

Padworth College – Policy Manual

Student

Section D.7 Discipline, Exclusions and Required Removal Policy

D.7 Discipline, Exclusions and Required Removal Policy

Introduction

This policy should be read in conjunction with the College’s Behaviour Management Policy, Anti-Bullying Policy, College Rules and Regulations, Drugs Policy, E-Safety Policy and Complaints Procedure.

This policy is available on the College’s website and also on request from the College office.

Suspensions

The Principal may suspend a student, for a fixed period of between 48 hours and one week, for very serious indiscipline; or less serious offences, where repeated punishment has proved ineffective.

Breaches of discipline outside of the College grounds:

The College takes the conduct of its students outside of college grounds extremely seriously. A student’s misbehaviour outside of College can be damaging to the reputation of both the student and the College. Where an incident is reported to the College of a student/s’ poor behaviour outside of the College grounds and the incident has not been witnessed by College staff, the College will take an evidence-based approach and/or talk to witnesses before identifying further action and any sanctions required for such behaviour.

The College will usually report to the police any activity which it believes may amount to a criminal activity which takes place either within the college grounds or outside of its grounds. Suspected drugs and weapons will be confiscated immediately and held for the police as potential evidence. If the College believes a student may have taken drugs then the College will seek immediate medical advice and may involve the police.

Alleged sexual offences will generally be reported to the police immediately.

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

Breaches of College Rules by students which merit exclusion:

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

- physical assault against students or adults;
- behaviour which puts the safety of the student, or any other person, in jeopardy;
- verbal abuse/threatening behaviour against students or adults;
- bullying, including (cyber-bullying) [in accordance with the College’s Anti-Bullying Policy];
- committing a criminal offence;
- fighting;

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- abuse on the grounds of race, religion/belief, disability, SENs (etc.) or any form of unlawful discrimination;
- sexual harassment or misconduct, including youth-produced sexual imagery;
- drug and alcohol misuse (including supply/possession/use);
- damage to property;
- vandalism or computer hacking;
- theft or unauthorised possession of any property belonging to the College, another student, or a member of staff;
- wilful damage to property;
- bringing illegal, inappropriate or dangerous items into College, such as drugs, weapons, firearms, pornographic material etc;
- misconduct which adversely affects or is likely to adversely affect the welfare of a member or members of the College community;
- misconduct which brings or is likely to bring the College into disrepute; and
- persistent disruptive behaviour or breaches of the College’s Behaviour management Policy or College Expectations.

As set out in the College’s Terms and Conditions (Parent Contract), the College may require the removal of a student in circumstances where the Principal considers in his discretion that the behaviour or conduct of a parent (or both parents) is unreasonable; and/or adversely affects (or is likely to adversely affect) their child’s or other children’s progress at the College, or the wellbeing of College staff; and/or brings (or is likely to bring) the College into disrepute; and/or is not in accordance with their obligations under the Parent Contract. A non-exhaustive list of the sorts of behaviour that could merit required removal of a student on the grounds unacceptable parental behaviour or conduct includes the following:

- treating the College or a member of staff unreasonably;
- making a malicious allegation about a member of staff or the College;
- communicating with the College in person or in writing (directly or indirectly), in a manner which is deemed voluminous, and/or relentless, and/or confrontational, and/or unreasonable, and/or overly aggressive;
- behaving in a manner which adversely affects (or in a manner which is likely to adversely affect) the welfare of a member or members of the College community; and
- breaching the College’s Terms and Conditions.

The College 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 College / College events, communications with the College and/or the imposition of a warning (up to and including a final written warning).

As set out in the College’s Terms and Conditions, the College may require the removal of a student in circumstances where the Principal considers in her discretion that the student’s attendance or progress

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at the College is unsatisfactory and, in the reasonable opinion of the Principal the removal of the student is in the College's best interests and/or those of the student or other students.

Please note that exclusion / required removal may also be imposed by the College as a sanction for a series of minor misdemeanours.

Investigation Procedure

The Principal for his part undertakes to apply any sanctions fairly, and, where appropriate, after due investigative action has taken place (such investigation to be carried out by the Principal's nominee). Parents will be informed as soon as reasonably practicable if a complaint or allegation under investigation is of a nature that could result in the student being excluded.

The College reserves the right to require the student to remain away from College as a neutral act during an investigation procedure. Alternatively, the student may be placed under a segregated regime on College premises.

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

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

Following the conclusion of the meeting the Principal will reach his decision on the balance of probabilities. The Principal will communicate his decision in writing within five working days from the meeting.

Appeals against exclusion / required removal

The College will always offer the right of appeal to any student excluded or required to be removed from the College. Any appeal against exclusion will be dealt with [under Stage 3 of the College's Complaints Procedure, and should be made in writing to the Principal within five working days of the student'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 student, 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.

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Recording and monitoring

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

Details of the exclusion, required removal or suspension will be recorded on the College's Student's Sanction File

References:

- A. Human Rights Act 1998
- B. ISI Commentary on the Regulatory Requirements September 2021 (**ISI Commentary**)
- C. 'Behaviour and Discipline in Colleges: Advice for Principalteachers and College Staff', DfE, January 2016
- D. The Education Act 2002, Part 10
- E. The Education (Independent College Standards) Regulations 2014 as amended including by the Education (Independent College Standards) Regulations 2018 (**ISS Regulations**)

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