CHELTENHAM COLLEGE CHELTENHAM PREP SCHOOL

Suspension and Exclusion Policy

Reviewer: Daniel Cupit
Approver: Chris Townsend
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'Cheltenham College' refers to Cheltenham College Senior School *and* Cheltenham College Preparatory School (including Cheltenham College Pre-Prep and Nursery School)
'College' refers to Cheltenham College Senior School
'Cheltenham Prep' refers to Cheltenham College Preparatory School
'Nursery and Pre-Prep' refers to Cheltenham College Nursery School and Pre-Prep

The overwhelming majority of disciplinary offences committed by members of Cheltenham College are adequately addressed by means of the published Reward and Sanction Policies which form part of the Prep's Key – Prep Behaviour Policy and College's Key - Pupil Behaviour policy and this policy should be read in conjunction with those. It occasionally happens that a pupil or pupil's behaviour falls beyond the range of these sanctions. Under these circumstances, it may be necessary to exclude a pupil from College or Cheltenham Prep. That exclusion may be temporary – Suspension; or permanent - Exclusion.

1. Suspension

1.1 At both schools a pupil may be liable to suspension if he or she is in serious or repeated breach of any Cheltenham College regulation. The decision to suspend is at the discretion of the Senior Deputy Head or Head, with the Assistant Head Pastoral able to suspend pupils for certain offences. Some offences are liable to immediate suspension and include: any behaviour that puts a pupil at risk, the misuse of alcohol, repeated breaches of the Nicotine Products policy, serious bullying concerns (either repeated incidents or a single serious incident), cheating or plagiarism, serious breaches of the ICT Acceptable Use Policy, theft, demeaning and/or persistently poor behaviour. This list is illustrative rather than exhaustive and the degree and nature of behaviour that merits suspension will be considered in an age appropriate context.

1.2 In most cases where a pupil is suspended, he or she will be given a warning in a letter to parents, which includes a warning as to the consequences if there is repetition of the behaviour that led to the suspension.

1.3 Cheltenham College reserves the right to remove or change the boarding status, either temporarily or permanently, of a pupil who has committed a serious breach of trust or whose behaviour brings into question their suitability to board.

1.4 In the most serious circumstances a pupil will be given a Final Warning in a letter to parents, which means that any repetition of the offence or any other serious breach of school regulations throughout the pupil's remaining time at College, is likely to lead to permanent exclusion. The issuing of a Final Warning will be in writing and normally involves parents or guardians in a discussion with the Head or Senior Deputy Head.

1.5 Any second suspension offence is also likely to result in a Final Warning.

1.6 Any pupil who has been suspended is expected to keep up with all of his or her academic work during the period of suspension. Cheltenham College will provide detail on the work to be covered.

2. Permanent Exclusion and Withdrawal

2.1 Permanent exclusion (commonly known as expulsion): At the discretion of the Head, and with the President of the Council notified (see 4.13), a pupil may be liable to permanent exclusion if he or she is in serious or repeated breach of any school regulation. Some offences are liable to immediate permanent exclusion. At College this might include, for example: serious breaches of the Controlled Drugs Policy, the serious or repeated misuse of alcohol, serious bullying, either repeated or one serious incident, engaging in a sexual relationship, and at both schools: acting in a way that endangers the safety of other people, wilful damage to property, theft, breaking out of a boarding house, behaviour likely to bring Cheltenham College into disrepute or the breaching of the terms of a Final Warning. This list is illustrative rather than exhaustive.

2.2 Withdrawal: Parents have the right to withdraw the pupil at any point prior to notification in writing of the outcome of the disciplinary meeting under 4.12 (below). The parent contract details the procedure to be followed in these circumstances.

3. Overview of Process

3.1 Incidence of serious, alleged misconduct will be investigated by senior members of staff, typically the Senior Deputy Head, the Assistant Head Pastoral (AHP) or Senior Housemaster or Housemistress (SHsm), in conjunction with a pupil's Hsm.

