



STUDENT EXCLUSION POLICY

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Review Cycle: Biennial

Next Review Date: November 2027

General Statement

All schools have the right to impose reasonable sanctions if a student misbehaves. All sanctions will always be in line with our Behaviour for Learning (B4L) policy. Exclusion, whether temporary or permanent, is used as a last resort. Permanent exclusion is used only in the most serious circumstances. St. Andrew's International High School ('The School') has a set of general rules which are designed in order that the School may be a safe, happy and caring place where members of the School community show consideration, concern and respect for each other.

Rationale

Sanctions for misbehaviour that a school might use include: a reprimand, a letter to parents or guardians, removal from a class or group, loss of privileges, confiscation of a possession that is inappropriate in the classroom, detention, or in serious cases or persistent incidents of misconduct, exclusion.

Aims & Objectives

- To ensure due process is followed in a fair and transparent way
- To enable all stakeholders to know the consequences of behaviour unsuitable for a school environment
- To protect staff when there has been a serious breach of the behaviour of the student
- To protect students, parents and guardians to know and understand the systems in place

Procedures

Sanctions for Breaches of Discipline which Do Not Merit Exclusion (See B4L Policy)

Suspensions

The Headteacher may temporarily exclude a student, for a period of between 24 hours and one week for serious or repeated indiscipline, or serious offences, where repeated sanctions have proved ineffective. The temporary exclusion may be internal or external. The duration of the temporary exclusion will be determined by the circumstances of the student concerned and the level of contrition shown by the student.

Permanent Exclusion

If temporary exclusion is ineffective and/or the student has been suspended on two previous occasions, the School may be forced to exclude the student, or to require them to leave the School under the procedure described below.

Serious Offences

A 'Serious Offence' refers to a breach of school rules that brings the school in disrepute that may result in temporary or permanent or exclusion. Examples of such behaviour include:

- Bullying, including online
- Cheating, including plagiarism

- Damage to property
- Discriminatory behaviour including racist behaviour
- Inappropriate and/or sexual misconduct, including sexual harassment and child-to-child abuse
- Parental or student behaviour which, in the Headteacher's reasonable opinion, leads the Headteacher to believe that removal of the student from the School is in the best interests of the School or the student
- Persistent disruptive behaviour
- Physical assault/threatening behaviour
- Smoking, including vaping (e-cigarettes)
- Supply/possession/use of controlled substances e.g. alcohol
- Theft
- Truancy – absence without leave

The above is not an exhaustive list and there may be other situations where the Headteacher makes the judgment that exclusion is an appropriate sanction. All serious offences must be reported to a member of the Senior Leadership Team as soon as possible.

A student may also be required to leave if, after all appropriate consultation, the Headteacher is satisfied that it is not in the best interests of the student, or of the School, that they remain at the School.

Behaviour outside School

Students' behaviour outside School on 'school business' – for example school trips and journeys away from school, sports fixtures or a work experience placement – or while the student is outside of School but wearing School uniform, is subject to School policies including the School's B4L policy. Inappropriate behaviour in these circumstances, including incidents where it is considered that the School has been brought into disrepute, will be dealt with as if it had taken place in School and in accordance with School policies, and this policy, where the circumstances warrant it.

Malicious Allegations against Staff

A student who is found to have made malicious allegations against a member of school staff will be managed in accordance with this policy which may result in permanent exclusion from The School.

Guide To Procedure

The procedure which will normally be followed is set out below but does not have contractual effect. All procedures will be conducted fairly and in a way that is appropriate to the circumstances.

Rules of Natural Justice

The School's procedure is based on the principles of natural justice. These can be summarised in the following two basic rules:

- No person is to be a judge in their own cause; and
- No person is to be condemned unheard.

