Manchester Grammar School
Permanent Exclusion Policy

Introduction and the Aims of the Policy

A decision to exclude permanently a pupil is never taken lightly and this policy is designed to ensure that the parents and the boy concerned have a chance to have their side of the story heard and that the process is fair and transparent.

What sort of behaviour merits permanent exclusion?

- Bullying including cyber bullying
- Fighting
- Dishonesty, including cheating in examinations
- Theft
- Persistent disruptive behaviour
- Racist, sexist or homophobic abuse
- Physical assault, verbal abuse or threatening behaviour
- Drug and alcohol misuse
- Damage to property
- Possession of a weapon
- Poor parental behaviour
- Any deliberate attempt to damage or 'hack' into the School’s ICT infrastructure
- Persistent poor attendance
- Persistent lack of punctuality
- Sexual harassment
- Sexual misconduct
- Refusal to participate in the School’s disciplinary processes
- A malicious allegation against a member of staff
- Exclusion may also be imposed as a sanction for a series of lesser misdemeanours

This list is by no means exhaustive, and any serious misconduct which affects the welfare of members of the School Community or brings the School into disrepute may lead to permanent exclusion. It should also be noted that permanent exclusion may be imposed after a first offence and that the offences considered under this policy may have taken place on or off the School premises.

Procedure

The procedure that the School will follow before reaching a final decision about a permanent exclusion has three distinct steps:

i. Investigation
ii. Disciplinary meeting
iii. Appeal

A different person will conduct each stage of the procedure.

(i) Investigation

Before a decision is taken it is essential to establish the facts. For this reason an investigation will be carried out. In cases where the allegation may lead to a permanent exclusion the investigation will normally be co-ordinated by a senior member of staff; he or she will be independent of the case.
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**Interviews:** Pupils and staff who were involved or witnessed the incident may be asked to write a statement or be interviewed by the person conducting the investigation. When pupils are being interviewed or asked to write statements a second adult will be present. This will normally be a member of staff, such as the boy’s tutor, year or college head. He or she will be independent of the case and they will not play an active part in any interview; they are there to observe that the process is fair and may provide support to the pupil.

**Informing parents:** Parents will normally be informed after initial investigations have been made, and sufficiently far enough in advance of any disciplinary meeting to allow them time to prepare. If the Police or Social Services are involved, parents will be informed immediately, unless the School is instructed not to do so by those agencies.

**Remaining at home:** It may be necessary for a boy to remain at home whilst the investigation takes place; this is not a disciplinary sanction and it will only be done when necessary to allow the School to investigate the allegations properly. Parents will be informed immediately once this is deemed necessary and the School will endeavour to ensure that this is for as brief a period as possible. Suitable arrangements will be made to ensure that work is sent home and then marked during this period.

**(ii) Disciplinary Meeting**

**Procedure:** If it is decided that a disciplinary meeting is appropriate, the person conducting the investigation will inform the High Master. All relevant information from witness statements and interviews along with a summary of the investigation will be given to the parents of the pupil and the High Master, along with a copy of this policy.

The meeting will be convened as soon as is practicable, but not sooner than five working days, in order that both parties have sufficient time to prepare. The meeting will normally be conducted by the High Master. (If the High Master is unable to conduct the meeting he/she will appoint a senior member of staff to act in his/her place. Where this policy refers to the High Master this person will fulfil his/her function in this instance.)

The parents/guardians may attend the meeting and be accompanied to the meeting by the pupil(s) concerned and one other person, if they wish. This may be a relative, teacher or friend. Legal representation will not be permitted.

At the meeting, the person who conducted the investigation will give a full account of their findings. The High Master, the parents, and the pupil will be given the opportunity to ask questions at this stage. The parents/guardians and the pupil will then be given the opportunity to offer any further contextual information or detail of any mitigating factors they would like to be taken into account before any decision is reached. The High Master may ask further questions of the parents/guardians and/or the pupil.

**Decision:** Following the meeting the High Master will adjourn to consider his or her decision, which, will be reached on balance of probability. The parents will be informed of the decision in writing no later than two working days after the meeting.

*Date effective from: 19 September 2019*
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In making decisions about exclusion the High Master will take into account any special educational needs, disabilities and cultural differences that may be relevant to the case.

If the High Master reaches the view that the pupil is guilty of misconduct but decides not to exclude permanently, a lesser sanction may be imposed, in accordance with the School's Behaviour, Rewards and Sanctions Policy. Any appeal against this lesser punishment will be heard by another senior member of staff.

(iii) Appeal

If the High Master decides to exclude permanently the parents may appeal the decision to the Governing Body by writing to the Clerk to the Governing Body. This should be done within **five working days** of being notified of the decision. The appeal will be heard by a panel as set out below.

It is important to understand that an appeal is not a re-run of the original meeting. It does not look again at the facts in the way that the High Master did and then decide whether to exclude or not. It looks to see if the School conducted the investigation and the disciplinary meeting as it is laid out in this policy and if the High Master came to a fair and appropriate decision. If there is new evidence which was not available for the disciplinary meeting, the panel may at their discretion look at this and decide if it might have led the High Master to a different decision.

**Grounds:** In order to have a successful appeal you have to be able to show either that the School did not conduct the investigation or the disciplinary meeting fairly, or that the High Master's decision was unfair or inappropriate; the reasons why you think this is the case are known as the grounds of appeal. Parents should indicate the grounds when they request an appeal hearing. The Panel can then consider these grounds and conduct a review of the fairness of the original decision and the sanction imposed.

The Panel will look at all the evidence which the High Master had when making the decision to exclude permanently and a record of the process followed (notes of the disciplinary meeting etc.). The pupil and his parents will be allowed to make representations to the Panel and ask questions. The High Master and the member of staff who conducted the investigation will be present to explain the process followed and the basis on which the final decision was reached. Members of the Panel may ask further questions of those present.

**Procedure:** An appeal hearing will normally be convened **within 14 working days of the parents'/guardians' request for an appeal.** The Panel will consist of two governors, one of whom will chair the Panel, and a third member who is independent of the running of the School.

The parents/guardians may attend the appeal hearing and be accompanied by the pupil(s) concerned and one other person, if they wish. This may be a relative, teacher or friend. Legal representation will not be permitted.

The Panel will be given all of the evidence arising from the original investigation in advance of the appeal hearing. If either party wishes to submit new evidence, this must be done at least **five working days** before the appeal hearing to allow everyone sufficient time to prepare.
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Following an adjournment, the Panel will reach a decision and can overturn a decision to exclude permanently if it feels that the sanction was unreasonable in the circumstances. The Panel will write to the parents informing them of its decision and the reasons for it, normally within 7 working days of the hearing. The decision of the Panel will be final. A copy of the Panel’s findings and any recommendations will be sent by electronic mail or otherwise given to the parents/guardians as well as the Chairman of Governors and the High Master.

Monitoring and evaluation

The monitoring and evaluation of the effectiveness of this policy and its implementation will be carried out by the High Master. The Senior Management Team will meet annually to review the effectiveness of the policy.

SMT lead: High Master

Date reviewed by the Governing Body: 18 September 2019

Next Governing Body review: Michaelmas Term 2022

Date effective from: 19 September 2019