

Reigate Grammar School Group

Exclusion and Required Removal Policy

Including Early Years Foundation Stage

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1. Purpose and scope

This policy applies to pupils of any of the schools in the RGS Group in the UK (together and individually “the School”). It should be read in conjunction with the Behaviour Policy, Online-Behaviour Policy Anti-Bullying Policy, Alcohol, Drugs, Tobacco and Vaping Policy, Online Safety Policy and School Rules as in place from time to time at the school the pupil attends.

This policy is available on the School’s websites and also on request from the relevant School Office.

For the purposes of this policy “working days” refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term.

2. Sanction for breaches of discipline that do not merit exclusion or required removal

It is hoped that pupils will respond to the School’s positive encouragement and rewards and will comply with the applicable School Rules at all times. However, the School acknowledges that from time-to-time pupils’ conduct may fall below the standards of behaviour reasonably expected by the School.

When poor behaviour is identified sanctions will be implemented in line with the applicable School’s Behaviour Policy. These sanctions could range from verbal reprimands, communications to parents, additional work, loss of privileges, oral or written warning and suspension from School. This is not exhaustive, and the sanction applied will be proportionate to behaviour.

3. Breaches of discipline outside of the School grounds

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 pupils’ 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 usually report to the police any activity which it believes 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 will be reported to the police immediately.

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

4. Permanent Exclusion

Serious incidents or persistent poor behaviour which has not improved following in-School sanctions and interventions could result in the permanent exclusion of a pupil. This is a decision of the Head in conjunction with the Reigate Grammar School Head. Although the pupil’s best interests will be taken into consideration, the interests of the whole school community and the nature and circumstances of the offence must also be taken into account.

Examples of behaviour likely to result in permanent exclusion

A non-exhaustive list of the sorts of behaviour that could merit permanent exclusion (including behaviour outside of School and, where applicable, online) includes the following:

- Any behaviour likely to cause actual harm (physical, emotional, psychological or in any other way) or that might risk actual harm to the person behaving inappropriately or to any other person(s), whether a member of the school community or not.

- Bullying of any sort – including verbal, physical, peer-on-peer abuse and via the use of technology as examples.
- Any behaviour reasonably likely to incite or motivate others to behave inappropriately.
- Committing a criminal offence.
- Sexual harassment or misconduct, including non-consensual sharing of nudes or semi-nude images and/or videos.
- Abuse on the grounds of sex, race, religion/belief, gender identity, disability, SEN or any other form of unlawful discrimination.
- Violence towards another person, including fighting.
- Wilful damage to school or other property – including graffiti, other forms of vandalism or computer hacking.
- Conduct which brings or is likely to bring the School into disrepute. For clarity, this would apply for behaviour likely to bring the School into disrepute even if in actual fact the damage to the School's reputation had been avoided by management of the incident or by a fortunate lack of discovery or because of some other reason.
- Dishonesty or theft of property in or out of School – to include theft from the School, staff, other pupils or the School's catering facilities.
- Defiance or rudeness or otherwise inappropriate behaviour towards a teacher, staff member or other appropriate person in authority.
- Theft or other dishonest behaviour.
- Any involvement whatsoever with drugs other illegal substances or inappropriate substances (such as solvents, medicines etc.) and/or alcohol misuse.
- Bringing illegal, inappropriate or dangerous items into School, such as drugs, weapons, firearms, pornographic material etc.
- Malicious allegations against staff.
- Persistent disruptive behaviour or persistent or serious breaches of the School's Behaviour Policy or School Rules.

The School reserves the right to impose sanctions for behaviour which falls short of exclusion including but not limited to the imposition of a period of suspension or a warning (up to and including a final written warning).

It is important to emphasise that these are examples of serious poor behaviour that are likely to result in permanent exclusion and are not intended as an exhaustive list. Clearly where more than one form of inappropriate behaviour is involved then the likelihood of permanent exclusion increases.

