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## F1. Promoting Good Behaviour and Anti-Bullying Policy



### Eaton Square School

This Policy applies to the whole school

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Next review:	<b>02.09.23</b>

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# Behaviour and Exclusions (Discipline) Policy

## 1 Policy aims

1.1 The aims of this policy are:

- 1.1.1 to enable the Headmistress to carry out her responsibilities of maintaining order and good discipline in Eaton Square Prep School (the School);
- 1.1.2 to promote good behaviour;
- 1.1.3 to ensure, so far as possible, that every pupil in Eaton Square Prep School is able to benefit from and make his / her full contribution to the life of the School, consistent always with the needs of the school community;
- 1.1.4 to authorise the School Rules and any procedures necessary for implementing them;
- 1.1.5 To understand that corporal punishment is not to be used or threatened, but that positive discipline should always be the aim.

## 2 School rules

2.1 The School rules shall be set by the Headmistress. The School rules are necessary:

- 2.1.1 for the safety and well-being of everyone at the School;
- 2.1.2 for the reputation of the school community as a whole;
- 2.1.3 for the protection of school property and the wider environment.

2.2 The School Rules apply to all age groups and at all times when the pupil is:

- at school, representing the School or wearing school uniform
- travelling to and from school
- associated with the School at any time.

2.3 Pupils are expected to know and understand the School Rules and to read them through with their parents. The School Rules will be amended from time to time and reinforced at assemblies and on other appropriate occasions.

## 3 Scope

3.1 It is intended that the Eaton Square Prep School Rules and the sanctions provided in them shall also, in appropriate circumstances, be capable of regulating the conduct of pupils when they are away from school premises and outside the jurisdiction of the School, for example during half terms and in the holidays.

3.2 This will normally be where the conduct in question could have repercussions for the orderly running of Eaton Square Prep School, affects the welfare of a member or members of the School Community or a member of the public, or which brings the School into disrepute.

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## **4 Rewarding good behaviour**

- 4.1 Eaton Square Prep School understands that rewards can be more effective than punishment in motivating pupils. The ways in which the School may reward good behaviour are set out in Appendix 1.
- 4.2 Eaton Square Prep School recognises that where challenging behaviour is related to a pupil's disability, use of positive discipline and reward methods may enable the School to manage the pupil's behaviour more effectively and improve their educational outcomes.

## **5 Breaches of school discipline**

- 5.1 The Headmistress may prescribe and authorise the use of any sanctions as comply with good education practice and promote good behaviour and compliance with the School Rules. Examples of sanctions used at the School are set out in Appendix 1.

### **5.2 Serious breaches of discipline**

- 5.2.1 For serious breaches of discipline, the pupil may be asked to leave the School permanently:

#### **5.2.2 Required Removal**

- (a) For a serious breach of school discipline falling short of one for which Expulsion is necessary, but such that the pupil cannot expect to remain a member of the School community, the pupil may be required to leave permanently. Subject to payment of all outstanding fees (the deposit being returned or credited to the account) the pupil will be given reasonable assistance in making a fresh start at another school.

#### **5.2.3 Expulsion**

- (a) A pupil is liable to Expulsion for a grave breach of school discipline, for example, a serious criminal offence or some wilful act calculated to cause serious damage to the School, its community or any of its members. Formal expulsion implies that the pupil's name will be expunged from the roll of the School and reference to the facts and circumstances will be made in response to every request for a reference. All outstanding fees up to and including the term of expulsion shall be payable and any deposit shall be retained by the School.

- 5.2.4 The Headmistress is required to act fairly and in accordance with the principles of natural justice. Please see the School's separate Expulsion, Removal and Review Policy.

- 5.3 Eaton Square Prep School seeks to work in partnership with parents over matters of discipline, and it is part of parents' obligations to the School to support the School Rules. Parents will be contacted to discuss any disciplinary matter which may result in suspension, or where Required Removal or Expulsion is being considered. Parents will also be notified of any other disciplinary sanction and may be contacted to discuss the matter if it is considered appropriate to do so.
- 5.4 Eaton Square Prep School will make reasonable adjustments for managing behaviour which is related to a pupil's special educational need or disability. Where expulsion needs to be considered, the School will ensure that a pupil with a disability or special educational needs is able to present their case fully where their disability or special educational needs might hinder this. Any religious requirements affecting the pupil will also be considered.

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## 6 Malicious allegations against staff

- 6.1 Where a pupil makes an accusation against a member of staff and there is reasonable suspicion that the accusation has been deliberately invented or malicious, the Headmistress will consider whether to take disciplinary action in accordance with this policy.
- 6.2 Where a parent has made a deliberately invented or malicious allegation the Head will consider whether to require that parent to remove their child or children from the school on the basis that they have treated the School or a member of staff unreasonably and compromised the requirement for mutual trust and confidence.
- 6.3 In accordance with the DfE's guidance *Dealing with allegations of abuse against teachers and other staff* (October 2012), Eaton Square Prep School will consider a malicious allegation to be one where there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.

