HEADINGTON RYE
OXFORD

Whole School Exclusion Policy (including EYFS)

Reviewed by:	Headmistress and Head of Prep
Date of last Review	September 2025
Next Review Date:	In line with legislative updates

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Introduction
This policy should be read in conjunction with the Senior School Behaviour, Rewards and Sanctions Policy and the Prep School Behaviour Policy.

These policies are available on the School's website and also on request from the School Office.

At Headington Rye Oxford 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 and disciplined learning environment.

It is hoped that pupils will respond to the School's positive encouragement and rewards and will comply with the School rules at all times. However, the School acknowledges that from time to time, pupils' conduct may fall below the standards of behaviour reasonably expected by the School.

Headington Rye Oxford has the legal right to impose reasonable sanctions if a pupil misbehaves. Physical punishment is illegal; but DfE guidance advises that sanctions 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 exclusion. Exclusion or removal, whether temporary or permanent, is a last resort.

Headington Rye Oxford does NOT allow any form of corporal punishment.

For the purposes of this Policy 'exclusion' and 'required removal' refers to permanent exclusion or removal from the School; 'suspension' refers to temporary exclusion.

BEHAVIOUR THAT MAY MERIT EXCLUSION OR SUSPENSION

Examples of such behaviour include (this list is NOT exhaustive)

- Drug abuse, including use of 'legal highs'
- Alcohol abuse
- Theft
- Bullying, including cyber bullying
- Physical assault/ threatening behaviour
- Sexual harassment, sexual violence or misconduct including non-consensual sharing of nudes or semi-nude images and/or videos
- Verbal abuse/threatening behaviour
- Behaviour that brings the School into disrepute, whether in or out of School including online
- Behaviour that puts the safety of the pupil, or any other person in jeopardy
- Persistent disruptive behaviour or breaches of the Senior School's Behaviour, Rewards and Sanctions Policy or the Prep School Behaviour Policy

Suspension is used in School to deal with serious breaches of discipline as above. In the most serious circumstances or where behaviour is repeated, exclusion can be used.

CIRCUMSTANCES WHICH MAY MERIT REQUIRED REMOVAL

In accordance with Section 7.3 of the School's Terms and Conditions, the Headmistress or Head of Prep may, in their discretion, require that a pupil is removed from School. Examples of such circumstances include (this list is NOT exhaustive):

- the behaviour or conduct of a parent or guardian is unreasonable; and/or adversely affects (or is likely to adversely affect) their child's and/or other children's progress at the School, and/or the wellbeing of School staff; and/or brings (or is likely to bring) the School into disrepute (among the School community or the general public); and/or is not in accordance with the obligations under School Terms and Conditions
- attendance of a pupil at the School and/or progress at the School is unsatisfactory and/or in the reasonable opinion of the Headmistress or Head of Prep, the removal is in the School's best interests and/or those of the pupil and/or other children
- a pupil's conduct or behaviour (including conduct or behaviour outside School), is unsatisfactory and/or the required removal is in the School's best interests and/or those of the pupil and/or of other children
- the School is unable to meet a pupil's needs, including cases where the School cannot reasonably accommodate adjustments or reasonably provide the nature or level of support required by that pupil.

PROCEDURE FOR EXCLUSION OR REMOVAL

The Headmistress or Head of Prep for their part undertakes to make decisions in respect of exclusions or required removals fairly, and, where appropriate, after due investigative action has taken place (such investigation to be carried out by the Headmistress or Head of Prep or their nominee). Any findings of face will be made on the basis of the balance of probabilities. The nature and level of investigation carried out by the School will depend on the circumstances of the case. Parents will be provided (to the extent appropriate) with the information collated which is relevant to the allegation, concern or circumstances (which could result in the pupil's exclusion or removal) and on which the School proposes to consider when reaching its decision.

