencil, compass. The list is not exhaustive).
- Sexual misconduct: sexual activity between pupils is forbidden on college grounds, during college activities and in any shape or form that lies outside the acceptable frameworks of criminal law, whether in or outside college e.g. under-age sex, or sexting: being the sending, receiving or forwarding of sexually explicit messages, photographs or images, which is also strictly forbidden.
- Damage to property belonging to pupils, staff, the college or visitors.
- Persistent disruption of the learning of others.
- Pupils not being where they are supposed to be in terms of the college day, a trip, an activity, being out of bounds etc.
- Refusal to abide by the rules, code of conduct, policies and practices of the college as published by the college and those published by external bodies to whom the college has responsibilities e.g. plagiarism and breaking examination rules etc.
- Breaking criminal law e.g. theft, arson, public order offences, fraud.
- Bringing the college into disrepute: any action that damages the reputation of the college, whether or not at college, or outside college time.

Consequences

Pupils will not always behave in the way we may wish and we will then implement consequences which are two-fold. The aim is to get pupils to reflect on their inappropriate behaviour and learn strategies to avoid such behaviour in the future. The same will apply to pupils who either encourage or coerce others to break the college rules.

Each individual incident of poor behaviour will be viewed within not only the context of the situation but also the maturity and understanding of all parties and the needs of the whole college community.

The following section acts as a guideline to staff, parents /carers, to show how consequences escalate depending upon the behaviour, the context and the history of any previous poor behaviour. The consequences shown are examples of responses to examples of similar behaviour and as such are not to be taken as an exhaustive list or as a prescriptive response. Should a pupil have an EHCP or diagnosis of a communication or learning difficulty, responses to poor behaviour will be discussed with the SENCo. We do not allow any form of consequence that includes: corporal punishment; fines; the imposition of lines; deprivation of sleep, food or medication.

| Behaviour | Consequence/Intervention | Who? |
|---|---|-----------------------------|
| No improvement after interventions below | Permanent exclusion | Headteacher |
| Continued poor behaviour after internal and external fixed term exclusion | Discussion with SLT Parents contacted for meeting with HOH and SLT Internal/external fixed term exclusion Restorative Justice | SLT/HOH/Parents |
| Little improvement shown with positive learning card | Internal exclusion 1-2 days Restorative justice | HOH / Assistant Headteacher |
| Continued disruption in lessons. Physical/verbal abuse | Referral to HOH Reflection Break and Lunch Phone call to parents Positive Learning Card SEAL/Time to Talk Conflict Resolution Restorative justice | HOH/SENCo/ parents |

| | | |
|--|--|---------------|
| Persistent low level disruption/arguments between pupils | Move seats Re-establish school/classroom rules and expectations. Incident report to HOH Break-time reflection/catch up Conflict Resolution | Class Teacher |
| Low level disruption | Verbal Warning Re-establish school/classroom rules and expectations. | Class Teacher |

Supporting staff

We all face challenging behaviour at times in classrooms. Teachers, therapists and Learning Support Assistants are encouraged to ask for support in planning their behaviour management strategies and to make use of Learning Support team expertise where suitable. Staff will be offered, regularly, training on universal behavioural strategies but also specific training in order to meet individual behavioural needs.

Reporting poor behaviour

Reporting and recording of further actions should be made via an incident report form. The SLT and Heads of Houses are notified automatically of all raised incidents. It is the Heads of Houses' responsibility to record either reported incidents, sanctions or rewards. When using an incident report form, staff should write up incidents only when appropriate and they should bear in mind the pastoral situations of each individual, their own sanctions for the incident and any relevant learning challenges.

When in a difficult situation outside the classroom, for example on college duty, staff must request assistance from a senior member of staff on duty.

On rare occasions, in-class disruption may be so significant (e.g. a pupil swearing at a teacher, aggressive behaviour etc.) that normal referral systems should be bypassed and help from a member of the SLT sought immediately. An incident report must be recorded as soon as the situation is under control.

Admissions

Prior to the admission of a pupil the college, SENCo and the Headteacher will carry out key checks, as part of the normal process. The college is behaviourally selective, which is important for the maintenance of good order.

Whilst considering the need for pupils to have a 'fresh start' at times, which can be vital, the college recognises that pupils may be admitted to the college, occasionally, who have been known to transgress college rules or have

behavioural challenges. The college will make the decision to admit a pupil, only if it feels it can meet the needs of the pupil and put in place reasonable strategies or safeguards with the welfare of its other pupils in mind. These will be put in place, in an individualised way according to the strengths and needs of each pupil.