## 7 Use of reasonable force

- 7.1 Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used in accordance with the DfE guidance *Use of reasonable force* (July 2013 reviewed July 2015) and as set out in Appendix 2.
- 7.1.1 The staff at Eaton Square Prep School will log all restraining episodes (F1h Restraining log) and inform the parents as soon as appropriate. Staff will also inform the DSL.
- 7.1.2 After the first restraining episode occurs, staff should have a meeting with the child's parents and ask them to sign the 'Use of Reasonable Force Form' (F1g Use of Reasonable Force Form).
- 7.2 Corporal punishment is not used at Eaton Square Prep School and force is never used as a form of punishment.

## 8 Searching pupils

- 8.1 **Informed consent:** Eaton Square Prep School staff may search a pupil with their consent for any item. If a member of staff suspects that a pupil has a banned item in her possession, they can instruct the pupil to turn out her pockets or bag. If the pupil refuses, sanctions will be applied in accordance with this policy.
- 8.2 **Searches without consent:** In relation to prohibited items, the Headmistress, and staff authorised by the Headmistress, may search a pupil or a pupil's possessions, without their consent, where they have reasonable grounds for suspecting that a pupil has a prohibited item in their possession. Please see Appendix 3 for the School's policy on searching and confiscation. Such action will be taken in accordance with the DfE guidance *Screening, searching and confiscation* (February 2014).

## 9 Records

- 9.1 Administration of major punishments are recorded, with the name of the pupil concerned, the reason for the punishment, and the name of the person administering the punishment.

## 10 Review

- 10.1 A pupil or his / her parents may request a Review of the Headmistresses' decision to Expel or Require the Removal of a pupil from Eaton Square Prep School. The form of application for a Review and the Review procedures will be supplied to parents on request at the time of the original decision.
- 10.2 There will be no right to a Review of other sanctions but a pupil who feels aggrieved may ask the Head / Deputy Head to take up his / her concerns with the member of staff who imposed the sanction.



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## Appendix 1 Rewards and Sanctions

### Eaton Square Prep School Behaviour Management Policy

A successful Behaviour Management Policy depends on good communication and positive relationships between children, staff and parents. It provides security for children and increases their opportunities for development and learning. Eaton Square Prep School has a clear Behaviour Management Policy whereby staff, students and parents are aware of acceptable and unacceptable behaviour and the system of rewards and sanctions that apply.

When the whole school community follows the School's code of behaviour and understands the rules and reasons that govern them, together with the School's practice of rewards and sanctions the Behaviour Management Policy will be effective. It is vital that all of our procedures are understood by all adults in the school, by children and by parents. The key principles of the Behaviour Management Policy are communicated to children and the policy is made available to parents at the beginning of each academic year.

At Eaton Square Prep School our desire is to foster a caring environment for each child that embodies the following principles:

- Giving and receiving respect.
- Aim to encourage and praise children rather than reprimanding, wherever possible.
- Praise should be genuine and criticism constructive.
- Sensitivity to the individual needs of each child. Children should accept adult authority, but the development of individuality should always be encouraged.
- Consistency and clarity in our response to behaviour. It is important to administer sanctions fairly and to ensure that particular groups of children are not inadvertently discriminated against.
- All teachers should promote the children's safety around the School, rewarding children who follow the School's code of conduct and behave in a safe and sensible way (see School Code of Conduct) This includes walking calmly and quietly around the School, walking up and down the stairs on the left side, lining up outside the classrooms quietly before lessons and holding doors open for one another.
- At Eaton Square Prep School the expectations of parents, teachers and children in terms of discipline have always been high. Standards of behaviour, dress, work and respect depend on the example of us all.
- Problems are normal where children are learning and testing the boundaries of acceptable behaviour. Most problems are resolved by quiet discussion. Try to avoid confrontation, listen, establish the facts, judge only when certain; and use sanctions sparingly.

We have a proactive approach to improving behaviour at Eaton Square Prep School. At the start of each academic year, each class teacher/Nursery Head helps their class to work out class aims and rules, based on our School Code of Conduct. These aims provide the guidelines for the children in the class in terms of how they are expected to behave and work. Class teachers/Nursery Head help the children to target particular aims and to work on making the classroom a positive learning environment.

