



Leighton Park School

Pupil Exclusion Procedure

This guidance is to be read in conjunction with the School's Discipline and [Exclusions] policy and Section 6 of the School's Standard Terms and Conditions.

1. **Request for Review:** A pupil or his/her parents may request a Governors' Review of the Head's decision to exclude or require a pupil to leave. The application must be made as soon as possible and in any event must be received by the School within [7] [working] days of the decision being notified to a parent. The School reserves the right not to accept any application received after this deadline has elapsed.
2. **Grounds for Review:** In their application the parents must state the grounds on which they are asking for a Review and the outcome which they seek.
3. **Review Panel:** The Review will be undertaken by up to three people appointed by the Chair of Governors from a pool of governors nominated by the Board. The Panel may include an independent member not involved in the management and running of the School. The Panel members will have no detailed previous knowledge of the case or of the pupil or parents and will not normally include the Chair of Governors. Parents will be notified in advance of the names of the Panel members. Fair consideration will be given to any bona fide objection to a particular member of the Panel. If the Review Panel drops below three, a Review cannot continue and in such a case there can be no further action on the Review. The process will have to begin again with a new Panel. Once a Review has begun no Panel member may be substituted (thus in the event of illness or death a new Panel will have to be reconvened).
4. **The Role of the Panel:** The Panel's role is to consider the representations made as outlined below in clause 10.
5. **Review Meeting:** The Meeting will take place at the School premises, normally between 3 and 10 [working] days after the parents' application has been received. A Review will not normally take place during school holidays. In cases where a pupil is approaching public examinations the Review Panel will endeavour to meet before the date of the examination. A Review Meeting is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law.

6. **Attendance:** Those present at the Review Meeting will normally be:
- members of the Review Panel and the Clerk to the Panel.
 - the Head and any relevant member of staff whom the pupil or his/her parents have asked should attend and whom the Head considers should attend in order to secure a fair outcome.
 - the pupil together with his/her parents and, if they wish, a member of the school staff who is willing to speak on the pupil's behalf. The parents may be accompanied by a friend or relation. The Clerk to the Panel must be given seven days' notice if the friend or relation is legally qualified.
 - The Clerk to the panel will normally be the School's Bursar who will make all the necessary administrative arrangements. However he / she may not be required to attend the Review Meeting to take notes if the Chair decides this to be inappropriate or unnecessary. In these circumstances the Chair will make alternative arrangements and announce these at the commencement of the meeting.
7. **Meeting Preparation:** Prior to the Meeting the Clerk to the Panel shall:
- Request written statements from the Head and the parents;
 - Circulate any such written statements (including any statements from witnesses) and a list of those due to attend to the Head and the parents.
 - Circulate all the relevant documentation (this must include the statement of the Head's decision and an outline of the procedure to be followed) to the Head and the parents at least [5] working days before the date set for the Meeting, unless agreed otherwise.
8. **Conduct of the Review meeting:** The Meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in an informal manner. All statements made at the Meeting will be unsworn. The Clerk to the Panel will be asked to keep a hand-written minute of the main points which arise at the Meeting. All those present will be entitled, should they wish, to write their own notes. The Meeting will be directed by the Chair who will conduct it so as to ensure that all those present have a reasonable opportunity of asking questions and making appropriate comment. Everyone is expected to show courtesy, restraint and good manners. The Chair may at his/her discretion adjourn or terminate the Meeting. If the Meeting is terminated, the original decision will stand.
9. **Evidence and Witnesses:**
- All parties may introduce relevant evidence relating to the events leading to the Head's decision.
 - The Head however may not put forward any new reasons for the decision.
 - The Head and/or parent may wish to call witnesses. In the case of those witnesses being pupils at the School written statements should normally suffice.

- All written statements must be signed and attributed.
 - The calling of character witnesses is at the Panel's discretion, but should not be unreasonably denied; evidence as to character should not form part of the evidence seeking to show that the incident occurred as alleged, and should come after the Panel has established the facts and before it makes its recommendations.
 - Physical evidence should be retained for the Meeting where possible.
10. **Procedure:** The Panel will consider each of the questions raised by the pupil or his/her parents so far as relevant to:
- whether the facts of the case were sufficiently proved when the decision was taken to exclude or remove the pupil. The civil standard of proof, namely, "the balance of probability" will normally apply.
 - whether the sanction was warranted, that is, whether it was proportionate to the breach of discipline or the other events which are found to have occurred and to the legitimate aims of the School's policy in that respect.

The requirements of natural justice will apply. The Panel are expected to balance the interests of the pupil against those of all the other members of the school community. If for any reason the pupil or his/her parents are dissatisfied with any aspect of the Meeting they must inform the Chair at the time and ask the Clerk to the Panel to note their dissatisfaction and the reasons for it.

11. **Identification:** If the Head considers it necessary in the interests of an individual or of the School that the identity of any person should be withheld, the Chair may require that the name of that person and the reasons for withholding it be written down and shown to the Panel Members. The Chair at his/her discretion may direct that the person be identified, or not as the case may be.
12. **Pupil's character:** Up to two members of the school staff may speak generally about the pupil's character, conduct and achievements at the School if they are willing to do so.
13. **Leaving status:** If, having heard all parties, the Panel is minded to recommend that the Head's earlier decision should be confirmed, it is open to the Panel, with the agreement of the Head, the pupil and his/her parents to discuss the pupil's leaving status with a view to reaching agreement.
14. **Reaching a Decision:** When the Chair decides that all issues have been sufficiently discussed and if by then there is no consensus, s/he may adjourn the Meeting; alternatively the Chair may ask those present to withdraw while the Panel considers its recommendations. The Panel's recommendations will be notified in writing with reasons, to the Head and to the parents by the Chair of the Panel by the end of the second working day after the meeting. The Head will provide his response to those recommendations in writing within 24 hours of receiving them. In the absence of any procedural irregularity, the Head's decision will then be final.

Note: The timescales specified in this document are indicative and desirable and will be adhered to whenever possible. However, some flexibility will almost certainly be necessary and will be accommodated by mutual agreement by the parties concerned.

Involvement of staff and pupils

Staff will discuss the working of school policies from time to time, in staff meetings and/or in tutor periods. Pupils' views on school issues are sought through Monthly Meeting and at other times through tutor groups. The Deputy Head and Assistant Head, Boarding and Pastoral, in particular monitor pastoral aspects of school life. The Head of the Individual Learning Centre ensures that the needs of pupils who attend the Centre are taken into account.

Review

This policy will be reviewed on an annual basis, and should be read alongside the school's aims and other documentation.

Updated September, 2011