Managing transition

The college is aware that many pupils find moves between different colleges or classes unsettling and will provide support and guidance. We will ensure that where a transition occurs, the new class or form teacher will be given as much appropriate information as needed to help them plan their work and manage the class.

Information will be shared by the previous teacher(s) if the transition is within Slindon College. If the transition is from another setting the SENCo will ensure staff have appropriately shared information supplied by the previous setting.

We will also aim to:

- ensure the Head of House builds on the social, emotional and behavioural skills developed by the previous teacher, or identified as needed for the individual.
- ensure that new pupils are given an established 'buddy' to support them and ensure they know the college routines and support systems for pupils.

We place great emphasis on pastoral care at Slindon College. Measures focus on preventing bullying and provide a safe educational environment by:

- Delivering a comprehensive PSHE programme through structured PSHE teaching and assemblies, covering issues such as acceptable behaviours, anti-bullying, discrimination, drugs and alcohol education;
- Providing support to our head boy and prefects, which includes offering assistance to younger and to vulnerable pupils;
- Encouraging pupils to approach any member of staff if they have any issues or concerns.
- Following the Anti-bullying Alliance charter.

Special educational needs and disabilities

Slindon College takes its duties under the Equality Act 2010 seriously and will offer additional support and make reasonable adjustments, with regard to pupils with special educational needs and disabilities, when implementing its behaviour policy. Pupils with SEND may need additional support to manage their behaviour, so they may take a full and active part in both the college and the wider community. Such support is coordinated by the SENCo and can include SEAL support, social stories, group discussions, one-to-one discussions and therapy support. The appropriate support will be offered dependent on the individual circumstances.

We recognise that incidents of continuing disruptive behaviour might, in some cases, be the result of an emerging special educational need or disability. At this point, the college will, in discussion with the parents/carers (and if necessary a funding Education Authority) consider whether additional assessment, referral for SEN intervention or if the college can meet the needs

of the child. In all and any of these circumstances the SENCo keeps the staff fully informed and advises on best practices and interventions.

Safeguarding concerns

All staff will be alert to the possibility that poor behaviour may be an indicator of a child who is suffering from abuse or neglect. In these circumstances, or if a pupil's behaviour gives cause to suspect that they or another pupil is suffering, or is likely to suffer, significant harm, then staff should refer to the procedures under the Safeguarding Policy, a copy of which is available on the college website and a hard copy is available on request.

Malicious accusations

Pupils that are found to have made malicious allegations against a member of staff are likely to have breached this policy. The college will therefore consider whether to apply an appropriate sanction, which could include temporary or permanent exclusion (as well as a referral to the police if there are grounds for believing a criminal offence may have been committed).

Educational visits and trips

Slindon College reserves the right not to allow pupils to attend college trips and residential activities if their behaviour is repeatedly poor and there is the risk to the maintenance of discipline and good order, or reputational damage to the college and/or the SLT believe the pupil would present an untenable risk to themselves and others in terms of health and safety and safeguarding.

Any judgments of this kind would take into account the Equality Act 2010 and the concept of making reasonable adjustments for pupils, where necessary.

Uniform

Pupils are expected to be in full college uniform unless it's an approved mufti day, they are a member of the sixth form or they are about to do PE. Pupils who are not in uniform should be asked to remedy the issue; if they refuse they are to be sent to the relevant Head of House who will speak to parents or to boarding staff. All staff should challenge pupils if they are not in the correct uniform unless the child has specific permission from Headteacher or SENCo to wear an adapted uniform. Parents/carers and pupils can refer to uniform and equipment schedule. It is revised annually and published on the college website.

Mobile phones

At key stages 2, 3 and 4 no mobile phones are allowed in college, however many pupils use their phones in the taxis and are expected to hand them to their Head of House during morning registration and collect them at the end of the day. At key stage 5, pupils can have mobile phones on them but they are not to be used in lessons and must be kept in the 6th form area. Pupils who have been caught with a mobile will have it confiscated and deposited in the college or boarding house office where it can be collected at the end of the day. If a mobile phone is confiscated more than 2 times within one term, parents will be requested to come in to pick up the phone.

