



St Mary's School
CAMBRIDGE

Discipline, Exclusion and Required Removal Policy

This policy is the responsibility of the Head, the Head of Juniors, and the Deputy Heads.

The Board of Governors considers this policy as part of its collective responsibility to carry out an annual review of safeguarding.

Last review: September 2022

Next review: Autumn term 2023

Introduction

This policy should be read in conjunction with the:

- *Behaviour Management Policy*
- *Anti-Bullying Policy*
- *Smoking, Alcohol and the Misuse of Drugs and Substances Policy*
- *Pupil Internet and Information Technology Acceptable Use Policy*
- *Search and Confiscation Policy*
- *Online Safety Policy*
- *Physical Restraint Policy*
- *SEND Policy*
- *Equality Policy*
- *Safeguarding and Child Protection Policy*
- *Complaints Policy and Procedure*

This policy is available on the School's website and on request from the School office.

At St Mary's School, Cambridge ('the School') we encourage the establishment of good teacher/pupil relationships and support for the School's values through a system of rewards and sanctions which are designed to promote a calm, disciplined learning environment.

Our system of rewards includes:

- Verbal praise and written praise for good work.

- House points. In the Senior School House Points are awarded for successful response to feedback and for participation and engagement. In the Junior School House Points are awarded to celebrate achievement and contribute to end of term House prizes.
- Annual subject and year group prizes.
- Posting examples of excellent work in art/design, sports, and drama and concert achievements on the School's website and in the weekly Junior School newsletter, so that the school community can celebrate success.
- Reports to parents.

Sanctions for breaches of discipline that do not merit exclusion/required removal

When poor behaviour is identified sanctions are implemented in line with Appendix 3 of the Behaviour Management Policy. We have a range of disciplinary measures which include:

Junior School

- A reminder of expected behaviour.
- A verbal warning.
- Loss of free time such as playtimes.
- Sending work home or completing work in break time if the pupil has failed to do so in class as a result of misbehaviour.
- Removal of an object, to be returned to the parent at collection.
- Loss of responsibility.
- Being banned from a club, trip, or activity, or taking part in a school team.
- Moving to sit alone.

Senior School

Level one - In the classroom / classroom teacher

- Quiet word
- Verbal reprimand
- Call pupil back for discussion after the lesson end
- Change of seating plan
- Stop lesson – explanation of what needs to stop and what should be done instead
- Departmental detention

Level two – Head of Year Intervention

- Work under the supervision of Head of Department
- Notification to the Head of Year
- Work under supervision of the Deputy Head (Pastoral & Boarding)
- Deputy Head detention

Level three – Sanction/s as set out in the Discipline, Exclusion and Required Removal Policy

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 pupil/s' 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. 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.

Sexual offences will generally be reported to the Police immediately.

Other agencies may be notified where necessary and appropriate.

Serious breaches of discipline that merit exclusion:

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

- Supply/possession/use of certain drugs and solvents and/or harmful substances or their paraphernalia or substances intended to resemble them, or alcohol in contravention of the Smoking, Alcohol and the Misuse of Drugs and Substances Policy.
- Alcohol misuse (including supply, possession, use).
- Theft, blackmail, physical violence, intimidation.
- Bullying (including cyber bullying, prejudice-based and discriminatory bullying).
- Child on child abuse.
- Physical assault/ threatening behaviour and/or emotional abuse.
- Fighting.
- Harmful sexual behaviour including sexual violence and sexual harassment.
- Racist or sexist abuse.
- Sexual harassment or misconduct including sexting and/or the consensual or non-consensual sharing of nudes / semi-nudes.
- Behaviour in contravention of the Pupil Internet and Information Technology Acceptable Use Policy or Online Safety Policy.
- Supply or possession of pornography.
- Possession or use of an unauthorised firearm, knife, or other weapon.
- Any form of abuse or unlawful discrimination on the grounds of sex, race, religion/belief, disability, special educational needs, sexual orientation, gender, and gender reassignment.
- Other misconduct which affects the welfare of a member or members of the School community, or which brings the School into disrepute on or off the School premises.
- Damage to property.
- Committing a criminal offence.