5. Circumstances which may merit required removal

A non-exhaustive list of the sorts of circumstances that could merit required removal (including behaviour or conduct outside of School including, where applicable, online) includes the following:

- a. the Pupil has committed a breach or breaches of School rules or discipline for which Removal is the appropriate sanction (and this may include conduct outside of School); or
- b. by reason of the Pupil's conduct, behaviour (which may include conduct outside of School) or progress, the Pupil is unwilling or unable to benefit sufficiently from the educational opportunities and/or the community life offered by the School; or
- c. the Pupil's presence at the School presents a risk to himself/herself and/or to any other pupil or member of the School community; or
- d. the School is no longer able to provide adequately for the Pupil's needs (including cases where the School cannot reasonably accommodate adjustments or reasonably provide the nature or level of support required by the Pupil).

The School reserves the right to impose sanctions for conduct or behaviour which falls short of required removal including but not limited to the imposition of a period of suspension or a warning (up to and including a final written warning).

6. Unreasonable parental conduct which may merit required removal

As set out in the School's Parent Contract, the School may also require the removal of a pupil in circumstances where in the opinion of the Head one or both of the Parents have behaved unreasonably, including but not limited to if they have treated the School or members of its staff or any member of the School community unreasonably and/or acted in a way which could bring the School into disrepute (among the school community or the general public) and/or represents a serious or persistent breach of the Parent Code of Conduct and/or causes a breakdown of trust and confidence, and/or is not in accordance with your obligations under this contract.

The Parent Code of Conduct sets out a non-exhaustive list of conduct which is likely to warrant required removal and includes:

- repeated and or persistent breaches of this Parent Code of Conduct or the Parent Contract.
- treating the School, a member of staff or another member of the School community unreasonably, which may include:
 - acts of physical aggressive, violence, intimidation or threat.
 - use of offensive, abusive or otherwise inappropriate or disrespectful language; or
 - any discriminatory, bullying or harassing conduct or behaviour including sexual harassment.
- acting in a way which could bring the School into disrepute, which may include:
 - making a malicious allegation about a member of staff or the School; or
 - posting derogatory, defamatory or offensive comments about the School or any member of the School community online.
- communicating with the School in person or in writing (directly or indirectly) in a manner which is deemed to be excessive, relentless, confrontational, unreasonable, and/or overly aggressive; or
- behaving in a manner which is likely to, or does, adversely affect the safety or welfare of any member of the School community.

The School reserves the right to impose sanctions for parental behaviour falling short of required removal, including but not limited to placing restrictions on a parent's access to School/School events, communications with the School and/or the imposition of a warning (up to and including a final written warning).

7. Serial or persistent issues

Please note that exclusion/required removal may also be imposed by the School as a sanction for a series of more minor misdemeanours (whether that be pupil or parental related) and/or repeated short-term absence in the case of the pupil (as well as long term absence).

8. Threats

Behaviour that indicates an explicit or reasonably implied threat of the above might also result in permanent exclusion. For example, threatening violence or threatening to damage property will be treated as extremely inappropriate behaviour even if the threat is not carried out and is likely to lead to permanent exclusion.

9. Reckless behaviour or behaviour showing a lack of appropriate care or attention

Behaviour that is reckless or, where in the opinion of the Head, it might reasonably be likely to have resulted in harm or damage or any of the above (or similar offences) might also result in permanent exclusion. This is also the case where a lack of appropriate care or caution has caused one of the very poor behaviours above to have happened or to have been reasonably likely to happen, in the opinion of the Head. For example, behaviour that may well have resulted in someone being injured is likely to receive a sanction as if the harm had actually happened.

10. More than one pupil involved

Where more than one pupil is involved in an incident then the sanction may vary according to the extent to which they were culpable and/or the context of their previous school record.

11. Honesty and cooperation

The School expects pupils to cooperate in an honest and straightforward manner with any investigation into alleged poor behaviour. A failure to do so, may itself be a disciplinary matter or be considered by the Head when deciding on an appropriate sanction.

12. Other factors

When deciding on the appropriate sanction the Head may take into consideration the pupil's previous disciplinary record and any relevant mitigating factors (of which the School is aware).