Searching Pupils

A member of staff can search a pupil or their possessions for any item if the pupil agrees, however, we do not need a pupil's consent to search them or their possessions if we have reasonable grounds for suspecting that they may have in their possession one of the following prohibited items:

- knives or weapons;
- alcohol;
- illegal drugs;
- stolen items;
- tobacco and cigarette papers;
- vaping equipment or liquids;
- pornographic images of any kind (e.g. tabloid topless pictures and 'lads' mags' as well as extreme adult material or inappropriate images or files on electronic devices, including mobile phones);
- fireworks;
- any article that a member of staff reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury to, or damage to the property of, any person (including the pupil);
- electronic devices (all mobile phones for Key Stages 2/3/4 must be handed in to Head of House's at the start of the day).

Further details of how we carry out searches are outlined in Appendix 3 of this policy.

Persistent Disruptive Behaviour

The college is responsible for promoting good behaviour on behalf of pupils and for securing a safe and orderly environment for pupils and staff. The college's response to challenging and disruptive behaviour will be made in the context of this policy and will encompass a range of strategies, of which exclusion is only one. Only the Headteacher or a member of the SLT can exclude or internally suspend a pupil from the college. The Headteacher is always involved with permanent exclusion. A decision to exclude will only be taken:

- in response to serious breaches of the college rules/code of conduct;
- if allowing the pupil to remain in college would seriously harm the education or welfare of the pupil or others in college.

The decision to internally isolate or exclude a pupil will take into account the likely impact of the misconduct on the life of the college. This may include behaviour, on or off college premises, which is a breach of the standards of behaviour expected by the college.

Before reaching a decision to exclude, the Headteacher or member of the SLT will:

- consider all the relevant facts and such evidence as may be available, concerning the allegations made, taking into account the college's SEND and equal opportunities policies;
- allow the pupil to give his version of events;
- check whether the incident may have been provoked;

- check if there are mitigating factors with a child's EHCP that would explain the behaviour;
- (if necessary) consult others, being careful not to involve anyone who may have a role in any statutory review of the decision.

NB. In certain circumstances, it should be noted that investigations may be taken out of the hands of the college and conducted by other agencies e.g. the police. In such cases, the college can act as a conduit for information for parents/carers and the pupil/s in question, within the lawful boundaries of said investigation. The college may have to continue to pursue its own disciplinary policy, in a timely and appropriate fashion, in line with the college rules and other relevant policies.

Exclusions

The Headteacher, before deciding to exclude a pupil, will discuss with the pupil the incident and circumstances. The pupil's view will be taken into account before a decision is made.

Internal exclusion (known internally as Reflection)

As an alternative to exclusion from the college, the Headteacher or a member of the SLT may "internally exclude" a pupil. This will result in him being placed in a supervised area (away from his house/class) or with a member of the SLT for a period of time. In coming to a decision on the length of internal exclusion, the member of the SLT will consider the nature of the incident or misbehaviour. A period of internal exclusion will be the minimum possible to achieve the desired improvement in behaviour. Pupils will complete work set by the subject teacher. Pupils misbehaving during "internal" exclusion are likely to have the period of exclusion increased or maybe externally suspended.

Fixed-term exclusion (also known as external suspension)

In the case of fixed-term exclusions, the Headteacher/member of SLT may exclude pupils for up to 45 days in any one college year. Pupils must not enter the college grounds when they have been excluded. Failure to comply with this may lead to permanent exclusion. In coming to a decision on whether to "internally or externally exclude" a pupil, the member of the SLT will consider all the factors relevant to fixed-term exclusions, gathered by an investigation, but also consider whether the day spent working in college, rather than at home, would be more beneficial and still have the desired effect on good order and discipline in the college.

Exclusions – fixed term/permanent

The college has regard to relevant DfE guidance when taking decisions concerning exclusions. Unacceptable behaviour that merits the exclusion of a pupil may occur in college or the boarding house, including the college grounds, in the vicinity of the college and on trips and visits. It might include any behaviour likely to bring the college into disrepute and will include a serious breach of the college rules. Examples of behaviour which may lead to a fixed-term / permanent exclusion are given below. The list is not exhaustive as cumulative undesirable behaviour may also lead to exclusion.

