

# CARFAX

TUTORIAL ESTABLISHMENT

## Exclusion Policy

### 1. Introduction

This policy is intended to clarify Carfax Tutorial Establishment procedures on expulsion and removal of pupils. It is designed to be fair to all concerned and to assist co-operation between the Establishment and parents.

- 1.1 Scope: This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be expelled from the Establishment, or required to leave permanently for misconduct or other reasons. The policy applies to all pupils at the Establishment, whether or not in the care of the Establishment, but does not cover cases when a pupil has to leave because of ill-health, non-payment of fees, or is withdrawn by his parents.
- 1.2 Interpretation: 'Parent' includes one or both of the parents, a legal guardian, or education guardian. 'Removal' means that a pupil has been required to leave, but without the stigma of expulsion. Subheadings are for ease of reading and not part of the policy.

### 2. Policy Statement

All staff are expected to encourage good behaviour and respect for others in pupils, and to apply all rewards and sanctions fairly and consistently. Well-planned, interesting, and demanding lessons make a major contribution to good discipline. The Academic Registrar and the Principal are charged with using their best endeavours to ensure that programmes of study and the methodology used are well thought out and of a consistently high standard.

### 3. Standards of Behaviour

- 3.1 The Establishment has high standards of behaviour and endeavours to encourage good habits of work and behaviour from the moment a child enters the Establishment.
- 3.2 All staff are expected to promote self-discipline amongst pupils and to deal appropriately with any unacceptable behaviour.
- 3.3 Punctual attendance at the Establishment and lessons is required.
- 3.4 All absence from lessons must be explained and unexplained absence will be followed up by the Form Tutor. Behaviour which does not allow constructive teaching and learning is totally unacceptable and all staff have a duty to ensure that such behaviour is not tolerated.

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3.5 Through regular discussions at Staff meetings, the Establishment endeavours to ensure that staff apply all standards consistently and fairly.

#### **4. Rewards and Sanctions**

All rewards and sanctions must be applied fairly and consistently.

##### 4.1 Rewards

4.1.1 The best way to ensure the highest standards in both behaviour and work is to create a positive ethos where the self-confidence and self-esteem of pupils is promoted by regular praise, congratulation, and affirmation. The CTE culture is dominated by a mutual respect between pupils and between staff and pupils will lead not only to harmonious relationships but also to the fulfilment of the pupils' potential both academically and socially.

4.1.2 Rewards should outnumber sanctions.

##### 4.2 Sanctions

4.2.1 Sanctions should be applied when rewards have failed, or where it is necessary in the circumstances to show appropriate disapproval. All staff must seek to ensure that punishments are proportionate to offences, and should enable pupils to make reparation where possible. As far as possible, the sanction applied should be as constructive as possible.

4.2.2 The following sanctions may be used in the Establishment in appropriate cases:

- Order Marks
- Completion of work at home or extra work (at CTE or at home)
- Carrying out useful tasks to help the Establishment (community service)
- Detention during CTE hours (at lunchtime) or outside CTE hours (provided that parents have been notified at least 24 hours previously).
  - There are two, outside CTE hours detentions: 1 hour and an extended 1½ hours detention.
    - The extended detention may only be issued by the Academic Registrar.
- Withdrawal of break or lunchtime privileges, e.g. 'lunchtime restriction'
- Withholding participation in educational visits or sports events which are not essential to the curriculum
- Fines (£25, £50) for possession of tobacco
- Suspension or expulsion

## **5. Suspensions and expulsions**

- 5.1 Only the Principal can suspend or expel a pupil. Recommendations for suspension/expulsion can only be made by the Academic Registrar.
- 5.2 Pupils may be suspended for one or more fixed periods, or expelled.

## **6. Parental Co-operation**

- 6.1 Parental co-operation forms part of the contract between the Establishment and all parents of pupils at the Establishment.
- 6.2 A refusal to abide by the terms of a suspension or expulsion may be considered a breach of contract.