3.2 Conducting the investigation: In the event of a report or suspicion of misconduct, an investigation will be conducted by a senior member of staff. This may include:

a) Gathering evidence;
b) Interviews with pupils, members of staff and others;
c) Taking written statements, usually in order to establish a clear order of events;
d) Segregation of pupils pending interviews;
e) Pupils may undertake a period of Home Leave while the investigation takes place; and
f) Liaison with parents/guardians and, where appropriate or where this is a legal requirement, other agencies (e.g. police, social services). It is not appropriate to have parents or other representatives of the pupil present at this stage. However, 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 pupil being excluded.

3.3 The pupil will have a member of staff accompany him/her to any interview (but not the disciplinary meeting) during the disciplinary process. This member of staff may be the tutor, Hsm or matron.

3.4 Findings of a disciplinary investigation are presented to the Head for consultation and consideration. For matters involving Suspension, the Senior Deputy Head or Assistant Head Pastoral may be delegated to convey this decision to a pupil, their Hsm and Parents.

3.5 Other agencies may be notified at any stage of the procedure, as and when necessary and appropriate.

3.6 Suspension: While an investigation takes place a pupil may be asked to remain at home or with their guardian. Cheltenham College will support the pupil by sending suitable academic work to complete at home or where they are staying, and also by offering access to pupil services, i.e. Counsellors, where the

College considers it would be helpful. A member of staff not involved in the investigation (usually the pupil's tutor or Hsm) will be allocated to contact the pupil to ensure they are supported during this time.

3.7 Searches: In gathering evidence apart from interviews, searches of pupils' possessions will be conducted in line with the Search and Confiscation Policy. Drugs, weapons and other items will be confiscated immediately if they are considered as potential evidence.

3.8 Segregation: It may be necessary to segregate pupils. For the purposes of reliable segregation, Cheltenham College may confiscate a pupil's mobile telephone and laptop for such a period as it reasonably deems necessary.

4. The Disciplinary Meeting

4.1 A formal disciplinary meeting is necessary in cases where permanent exclusion is a possible outcome or when a pupil is suspended pending a disciplinary outcome.

4.2 Preparation: The pupil and the pupil's parents/guardians will be informed of the date, time and place of the disciplinary meeting and Cheltenham College's expectation that they or the pupil's guardian should attend (if possible). If the pupil and the pupil's parents wish to rely on written submissions these should be sent to arrive at the Head's office at least the working day before the disciplinary meeting. Where possible, documents that will be made available to the parents and the pupil before the disciplinary meeting include, but are not limited to, a statement setting out the allegation, written statements and notes of the evidence supporting the allegation, the relevant Cheltenham College policies and procedures, and the investigation report. Any such documents may be redacted or a summary provided for reasons of confidentiality and/or data protection.

4.3 Attendance: The pupil and parents/guardians should attend the disciplinary meeting. Other representatives of the pupil or parents/guardian are not permitted.

4.4 Proceedings: The Head will conduct the disciplinary meeting in a manner appropriate to the age, maturity and understanding of the individual pupil concerned.

4.5 Notes will be taken of the disciplinary meeting.

4.6 The pupil should be present throughout the disciplinary meeting, which will usually involve:

- an explanation of how the meeting will be conducted and the role of those present;
- a description of the offence and the disciplinary sanction(s) that could be imposed;
- a summary of the evidence which will include the pupil's account of the events;
- an opportunity for the pupil and his/her parents/guardians to be heard and ask questions about the disciplinary meeting; and
- an opportunity for the pupil and his/her parents/guardians to address the Head on the issue of the sanction to be imposed.

4.7 The Head may adjourn the hearing for any reason, which will be explained to the pupil.

4.8 The Head will decide whether the allegation against the pupil has been proved on the balance of probabilities (i.e. whether it is more likely than not).