Drug abuse
Alcohol abuse
Theft
Bullying
Physical assault/threatening behaviour
Fighting
Sexual harassment
Racist/homophobic abuse
Sexual misconduct
Damage to property

Investigations

The first step in deciding if the exclusion is appropriate is the investigation. This may be in the form of gathering statements, in the first instance, and may proceed to a more developed investigation, unless the college is advised otherwise by social care (LADO, IFD) or the police, who decide to take the investigation forward themselves. At this point, the normal procedures with regard to time limits may be set aside as the college will only be able to operate within the constraints that emerge. The college will, at all times, endeavour to be a conduit for information between parents/carers and any other agencies.

Key issues for consideration

Information gathering: statements and notes of answers to supplementary questions should be taken from all pupil and staff who were involved in or witnessed the incident. All written statements should be attributed, signed and dated by the witness who should first be given the opportunity to read it (supported as necessary). The statement should also be countersigned by the person who took the statement and the original statement should be kept on file.

Parents/carers should be informed after initial investigations have been made. Clearly, where a pupil has been suspended pending the outcome of a disciplinary process, then it will be necessary to inform the parents/carers immediately. Similarly, in cases where social services or the police become involved, it will generally be prudent to inform the parents/carers as soon as possible – bearing in mind that exclusion cases should be treated in the strictest confidence. There may be cases where the safety and wellbeing of a witness are compromised if their identity is disclosed and police investigations must not be compromised. However, giving confidentiality assurances to those involved in the case should be avoided.

Suspects should be kept apart where reasonably possible. The pupils should be told not to discuss the matter, in person or on social media, with other members of the college community and, in particular, with the others involved. This is especially important where the accusation relates to issues such as bullying, physical or verbal abuse or other peer-on-peer abuse.

It may be appropriate for those involved with the alleged wrongdoing, to

remain at home pending the investigation of serious allegations. It should be for as brief a time as possible. If a relatively lengthy period is unavoidable, arrangements should be made for work to be sent home and marked. Parents/carers should be told immediately of any decision to keep the child at home and this should be followed within one working day by a confirmatory letter or email. It must be made clear that this period of absence is not a disciplinary sanction but is to allow the college to investigate the allegations appropriately.

In some cases, where a police investigation comes to an end, the college reserves the right to reopen the investigation for its own purposes. It should always be borne in mind that the legal test for the college is 'in all probability' or 'in all likelihood' and not 'beyond reasonable doubt' as it is for the police.

The college recognises its responsibilities to keep parents/carers informed. However, it is not the college's policy to reveal information about pupils to those who do not have statutory authority or parental responsibility. This will mean that we will not give out specific details of either interviews or outcomes/sanctions of a pupil to another parent even if their child was involved in the incident or investigation.

Permanent Exclusion

Permanent exclusions will normally be used as a last resort when a range of other strategies have been exhausted. In exceptional circumstances, the SLT might consider it appropriate to permanently exclude a pupil for a first or one-off offence. When the Headteacher suspends or permanently excludes a pupil, without delay, she/he will notify the parents / carers, social worker and Virtual School Headteacher if applicable. The relevant Local Authority (LA) will also be notified if the child is funded by the LA.

Where there is a possibility of permanent exclusion, where possible there will be a hearing. In such circumstances, it is usual that this will be chaired by the Headteacher.

The following points should be considered:

- The pupil and their parent(s)/carers should be notified of the hearing by letter or email.
- Pupil and parent(s)/carers should be present.

Enough notice should be given for both sides to prepare; copies of all evidence (including witness statements) should be circulated. Ask for written submissions and other evidence from the pupil and/or parents/carers (including witness statements) to be provided for circulation by a specified (reasonable) date. The hearing should be conducted as soon as possible and rarely beyond five working days of the pupil being aware of the allegation. Neither side would normally have legal representation at an internal hearing of this kind.

If a pupil witness is compelled to attend, their parents/carers must consent. There should be a designated note-taker. Where possible and appropriate,

the minuted hearings will usually take the following format:

- the chair (usually the Headteacher) will explain the purpose for the hearing;
- the college will present its case;
- the pupil or parents/carers will have an opportunity to ask questions;
- the pupil or parents/carers will present their case;
- the chair asks questions of the pupil or parents/carers;
- the meeting is adjourned.

Following the meeting, the chair makes their decision and informs parents/carers by letter in all cases of exclusion. Parents/carers will be informed of the length of the exclusion and the reasons for it. It is usual for a governor, (normally the Chair of governors) to be informed, though a period of time should be allowed for wider circulation of information with the governors, in case an appeal is to be heard.