- Persistent disruptive behaviour or attitudes or behaviour which is inconsistent with the School's ethos.
- Deliberately coughing/spitting on other pupils/staff or a member of the School community.
- Other misconduct specifically provided for in the School's parent contract and School Rules.
- Persistent disruptive behaviour or breaches of the School's Behaviour Management Policy or School Rules. As set out in the Parent Contract, the School may require the removal of a pupil in circumstances where the Head considers, in her discretion, that the behaviour or conduct of a parent is unreasonable.

Sanctions for serious breaches of school discipline

Temporary Exclusion

A pupil may be excluded on a temporary basis as a neutral act while a complaint is investigated and for up to a further ten school days as a disciplinary sanction.

Permanent Exclusion

A pupil may be permanently excluded from the School if it is found on the balance of probabilities that they have committed a serious breach of school discipline or a serious criminal offence. Permanent exclusion is reserved for the most serious breaches.

Removal

The parent/s of a pupil may be required to remove a pupil permanently from the School if, after consultation with the parent/s and if appropriate, the pupil, the Head is of the opinion that:

- The pupil has committed a breach or breaches of the School Rules or discipline for which Removal is the appropriate sanction; or
- By reason of the pupil's conduct or behaviour or progress the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and/or community life offered by the School; or
- Or if one or both parents have treated the School or members of its staff or volunteers unreasonably or if other circumstances apply as per the School's Terms and Conditions (Parent Contract).

Investigation procedure

In the event of an allegation, complaint or rumour or serious misbehaviour, an investigation may be carried out to establish the facts. An investigation will normally be co-ordinated by the Deputy Head (Pastoral & Boarding) and Staffing/Junior School Deputy Head or an appropriate member of senior staff. Parents will be informed as soon as is reasonably practicable after it becomes clear that the pupil may face disciplinary action for a serious breach of discipline unless the School is prevented from doing so by the police and/or social care (if they are involved).

If the pupil is to be interviewed as part of the investigation, arrangements will be made for her to be accompanied by a member of staff of her choice. Minutes of the interview will be recorded in writing by the interviewing staff member. The pupil will be asked to confirm any statement made or minutes taken to be true and accurate.

It may be necessary to delay an investigation, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to delay an investigation will consider advice from appropriate external agencies and will be subject to periodic review and the School will

provide appropriate pastoral and other support to the pupil and any other pupil/s affected by the allegations under investigation.

In relation to alleged sexual violence or sexual harassment, the School will have regard to Keeping Children Safe in Education 2022 and our Safeguarding and Child Protection Policy and the School's Designated Safeguarding Lead (DSL) or Deputy Designated Safeguarding Lead (DDSL) at the Junior or Senior school (as appropriate) will take a lead on decisions.

The outcome of the investigation will be reported to the Head. If the findings of the investigation identify there may be a case to answer for a serious breach of school discipline, for which temporary or permanent exclusion or required removal is a possible sanction, a disciplinary meeting will be held in accordance with the procedure set out below (see Disciplinary Meetings). Where the findings of the investigation identify there may be a case to answer for a breach of school discipline for which temporary or permanent exclusion or required removal is not a possible sanction, the appointed investigator will impose a sanction.

Temporary Exclusion (pending an investigation)

While an investigation is carried out, a pupil may be excluded on a temporary basis as a neutral act. A pupil may be required to stay at home or with her education guardian. Depending on the length of exclusion and the circumstances, teachers will set work to be completed by the pupil during the period of absence.

Search and Confiscation

The School reserves the right to search pupils and their possessions. More information regarding the School's approach to searches and confiscation can be found in the School's Behaviour Management Policy and the Search and Confiscation Policy.

Reports to the Police (and others)

The School will usually report to the Police any activity which it reasonably suspects may amount to criminal activity which takes place either within the School grounds or outside of its grounds. Possessions or items including (but not limited to) drugs, weapons or phones may be confiscated immediately and held for the Police as potential evidence.