4.9 If the Head, having considered the evidence including any admission by the pupil, decides that the allegation against the pupil is proved, he/she will consider what sanction is to be imposed and inform the pupil and parents/guardians.

4.10 If the Head considers that the misconduct may warrant withdrawal or permanent exclusion, he/she may consider:

- Any relevant previous disciplinary issues concerning the pupil; and
- Any other favourable or unfavourable conduct known to the College.

4.11 An explanation of the appeal procedure will be offered if permanent exclusion is the outcome.

4.12 The decision will always be confirmed in writing, normally within 3 working days of the disciplinary meeting. The letter will state the decision in relation to the allegation (or each of them), the sanction and when it takes effect.

4.13 The Head will notify the President of Council of any decision to exclude permanently, at the appropriate time.

5. Leaving Status

5.1 When a pupil permanently leaves Cheltenham College their leaving status will be one of the following: 'excluded' or 'withdrawn by parents'.

5.2 Public examinations: Pupils who have permanently left Cheltenham College shall not be permitted to sit public examinations at Cheltenham College, irrespective of the timing of the offence(s). The Head has discretion to permit a pupil to sit public examinations as an exception to this paragraph 5.2.

5.3 Cheltenham College premises: Pupils who have permanently left Cheltenham College are not permitted to re-enter Cheltenham College premises without prior consent from Cheltenham College.

5.4 Coursework: Cheltenham College may make arrangements for the transfer of any course and project work to the leaving pupil, the parents or another school.

6. Council Review

6.1 Where a pupil has been permanently excluded, the parent/guardian may appeal against the decision by way of a Council review. This does not extend to Home Leave pending an investigation or suspensions given as a sanction, i.e. temporary exclusion. Pending such appeal, the pupil shall remain suspended from Cheltenham College.

6.2 Request for review: A pupil or his/her parents, upon notification of the Head's decision to exclude, may make a written application for a Council review. The application must be received by the Secretary to the Council within 72 hours of the decision being notified to a parent in writing, or longer by agreement. In their application, parents must state the grounds on which they are asking for a review and the outcome which they seek.

6.3 Review Panel: The review will be undertaken by a Panel, which will consist of at least two members of the Council and a third person who is independent of the running of Cheltenham College. The Panel members will have no detailed previous knowledge of the case or of the pupil or parents. Parents will be notified in advance of the Panel members.

6.4 Review meeting: The meeting will take place at Cheltenham College premises (unless otherwise notified), within 10 days after the parents' application for review has been received. A review meeting is an internal procedure and all those who are concerned in it are required to keep proceedings and any documents confidential. Those present at the review meeting will normally be:

- Members of the Review Panel and the Secretary to the Council or his/her deputy;
- The Head and any relevant member of staff whose presence the Review Panel considers should attend; and
- The pupil together with his or her parents and, if they wish, the parents may be accompanied by a friend or relation who is not legally qualified or undergoing legal training.

6.5 Conduct of review meeting: The meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in an informal manner. The proceedings will not be recorded. The Secretary to the Council will be asked to keep a minute of the main points which arise at the meeting and a copy of the minutes will be provided to the parents after the meeting (if requested). All those present will be entitled, should they wish, to write their own notes. The Chair of the Review Panel will ensure that all those present have a reasonable opportunity to ask questions and make appropriate comment. Everyone is expected to show courtesy, restraint and good manners. The Chair may at his or her discretion adjourn or terminate the meeting. If the meeting is terminated without reaching a conclusion, the original decision will stand.

6.6 Decision: The Panel will consider the grounds for the review and shall decide whether to either:

- Uphold the decision of the Head, or
- Recommend the decision of the Head be reviewed and, if minded to do so, recommend an alternative disciplinary sanction.

The decision of the Review Panel will be final. It will be notified, with reasons, to the parents by the Chair of the Review Panel by letter within three working days of the review meeting.