Permanent exclusion appeal procedure

In the event of the Headteacher expelling a pupil, or requiring his removal from Slindon College, parents of the pupil, or the recognised appointed guardian, have recourse to a review or appeal. The procedure under which written application or a review may be made is as follows:-

1. The application for an appeal must be made in writing to the Clerk to the Governors (a suitable form is in Appendix 5 of this policy)
2. This application must be received not later than 14 working days after the date of notification to expel a pupil.
3. The application must give clear reasons or evidence for a substantial case against the Headteacher's decision to expel.

On receipt of the application, a sub-committee shall be appointed. It shall consist of a minimum of three members of whom at least two shall be Governors and one who is independent of the running of the college. This sub-committee shall consider the application within ten working days of its receipt. The sub-committee shall also have a full report of the incident in writing from the Headteacher. After due consideration, a meeting may be arranged so that all the issues can be fairly and properly put to the sub-committee. All parties shall be able to question each other. Both parties shall be allowed to appoint another person to represent their interests.

When all evidence has been submitted, the sub-committee shall retire to make their decision. Such decision shall be communicated to the parents, guardians or their representative as agreed within 7 working days. The decision of the sub-committee shall be final.

A written record will be kept of all complaints and of whether they are resolved at the preliminary stage or proceed to a panel hearing. Parents/carers can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except to the extent required by paragraph 32(1)(g) of the Education (Independent Colleges Standards) (England) Regulations 2014 or under other legal authority.

Additional guidelines have been prepared for the information and guidance of all who may become concerned in a review/appeal hearing following expulsion or the required removal of a pupil and are in Appendix 4 of this policy.

Setting work

Work will be provided for all excluded pupils. The college has a responsibility to set work for the first five days of exclusion from the college and to provide, insofar as it practically can, full-time education for pupils excluded for over five days, unless that is impractical or rendered impossible by the work of external agencies or a lack of parental cooperation with the college. Work for the permanently excluded pupil will be set until the review and appeal process is complete and the pupil's name is removed from the college roll.

Informing parents/carers

The Headteacher, a member of the SLT or the Head of Houses, or boarding staff will inform parents/carers in all cases of exclusion. Parents/carers will be informed of the length of the exclusion and the reasons for it. Parents/carers should also be informed of their right to appeal.

A parent/carer will be asked to bring the pupil into college or the boarding house following the exclusion for a re-integration/moving on meeting with the appropriate staff.

Appendix 1 - College Code of Conduct

At Slindon College, we help our pupils to accept responsibility for their conduct and the way in which it is perceived, both as individuals and collectively. We understand that our conduct, work and appearance should demonstrate respect for others and ourselves.

Our rules of conduct:

- We are courteous, thoughtful and compassionate to other people; pupils,
- teachers and support staff, everyone in our community.
- We are accepting of all individuals regardless of differences and we reject any form of prejudice or discrimination.
- We are understanding and supportive of the needs of all members of our community.
- We always follow the classroom rules.
- We respect our own and others' property.
- We treat the college site with respect, taking particular care neither to drop litter nor to damage the grounds or the fabric of the site.
- Our appearance should convey pride in ourselves and in our college.
- Our use of technology is responsible, respectful and in line with college policies.
- We attend every meal and only consume food and drink in the dining hall and rooms designated for eating.
- We are a 'no touching' and 'telling' college.
- We move about and work in the college in a safe and responsible manner.
- We arrive at registration, lessons and assemblies on time.
- We do not leave the college site without permission and without signing out.
- We do not bring prohibited items into college such as:
 - Knives or weapons
 - Alcohol, illegal drugs, any substances intended to resemble drugs or any other substance held for purposes of misuse
 - Stolen items
 - Tobacco, cigarettes, vapes or any equipment used for smoking or vaping
 - Fireworks or other explosives
 - Pornographic images
 - Any item staff reasonably suspects has been, or is likely to be, used to commit an offence, to cause personal injury to, or damage to the property of, any person

Appendix 2 - Record-Keeping and Behaviour Tracking

At Slindon College a record is kept by the Head of House of the following offences:

- Alcohol abuse.
- Bullying, including (including cyberbullying, prejudice-based and discriminatory bullying).
- Child-on-child abuse.
- Drug abuse.
- Fraud.
- Gambling.
- Improper behaviour towards a member of staff or another pupil.
- Malicious damage.
- Persistent disruptive behaviour.
- Physical assault/ threatening behaviour.
- Using pornography.
- Racist abuse.
- Sexual harassment.
- Sexual misconduct.
- Theft.
- Violence.
- Any other activity that is illegal under English law.