The rules are therefore concerned with the manner in which a decision is taken. The overarching principle is a duty to act fairly. Whilst the precise procedure to be followed in a given situation depends on the circumstances of the case, some key principles are as follows:

- A fair and thorough investigation should take place
- Students must be informed of the allegation and the evidence relied upon
- Students must be given a fair opportunity to explain themselves
- An appeal of the Headteacher's decision should be offered

The Procedure

It is very important to follow the correct procedures so that a fair decision-making process is followed from the outset.

First Steps

- When a potential exclusion presents itself, some key considerations are as follows:
- Clarity of the allegation at this stage is essential, not least because the student must be informed of the case

against them. For example, if the allegation is that student A supplied drugs to student B, student A should be told all the elements of this (i.e. the identity of the other student, what was allegedly supplied, when and where) and asked to explain what happened.

- Consider what information is available and what further information needs to be collated.
- Consider who is at risk i.e. do the police or social services need to be informed?
- Ensure the appropriate persons conduct each stage. The rules of natural justice dictate that, where possible, a different person should conduct each of the following stages;
 - » interviews with witnesses and general investigation of the allegations;
 - » the hearing; and
 - » the appeal.

In most circumstances it will generally make sense for the investigation to be carried out by a Deputy Headteacher or Assistant Headteacher and for any appeal to be held by the Governors. It is important to decide from the outset who will be leading the investigation. The Headteacher should avoid taking part in the investigation if at all possible, so as to avoid compromising their impartiality when approving a sanction. A decision to sanction a student with a temporary internal exclusion must be approved by an Assistant Headteacher (or other member of the Senior Leadership Team). A temporary external exclusion must be approved by the Headteacher (or Deputy Headteacher when deputising). Any decision to permanently exclude a student must be referred to the Governors.

Investigation

The Headteacher will ensure that a fair and thorough investigation will be held into the allegations against an individual student (there may be occasions on which the student will be asked to remain offsite without prejudice pending an investigation – see below). Outcomes of the investigation will be reported to the Headteacher. Key issues are as follows:

- Information gathering. Before a decision to exclude can be fairly taken, it is essential to establish the facts. If exclusion is being considered then statements should be taken from all students and staff who were involved in or witnessed the incident. All written statements should be attributed, signed and dated by the student or witness, who should first be given the opportunity to read it. The statement should also be countersigned by the person who took the statement. The original statement should be kept on file.
- It is not necessary for more than one adult to be present when a student/witness is providing a written statement, as long as that member of staff has received appropriate training.
- The student will be informed of the allegation and the evidence relied on by the member of staff investigating the incident and will be given a chance to respond to these allegations and give their version of events.
- Information to the parents will depend on the facts of the particular case. As a general rule, it will normally make sense for the parents to be informed after initial investigations have been made and the proposed exclusion has been approved. Once parents have been informed, the exclusion starts with immediate effect: the student must be kept out of lessons, isolated from other students and arrangements made to have them removed from the School site as soon as practicable. Similarly, in cases where Social Services or the Police become involved, parents will be informed as soon as possible.
- During an investigation, students should be kept apart as far as reasonably possible. Students should be told not to discuss the matter with any other students. This is particularly important where the accusation relates to issues such as bullying and physical or verbal abuse. The possible use of mobile phones should be borne in mind.
- Suspension and or exclusion is appropriate in serious cases. Any exclusion should in principle be as brief as possible. If a relatively lengthy exclusion is unavoidable, arrangements should be made for work to be sent home and marked. Parents should be told immediately of any decision to exclude and this should be followed up within one school day by a confirmatory letter.

Approving an exclusion

Once the information gathering stage has been completed, the next step is for the member of staff leading the investigation to seek approval for the proposed exclusion from the appropriate member of SLT (see above). Unless the SLT member considers that further investigation is needed, they will agree the appropriate sanction with the case lead. If the SLT member is satisfied that, on the balance of probabilities, the student did what they have alleged to have done, they will together agree on the appropriate sanction. If the complaint has been proved, they will consider the range of disciplinary sanctions which they consider are open to them. Any factors they deem to be relevant when determining the sanctions, which may include the student's disciplinary record.