For cases involving very young pupils the Head will ensure that their age, understanding and maturity is properly taken into consideration when assessing the appropriateness and proportionality of action by the School.

13. Procedure

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

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.

In circumstances where the potential ground for removal or exclusion relates to the conduct of the pupil or engages their safety or well-being, the School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure. Alternatively, the pupil may be placed under a segregated regime if they remain on School premises.

14. Decision to exclude/require removal

Prior to any decision being taken by the Head to exclude or require the removal of the pupil, the Head will meet with the pupil and their parents or (in circumstances involving the possibility of the pupil's required removal on the grounds of parental unreasonable behaviour or ability to meet need) the parents.

In circumstances where the School believes removal may be warranted because the School is unable to meet the pupil's needs, reasonably accommodate adjustments or reasonably provide the level or nature of support required, the School will collate relevant information and evidence (including where available and appropriate any external or expert evidence or assessments), share and discuss these with the parents and provide the parent with a reasonable opportunity to share their views.

If the Head considers that further investigation/information is needed, the meeting may be adjourned, and the reason for the adjournment will be explained to the pupil/their parents.

Following the conclusion of the meeting the Head will reach their decision in conjunction with a senior member of staff from Reigate Grammar School having taken all the relevant circumstances into account. The Head will communicate their decision in writing within 10 working days from the meeting.

15. Appeals against exclusion/required removal

The School will always offer the right of appeal to any pupil excluded or required to be removed from the School. Concerns about decisions to exclude or require removal will be dealt with under the procedure set out in this policy and not the Parents Complaints Procedure.

An appeal against an exclusion or required removal from one of the schools in the RGS Group in the UK will be heard by the Head of Reigate Grammar School or their appointed nominee.

An appeal against an exclusion or required removal from Reigate Grammar School should be referred to the Chair of Governors at Reigate Grammar School who will nominate someone suitable to hear the appeal, this will usually be a Governor, but in some cases may be another senior member or the RGS leadership team.

Any appeal should be made in writing to the Head or Chair of Governors (as applicable) within five working days of the pupil's exclusion/required removal. The parents should set out the reasons for their appeal and include with it any supporting documents that they would like to be considered with the appeal.

The individual/s hearing the appeal (the Appeal Panel) will invite the parents and, where appropriate, the pupil to discuss their appeal. The parents may bring a friend or relative with them. Legal representation will not be permitted, and any companion should not be a lawyer. The Appeal Panel will ask the Head who took the decision to exclude or require removal to attend the appeal meeting. They may bring a colleague with them. Details of anyone accompanying either party should be notified to the Appeal Panel in good time before the appeal meeting. How the meeting is run will be a matter for the Appeal Panel.

A notetaker will attend the meeting to take minutes. This will not be a verbatim note but an accurate reflection of what was discussed. Notes of the meeting will be shared with attendees as soon as practicable after the hearing. To the extent there is any disagreement about the content of those notes or further comments from the parties, these will be considered by and, where possible, resolved by the Appeal Panel. A copy of any comments on the notes will be appended to the notes.

The Appeal Panel may wish to make some further enquiries prior to making their decision.

After due consideration of all the facts they consider relevant the Appeal Panel will make findings as to whether the decision to exclude or require removal of the pupil was a reasonable one and decide whether to:

- dismiss the appeal in whole or in part;
- uphold the appeal in whole or in part; and
- make recommendations to the School.

The decision will be communicated to the parents in writing usually within 10 working days of the appeal meeting.

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.

16. 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. In cases where the decision to require removal was not due to the pupil's behaviour or conduct, e.g. because of the School's inability to meet need or unreasonable parental conduct, this will be clearly noted.

Details of the exclusion, required removal or suspension will be recorded on the School's Sanctions Record.

17. Complaints outside the scope of this policy

A complaint not involving a decision to expel or remove a pupil must be made in accordance with the School's published Parents Complaints Procedure, a copy of which is available on request.