If the School reasonably suspects a pupil may have taken drugs, then the School will seek immediate medical advice and may involve the Police where necessary.

Sexual offences will generally be reported to the Police immediately, including in cases where a pupil is suspected or alleged to have committed such an offence. The alleged victim's parents will usually be informed of the incident and told that the Police have been informed. The School will follow its Safeguarding and Child Protection Policy.

Other agencies may be informed where necessary and appropriate.

Disciplinary Meeting

A disciplinary meeting is necessary where the investigation has identified a case for the pupil to answer for which temporary or permanent exclusion or removal is a possible outcome, and/or the pupil has been temporarily excluded pending the outcome of a disciplinary investigation.

Preparation for the meeting

The Head will convene a meeting to consider the matter and will invite the pupil and her parents (if available) or educational guardian to attend. The person or persons who undertook the investigation will be in attendance to explain the circumstances of the complaint, allegation or rumour and their investigation. An additional member of staff will be present to minute the meeting.

The Chair of Governors will be informed of the investigation and that a disciplinary meeting is to be held but shall not take part in either of them. Prior to the meeting, certain documents will be made available to the pupil and parents, wherever possible. Any such documents may be redacted, or a summary provided for reasons of confidentiality and/or data protection. These documents may include, but are not limited to:

- A summary of the pupil's school file.
- A statement setting out the allegations.
- Written witness statements.
- Notes of the evidence in support of the allegations and any relevant correspondence.
- The relevant school policies and procedures.
- The investigation report.

Any written submission provided by, or on behalf of the pupil must arrive at the Head's office no later than three working days before the disciplinary hearing.

If the pupil, parents, or educational guardian have any special needs or disability for which additional facilities or adjustments are required these should be made known to the Head in advance so appropriate arrangements can be made.

The meeting

The Head will consider the allegations and the evidence, including statements made by and/or on behalf of the pupil or, where applicable, the parents.

The pupil and her parents will have an opportunity to state their side of the case and will be able to ask questions and address the Head on the issue of sanctions.

The Head will inform the pupil and her parents of the range of disciplinary sanctions which the Head considers are open to her if the allegations, complaint, or rumour is sufficiently proved.

Unless the Head considers further investigation is necessary, she will close the meeting and inform the pupil and the parents that they will be notified of her decision in writing. If the Head considers that further investigation is needed, the meeting may be adjourned, and the reason for the adjournment will be explained to the pupil / their parents or educational guardian.

Decision

Following the conclusion of the meeting the Head will consider whether the allegation, complaint or rumour has been sufficiently proved on the balance of probabilities. The Head will usually notify the parents of her decision in writing within five working days from date of the meeting, provided further investigation is not required. If further investigation is required, the Head will conclude matters as soon as is reasonably practicable.

A decision to exclude or remove a pupil shall take effect from the date of the Head's letter confirming her decision.

Leaving status

If a pupil is permanently excluded or removed her leaving status will be one of the following: permanently excluded, removed or, if the offer is made by the Head and accepted by the parents, withdrawn by parents. If the pupil is withdrawn by the parents, there will be no right of appeal.

Additional points of leaving status may include: The form of letter which will be written to parents and the form of announcement in the School (where relevant):

- The form of reference which will be supplied for the pupil.
- The entry which will be made on the School record and the pupil's status as leaver.
- Arrangements for transfer of any course/project work to the pupil, her parents or another school.
- Whether (if relevant) the pupil will be permitted to return to school premises to sit public examinations.
- Whether (if relevant) the School can offer assistance in finding an alternative placement for the pupil.
- The conditions under which the pupil may re-enter school premises in the future.
- Financial aspects: payment of any outstanding fees and extras; refund of prepaid fees.

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. Any appeal against exclusion will be dealt with under Stage 3 of the School's Complaints Policy and Procedure and should be made in writing to the Executive Officer to the Governing Body within seven days of the pupil's exclusion / required removal. 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.

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

Recording and monitoring

Where the sanction imposed is exclusion or required removal, the written report on the investigation will be placed on the pupil's file.

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