In considering the appropriate sanction, members of SLT will look at each case on its own merits. In considering

whether permanent exclusion is the most appropriate sanction, the Headteacher will consider:

- a. The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour Policy and school rules.
- b. The effect that the student remaining in the School would have on the education and welfare of other students and staff.
- c. The age of the student. Students below the age of 16 may not be permanently excluded from the School, but the offer of a place may be withdrawn for a student or a mutual agreement arrived at with the parents that it is in the student's best interests to seek a place at another school.

The Headteacher may, as an alternative for less serious breaches of school discipline, temporarily exclude a student from the School. All sanctions will be proportionate and reasonable and will take account the student's age, any SEND the student may have and any religious requirements affecting them. For all external exclusions, the right of appeal will be offered to parents of the excluded student.

Appeal

Fundamental to the fairness of any exclusion process is the right to appeal. Parents or guardians may apply for a review of the decision to exclude a student permanently from the School.

The decision to exclude is always a serious matter for both the student and the School. Having followed a fair procedure, the School should do all it reasonably can to minimise the educational damage to the excluded student.

After-care

Following any temporary exclusion, the student and parents will be invited to attend a re-integration meeting with the Headteacher and case lead (usually another member of SLT) before the student may return to lessons as normal. The aim of this meeting is for all parties to acknowledge the harm done and the seriousness of the incident and, further, to agree ways in which the student may be supported to avoid further instances of unacceptable behaviour. The overall purpose of the re-integration meeting must always be constructive and supportive rather than punitive; the approach taken in this meeting will be to look forward, not backward.

The consequences of a decision to permanently exclude can be far-reaching, both in terms of the immediate issue of placing the student in another school but also in light of the perceived blemish to a student's good character. The potential for emotional and psychological side-effects should obviously be borne in mind and can be mitigated not only by the human way in which the process is managed, but also by the School's care for the student both during and after the process.

Finding a new school

This is an important issue especially if the student is in the process of studying for external examinations. The flexibility inherent in these regimes can make it hard to match a student's subject choices at a new school. To minimise disruption, the School should consider whether an exclusion decision can be made but on a deferred basis so that the parents have sufficient time to make suitable alternative arrangements. Consideration could be given for the student to return to school solely for the purpose of sitting imminent public examinations. Depending on the reason for exclusion, this may not be possible in many situations.

Reference

As in the employment context there is no absolute obligation on schools to provide references for their students and, where an exclusion is involved, even greater care is required. In giving references schools will owe legal duties both to the student and the recipient. Any reference must therefore be fair, accurate and not misleading.

Other Points For Consideration

Confidentiality

Exclusion cases should be treated by all parties in the strictest confidence. However, confidentiality cannot and should not be guaranteed to any witness or party whose evidence may be considered as part of the School's investigations under this Procedure. As such, the School should avoid giving any assurances in relation to confidentiality. This is something that should be clarified from the outset and reiterated at intervals throughout the process.

Police

The School will report to the police anything they believe may amount to a criminal activity. An element of discretion is inevitably involved, however. For example, an incident in which Student A steals something from Student B is

likely to amount to technical theft but unlikely to warrant a report to the police. Drugs and weapons are more serious and should be confiscated and held for the police as potential evidence. If the School believes a student may have taken drugs, then medical advice should also be sought. Sexual offences are perhaps even more serious and will generally be reported to the police immediately, including in cases where a student is only suspected or alleged to have committed such an offence provided a reasonable amount of evidence is available. The alleged victim's parents should also be informed immediately of the incident and told that the police have been informed. Whether the victim and parents then speak to the police is a matter for them.

Children's Social Care

The School will consider whether a child's behaviour gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff should follow the School's Safeguarding Policy. The School will also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs and whether a referral to a psychologist or other specialist is required.

Staff Link: Headteacher, AHT