## **7. Corporal Punishment and Restraint**

- 7.1 In accordance with the law there is no corporal punishment allowed by the Establishment. If authorised by the Principal, a tutor, or other member of staff may use 'reasonable force' to prevent a pupil from:
- a. committing an offence; and/or
  - b. causing personal injury or damage (including to themselves).
- 7.2 The Principal has authorised all teaching staff to use reasonable force in the above circumstances.

## **8. Involvement of Parents**

- 8.1 Parents will be involved in discipline cases as appropriate. Parents are also encouraged to support good behaviour and positive habits in their children.
- 8.2 Individual staff should not involve parents in discipline issues without first informing the Academic Registrar.

## **9. Involvement of Staff**

- 9.1 The working of the Establishment's policies and procedures will be discussed regularly at Staff meetings. Staff will also be involved in discussions with pupils in Personal Tutor session.
- 9.2 Staff will also be called upon from time to time to identify problems that may be behind any bad behaviour, and to suggest possible courses of action.

## **10. Involvement of Pupils**

- 10.1 The Establishment will be involved in reviewing its anti-bullying policies and procedures and in programmes to reinforce self-discipline and positive work and behaviour patterns.
- 10.2 Discussions in Personal Tutor sessions will inform the deliberations of Staff meetings.
- 10.3 The Academic Registrar is responsible for encouraging the positive contribution of pupils, e.g. through meeting with pupils.

## **11. Equal Opportunities**

All rewards and sanctions must be applied fairly and consistently and in accordance with the Establishment's Equal Opportunities Policy.

## **12. Suspensions**

Suspension is a sanction that is used where a pupil's behaviour goes beyond that which is acceptable within the CTE community. In these circumstances, the Establishment feels it is right that a pupil is temporarily excluded from the CTE community. When a pupil returns from suspension, the Establishment will try to support him so that he may return to normal routines and be accepted back into the community as quickly as possible. It is important for pupils and parents to understand that suspension for an isolated offence is meant as a sharp reminder of where the boundaries lie and is normally quickly forgotten. Repeated offences may result in expulsion.

In some instances a pupil may be internally suspended (removal from class, but not the site).

## **13. Expulsions**

A decision to expel a pupil will only be taken as a last resort when a wide range of strategies for dealing with disciplinary offences has been employed to no avail or if an exceptional 'one-off' offence has been committed, e.g.:

### **A. Misconduct**

The main categories of misconduct which may result in expulsion or removal are:

- a. Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco;
- b. Blackmail, violence (actual or threatened), intimidation, racism, against a pupil or member of staff;
- c. Persistent bullying, whether physical, verbal, or emotional;
- d. Misconduct of a sexual nature; supply and possession of pornography;

- e. Possession or use of unauthorised firearms or other weapons;
- f. Theft or vandalism including computer hacking;
- g. Persistent attitudes or behaviour which are inconsistent with the Establishment's ethos and discipline;
- h. Other serious misconduct towards a member of the CTE community or which brings the Establishment into disrepute (single or repeated episodes) on or off CTE premises.

## **B. Other Circumstances**

A pupil may be required to leave if, after all appropriate consultation, the Principal is satisfied that it is not in the best interests of the pupil, or of the Establishment, that he remains at the Establishment.