The over-arching 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
- pupils must be informed of the allegation and the evidence relied upon
- pupils must be given a fair opportunity to exonerate themselves if the potential exclusion relates to the conduct of the pupil
- an appeal should be offered

FIRST STEPS

When a potential exclusion or removal presents itself, some key considerations are as follows:

- The exact allegation or circumstances. Clarity at this stage is essential.

- The information that is available and what further information is required. In particular, a decision must be made as to whether the police or social services need to be informed.
- Who should be dealing with this? This should be governed in the first instance by the content of any appropriate School policy on the subject. Where possible, a different person should conduct each of the following stages:
    - interviews with witnesses and general investigation of the allegations or circumstances;
    - the hearing; and
    - the appeal.

It will generally make sense for the investigation or information gathering at the Senior School to be carried out by the relevant Head of Section, supported by Head of Year/Housemistress/master or perhaps the Deputy Head Pastoral, and presented for the hearing to be conducted by the Headmistress and for any appeal to be held by the Governors.

In the Prep School, the investigation or information gathering should be carried out by the Form Teacher, supported by the Head of Key Stage or the Deputy Head Pastoral, who conduct the hearing, and presented for the hearing to be conducted by the Head of Prep and for any appeal to be held by the Governors.

INVESTIGATION IN THE EVENT OF EXCLUSION AS A RESULT OF THE CONDUCT OF THE PUPIL

Key issues are as follows:

Information gathering

Statements should be taken from all pupils and staff who were involved in or witnessed the incident. All written statements should be attributed, signed and dated by the witness who should first be given the opportunity to read it. The statement should also be countersigned by the person who took the statement and any other person who was present when the pupil signed it. The original statement should be kept on file.

Other adults present

It is good practice for another adult to be present when pupils are being interviewed by the person charged with the investigation. However, this need not be a parent. A neutral adult such as another member of staff is preferable.

Informing parents

Parents will be informed as soon as reasonably practicable in the event there is a complaint, concern or allegation or circumstance that could result in the pupil being excluded or removed. In very serious cases where the pupil denies the accusations, it might be deemed appropriate for the parents to be informed after initial investigations have been made but sufficiently in advance of any hearing to allow them time to prepare for any subsequent hearing. Clearly, where a pupil has been suspended pending the outcome of a disciplinary process then it will be necessary to inform the parents immediately of this. Similarly, in cases where Social Services or the Police become involved, it will generally be prudent to inform parents as soon as possible.

Keeping those involved apart
In circumstances where the potential ground for removal or exclusion relates to the conduct of the pupil or engages their safety or well-being, the School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure. Alternatively, the pupil may be placed under a segregated regime if they remain on School premises. The pupil should be told not to discuss the matter with other pupils and, in particular, with the other pupils involved. This is particularly important where the accusation relates to issues such as bullying and physical or verbal abuse.

When suspension is appropriate
Throughout the process, the Headmistress will be responsible in the Senior School and the Head of Prep for those in the Prep School.

In particularly serious cases it may be appropriate for the pupil to be suspended awaiting a decision. Suspensions may be for 1 day up to 1 week. If a relatively lengthy suspension is unavoidable, suitable arrangements will be made to ensure that, so far as practicable, the pupil is able to continue with her/his education during this time. Parents/carers will be told immediately by the Headmistress or Head of Prep, or their deputies, of any decision to suspend and this will be followed by a confirmatory letter.

If there is a single breach of School discipline of a major kind, or of repeated behaviour that has previously led to a suspension, then this may lead to EXCLUSION.

Hearing
Once the information gathering stage has been completed, and the decision is made that the breach of School discipline could lead to Exclusion, the next step is to hold a hearing. The hearing will generally be heard by the Headmistress or Head of Prep and attended by the pupil, a note taker and any other person required (e.g. parents, witnesses or the member of staff who carried out the investigation).