It is the college's policy to keep all our pupil records securely until the child has reached the age of 25 (35 in case of those with an ECHP), when they will be destroyed. They are not disclosed to any third party unless required by statutory regulations.

Reports of incidents and the subsequent responses are kept secure but an outline of the incident is recorded on the college behaviour tracking system. The SLT meets every half term to evaluate behavioural incidents, identify any 'hot spots' for poor behaviour and implement suitable strategies to support pupils and staff in achieving the required behaviour standards.

Appendix 3 – Pupil Searches

What can we search

A pupil can be searched, however, the pupil must not be asked to remove clothes other than outer clothing like a coat, hat, shoes, boots, gloves or scarf. A pupil's possessions can also be searched. 'Possessions' mean any goods over which the pupil has or appears to have control e.g. studies/dorms, desks, lockers, bags and electronic devices.

Who can carry out a search

Searches can be carried out by the Headteacher or any member of college staff authorised by the Headteacher. Searches will only be carried out on the college premises or elsewhere if the member of staff has lawful control or charge of the pupil e.g. on educational visits or at sports fixtures.

Ordinarily, searches should always be carried out by two members of staff. The person doing the search must be a male member of staff. If the search is of a pupil's possession, then he should ordinarily be present when the search takes place.

In exceptional circumstances i.e. if a member of staff reasonably believes that there is a risk of serious harm to a person if the search is not conducted immediately, and where it is not reasonably practicable to summon another member of staff, a pupil may be searched by a person of the opposite sex and/or without another member of staff present. Their possessions may also be searched in their absence.

Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for other items banned under the College rules.

Can a pupil refuse a request to search?

We do not need a pupil's consent to search them or their possessions if we have reasonable grounds for suspecting that they may have in their possession a prohibited item. If a pupil refuses a request to search for a prohibited item, as detailed above, then an appropriate consequence may be applied in line with the Behaviour Management and Exclusion Policy.

What will happen to any seized items?

We can use our discretion to confiscate, retain and/or destroy any item found as a result of a 'with consent' search so long as it is reasonable in the circumstances.

In respect of a 'without consent' search, we can seize anything we have reasonable grounds for suspecting is a prohibited item or evidence in relation to an offence.

We are required to take the following actions in the case of these items being

found:

- Alcohol – we may retain or dispose of it, but not return it to the pupil.
- Controlled drugs – we must deliver these to the police as soon as possible, however, we may dispose of them instead, if there is 'good reason to do so' (see below).
- Other substances – we can confiscate these if we believe them to be harmful or detrimental to good order and discipline e.g. legal highs.
- Stolen items – we must deliver these to the police as soon as reasonably practicable, however they may be returned to the owner or disposed of if there is a 'good reason to do so' (see below).
- Tobacco, cigarettes or vapes and their equipment – we may retain or dispose of them, but not return them to the pupil.
- Fireworks - we may retain or dispose of them, but not return them to the pupil.
- Pornographic images – we may dispose of the image unless we have reasonable grounds to suspect that its possession constitutes a specified offence, in which case we must deliver it to the police as soon as reasonably practicable.
- An article that has been or is likely to be used to commit an offence or to cause personal injury or damage to property – we may deliver it to the police, return it to the owner or retain or dispose of it, depending on the circumstances.
- An item banned under the college rules – we will take into account all relevant circumstances and use our professional judgment to decide whether to return it to its owner, retain it or dispose of it.
- Weapons or items which are evidence of an offence – we must pass it to the police as soon as possible.
- Electronic devices – if we reasonably suspect that the data or file in question has been, or could be, used to cause harm, to disrupt teaching or break the College rules, then we can examine or erase the data or files. If there are reasonable grounds to suspect that it contains evidence in relation to an offence, then the data or files will not be deleted and the device will be delivered to the police as soon as is reasonably practicable.

In the case of stolen items or controlled drugs, when determining what constitutes a 'good reason' for not delivering them to the police, we will take into account all relevant circumstances, including for example the value of the items in the case of stolen items (e.g. a pencil case).

Will parents be informed?