### **14. Investigation Procedure**

- 14.1 A complaint which could lead to a pupil being excluded will be investigated thoroughly and fairly. Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by the Academic Registrar, and its outcome will be reported to the Principal. The pupil will have the opportunity to state his/her side of the case.
- 14.2 If the Academic Registrar considers it warranted, she will inform the parents of the alleged offence and invite them to discuss the matter fully, with her and the pupil concerned.
- 14.3 Staff may decide to search a pupil's personal storage area or belongings, or may require him to turn out pockets and bags, if there is reasonable cause to do so. If necessary, the police may be called.
- 14.4 An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to an educational establishment, without legal procedures. The Principal will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless the Principal considers that further investigation is needed, he will decide whether the complaint has been sufficiently proven. The standard of proof shall be the civil standard, i.e. the balance of probabilities. Appropriate reliance may be placed on hearsay evidence, but the Academic Registrar will not normally refer to the pupil's disciplinary record at this stage.
- 14.5 If the complaint has been proven, the Principal will outline the range of disciplinary sanctions which he considers are open to him. He will take into account any further statement which the pupil and/or others present on his behalf wish to make. The pupil's disciplinary record will be taken into account. Then, or at some later time within 24 hours, the Principal will give his decision, with reasons.
- 14.6 If the Principal decides that a pupil must leave the Establishment, he will consult with a parent before deciding on the pupil's leaving status (see below).

- 14.7 If a pupil is required to leave the Establishment, his leaving status will be ‘expelled’ or ‘withdrawn by parents’.
- 14.8 In the case of expulsion, the pupil will not be entitled to sit public examinations on CTE premises.
- 14.9 In the case of ‘removal’, the pupil will be permitted to return and sit public examinations on CTE premises. Any balance of account is payable without refund or credit of the deposit. Fees in lieu of notice will not be payable.
- 14.10 In the case of ‘withdrawal’, the pupil will be permitted to return and sit public examinations on CTE premises. Any balance of account is payable but the deposit will be refunded. Fees in lieu of notice will not be payable.
- 14.11 A pupil may be suspended while the matter is under investigation.

## **15. Leaving Status**

- 15.1 Explanation: If a pupil is expelled or required to leave, his/her leaving status will be one of the following: ‘expelled’, ‘removed’, or ‘withdrawn by parents’.
- 15.2 Detail: Additional points of leaving status include:
- a. The form of letter which will be written to the parents and the form of announcement in the Establishment that the pupil has left.
  - b. The form of reference which will be supplied for the pupil.
  - c. The entry which will be made on CTE record and the pupil’s status as a leaver.
  - d. Arrangements for transfer of any course and project work to the pupil, his parents, or another school.
  - e. Whether (if relevant) the pupil will be permitted to return to CTE premises to sit public examinations.
  - f. Whether (if relevant) the Establishment can offer assistance in finding an alternative placement for the pupil.
  - g. Whether the pupil will be entitled to leavers’ privileges.
  - h. The conditions under which the pupil may re-enter CTE premises in the future.
  - i. Financial aspects: payment of any outstanding fees and extras; whether the deposit will be returned or credited; refund of prepaid fees.

## **16. Appeal**

- 16.1 Parents are entitled to appeal to the Establishment against any expulsion. A letter stating the intention to appeal should be sent to the Academic Registrar within 72 hours of the decision being notified to parents. In their application, the parents must state the ground on which they are asking for a review and the outcome which they seek. The pupil shall remain suspended until the review has taken place.

- 16.2 A hearing will be set up as quickly as practicable. The meeting will take place at the Establishment, normally between 3 and 10 days after the parents' application has been received. A review will not normally take place during holidays. 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. It will be attended by the Academic Registrar, the Principal, the pupil, and the parents. The Academic Registrar will invite anyone else considered necessary to ensure a fair outcome. Everyone is expected to show courtesy, restraint, and good manners.
- 16.3 The Academic Registrar and the Principal will consider whether the facts of the case were sufficiently proven at the time of the decision using the civil standard of proof, i.e. the 'balance of probability'.
- 16.4 The requirements of natural justice will apply. It will then consider whether the sanction is warranted, having regard to the pupil's record and the legitimate aims of the Establishment's disciplinary policy. The Academic Registrar will be asked to keep written minutes 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 Principal, who will conduct it so as to ensure that all those present have a reasonable opportunity to ask questions and make appropriate comment. The Principal may, at his discretion, adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.
- 16.5 The Principal's decision is final. It will be notified, with reasons, to the parents within 3 days of the meeting.