At the Hearing
- The Headmistress or Head of Prep will explain the purpose of the hearing. She/He will set out how the hearing will be conducted and the role of all those present.
- The School will present its case. Generally, this will be done by the person who conducted the investigation. If witness statements have been obtained then these will be read out loud.
- The pupil, and parents if present, will then have an opportunity to ask questions, make comments and present his/her case.
- The Headmistress or Head of Prep will ask any further questions and ensure the pupil is fully aware of the accusation and facts.
- The pupil will be asked to confirm she/he understands and invited to make any final comments.
- A designated note-taker will note the names and roles of all people present, all written documents considered, all oral evidence given and the decision reached including the reasons stated.
- In all but the most straightforward of cases, there will be an adjournment before announcing the decision. Ideally a decision would be made on the same day.

All parties will be informed of the decision. This will usually be done face to face in the first instance but will always be confirmed in writing, preferably within one school day of the

hearing. The letter / email will state the decision in relation to the matter (or each of them), the sanction, when it takes effect, the reasons, to whom the parents/carers may appeal and the deadline within which they must do so.

Any decision to exclude is a very serious one with significant potential repercussions. The decision will only be taken in response to a serious breach of the Senior School's Behaviour, Rewards and Sanctions Policy or Prep School Behaviour Policy, or if, once other options have been exhausted, allowing the pupil to remain in School would seriously harm the education or welfare of the pupil or others in the School.

The pupil's previous disciplinary record will be taken into account.

Headington Rye Oxford is not bound to follow precedents but steps will be taken where necessary to justify why a more severe sanction was fair in these circumstances. The sorts of offences that might justify exclusion typically involve violence, sexual assault, drugs and / or offensive weapons. A decision to exclude will have regard to all the relevant circumstances:

- domestic circumstances
- whether the pupil was provoked, perhaps as a result of bullying or harassment
- whether any other pupils involved in the investigation are being dealt with in the same way
- whether the interests of the pupil outweigh those of the School community as a whole

If appropriate a less severe sanction will be made, such as suspension (perhaps accompanied by a final warning).

The Headmistress or Head of Prep will consider agreeing to a managed move of the pupil to another school, provided such an alternative can be readily identified. Another option **may** be to allow the parents/carers an opportunity to withdraw the pupil rather than having an exclusion imposed. If the parents make a decision to withdraw their child, they waive any right to an appeal.

APPEAL AGAINST EXCLUSION OR REQUIRED REMOVAL

Fundamental to the fairness of any exclusion or removal process is the right to appeal, which will be heard by at least three persons not directly involved in the matters detailed in the case, one of whom shall be independent of the management and running of the School, and acceptable to both parties. Each of the Panel members shall be appointed by the Governing Body. The appeal will not be heard by the original decision taker and to this end, no governor who has been directly involved in the matter at hand should hear the appeal. Any governor with a connection to the pupil will be excluded from the panel.

The risk of lost schooling is a key concern that makes time of the essence. The objective must therefore be to hold any appeal within a reasonable time frame. A benchmark would be to aim to conduct the appeal within five working days.

The purpose of the Appeal stage is to review the fairness of the investigation/concern and the sanction imposed. The purpose of the appeal hearing is generally to decide whether the pupil actually committed the disciplinary offence in question and/or whether exclusion or removal is a reasonable response. If the appeal panel concludes that the answer to the

first question is no, the second question ceases to be relevant and the pupil should be re-admitted.

The appeal panel will not receive or consider fresh evidence that relates to issues not considered when the decision to exclude was taken. Equally, it should not overturn a decision to exclude purely on the basis of there having been a technical defect in the procedure followed – unless that defect was so substantial that justice was not done.

It should be made clear from the outset that the appeal decision is final.

FINDING ANOTHER SCHOOL

To minimise disruption, an exclusion or removal decision can be made but on a deferred basis so that the parents/carers have sufficient time to make suitable alternative arrangements. It might be that the pupil is allowed to return to School solely for the purpose of sitting imminent public exams. Depending on the reason for exclusion or removal this may not be possible.

REFERENCES

As in the employment context there is no absolute obligation on Headington Rye Oxford to provide references where an exclusion is involved. Any reference given must be fair, accurate and not misleading.

FEES

Reference should be made to the Terms & Conditions