We are not required to inform parents before a search takes place or to seek their consent to search their child. We will however inform the parents or guardians where alcohol, illegal drugs or potentially harmful substances are found. If anyone wishes to make a complaint about a search that has been carried out, they are referred to the process in our Complaints Procedure, a copy of which is available on the college website and a hard copy is available on request.

Records of searches

We are required to keep a record of all searches undertaken and identify the

reasons for doing the search. Searches will be recorded as a daybook entry for the pupil concerned.

Appendix 4 – Permanent exclusion review/appeals procedure

SLINDON COLLEGE - REQUEST FOR REVIEW/APPEAL

To: The Clerk to the Governors

Name of Pupil:

Names of those with Parental Responsibility:

Address of Parents/Guardian:

Telephone numbers: (day time)
(evening)

I, being a person with parental responsibility for the above-named pupil request that a sub-committee carries out a review of the decision (to require removal of or to expel the pupil).

We have received with this form a copy of the Review Procedure and we agree to abide by its terms.

We also agree that the proceedings are and will remain confidential and that this review will be final subject to such (if any) legal rights as may exist.

The grounds upon which we seek a review and the matters which we wish to discuss at the review and to ask the sub-committee to take into account are as set out on the reverse side of this sheet.

We understand that we may be accompanied at the review hearing by a friend or relation who knows and who is willing to speak on behalf of the pupil. (Two signatures required where practicable)

| | |
|-----------------------------|------------------------|
| First Signature: | Second Signature: |
| Full Name: | Full name: |
| Relationship to Pupil:..... | Relationship to Pupil: |
| Date: | Date: |

Appendix 5 – Guidelines or those involved with undertaking reviews and appeals

Applying for a Review/Appeal

- Parents/guardians must apply for a review of a decision to expel or require removal, using the Request for Review Form. This form is available from the Reception and must be returned to the Clerk to the Governors within 14 days of receipt of the written notification of the decision in question.
- Unless there are exceptional circumstances the review hearing will take place within fourteen working days of the removal or expulsion, and maybe sooner if convenient to all parties.
- Each member of the Review Panel will be supplied with a copy of any relevant documents. The parents shall be entitled to copies of all those documents save any which, in the opinion of the Headteacher, should not be disclosed.

Review Panel

This will consist of a three-member sub-committee. The panel members will have no previous detailed knowledge of the case or of the pupil, parents or guardian, and will not normally include the Chairman of Governors. Selection of the review panel will be made by the Clerk to the Board of Governors.

The Review Hearing

This will take place at the college premises. Those parties at the review hearing will normally be:

- Members of the Review Panel
- The Headteacher
- Parents or those with parental responsibility
- The pupil
- Clerk to the Governors or their deputy

The parents/pupil may be accompanied by a friend or relation. That person will attend as a friend, not as a representative. Seven working days' notice to the Clerk is required if the parent/pupil wish to be accompanied by a legal representative, or a friend who is legally qualified. The proceedings will be chaired by one member of the Review Panel and will be conducted in an informal manner, and all statements made at the hearing will be unsworn. The proceeding will not be tape recorded but the Clerk will be asked to keep a minute of the main points that arise. All present will be entitled, should they wish to write their own notes. The hearing shall be directed at all times by the Chairman of the panel who will conduct the hearing in such a manner as to ensure that all those present have the opportunity of asking questions and making comments. All those attending the hearing are expected to show courtesy, restraint and good manners. The Chairman may in his/her discretion adjourns or terminates the hearing. If the hearing is terminated the original decision will stand.

The panel will consider each of the queries raised by the parents/pupil so far as these are relevant to:

- Whether the facts of the case, so far as they relate to the pupil, were sufficiently proved when the decision was taken to expel or to require removal of the pupil. The standard of proof will be the balance of probability; and
- Whether the sanction was warranted, i.e. proportionate to the breach of discipline or other events that are found to have occurred.

The requirements of natural justice will apply:

If the Headteacher considers it necessary in the interests of the individual or of the college that the identity of any person should be withheld, the Chairman of the panel may require that the name of that person and the reasons for withholding it be written down and shown to the Review Panel. The Chairman in his/her discretion may direct that person to be identified. When the Chairman of the panel decides that all issues have been sufficiently discussed and if by then there is no consensus s/he may adjourn the hearing. The decision of the Review Panel will be final. It will be notified to the parents by the Chairman of the Review Panel or the Chairman of Governors by letter or telephone within seven days of the hearing.