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## Positive Behaviour- Rewards

Positive reinforcement is used as much as possible in a variety of ways:

- Positive gestures and acknowledgement of good behaviour and achievement.
- Children have the opportunity to visit the head to show Good Work.
- One child is awarded the Head's Award each week for outstanding effort or achievement.
- Stickers from teachers and the Heads of Department, Deputy Heads and Headmistress.
- Achievements mentioned in Assemblies with Values Awards made to one person per year group in church each week.
- Star of the Week certificates given to one child in each class per week. Children also have the opportunity to show excellent work in assembly.
- Children in the school may be nominated for star awards on a weekly basis. One child is selected from the Pre-Prep, one from the Junior Prep and one from the Senior Prep every week and these are presented in Church each week.
- House points are awarded for positive behaviour and good work. Please use the following guidelines for awarding house points:
  - 1 House Point:** good general behaviour (individually or as a group)/good work/attitude/effort/school values/having regard for the safety of themselves and others
  - 2 House Points:** excellent piece of work/homework/individual behaviour/manners
  - 3 House Points:** outstanding work/behaviour/assembly performance/act of kindness/school values

House points are recorded on a chart in the classroom and collected in on a weekly basis through the use of departmental spreadsheets located on the School network. Results are announced in weekly year group assemblies. The departmental totals are combined every term and the Intra Annum Tropeum is awarded in Church at the end of each term. An end of year House Cup is awarded to the most successful house at Prize Giving.

- Prizes for achievement during the school year are awarded at Prize Giving.
- Rewards may differ from class to class, in addition to the House Point system.
- The School reward system is separate to the sanctions system. House points and commendations may not be debited. Poor behaviour is dealt with through the sanctions system.

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## **Poor Behaviour- Sanctions**

As a staff we have a set procedure for dealing with misbehaviour and consistent language must be used at all times. Initially staff would initially follow the guidelines for Level 1 of the sanction timetables (available to staff, see [appendices F1a](#)) and:

- Give reasoning
- Appropriately ignore of low level inappropriate behaviour
- Give verbal reminders and state consequences
- Possibly move a child within the classroom
- Possibly restrict free choice activities
- Require an apology

### **The EYFS**

In the Nursery and Reception, the children are beginning to learn how to make positive relationships and form friendships. Acknowledgment of good behaviour is key and the children are rewarded for behaving appropriately with stickers or rewards.

Should a child behave inappropriately, the staff take the time to discuss and question why a situation may have arisen, with the child or children involved. Positive solutions are suggested and an apology is encouraged if this is required. Parents are always informed of any severe situation on the day that it occurs, either in person or on the telephone.

### **The Junior Prep Traffic Light System**

The Hall and every classroom in the Junior Prep have a traffic light display; green, amber and red. Green signifies appropriate behaviour. Should a child show inappropriate behaviour (within level 1) then their face/name moves to amber. This is a reminder that they need to reflect on what they have done. If they resume appropriate behaviour they may move their face back to green. If the child continues to behave inappropriately, then their face would be moved to red. Every name moves back to green for the start for the next day (please see Appendix F1 a for the sanctions tables).

To encourage exemplary behaviour 'Stars' are placed above the traffic light (a level higher than green) to allow pupils to excel and always strive for their best behaviour.

If this approach was unsuccessful the Behaviour Management Policy would apply:

- In Junior Prep, if a child remains on red for the whole lesson, it is recorded in their homework diary. After repeated 'reds' recorded, this may then lead to Thinking Time and the Head of Juniors will complete the Thinking time form [Appendix F1b](#). Thinking Time for Junior Prep pupils generally occurs at park time with the Head of Juniors.

### **The Senior Prep Warning System**



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Behaviour is monitored closely in lessons and around School. If a pupil in the Senior Prep shows inappropriate behaviour (within level 1) then they are given a verbal reminder in the lesson. This is a reminder that they need to reflect on what they have done. If the child continues to behave inappropriately, then they would be issued a written warning.

- In the Senior Prep, pupils will receive written warnings in their diaries for repeated poor behaviour during a lesson. After repeated written warnings, they will have to attend a detention with the Head of Seniors (please see [Appendix F1c](#)).

### **Monitoring Behaviour**

Minutes of Pastoral meetings are written by the Head of Juniors/Seniors on a weekly basis, detailing any personal issues regarding children and making a note of children who have been for 'Thinking time' or 'detention'. These confidential notes are circulated to relevant staff and to the Senior Leadership Team. Individual incidents are also logged on CPOMS, which can be accessed by all staff who teach the child, and the SLT.

### **Communication with Parents**

Parents are kept well informed of any behaviour problems that a child may have at an early stage rather than allow more serious problems to arise. The Form Teacher will discretely inform the parent in person or via a phone call. Most problems are easily resolved when parents are contacted in order to share with them the most effective ways of helping a particular child. If we have needed to discuss inappropriate behaviour with parents, we give them positive feedback when there are improvements. Where behaviour problems have been escalated to the SLT, the Head of EYFS, Deputy Head, or Headmistress will make contact with the parents. This policy should be read in conjunction with our Anti-bullying policy for issues concerning bullying.

There are sometimes periods in a child's life when behaviour is adversely affected by circumstances beyond his or her control, such as the death of a close relative or a problem in the family. It is always helpful for the school to know so that we can deal sensitively with children who may be under stress, even if we do have to reprimand them or apply sanctions, unless a parent does not want it discussed. If parents have any concerns about their own child's behaviour, or the way behaviour has been dealt with at School it is expected that these will be raised with the school. We are also happy to support parents who are experiencing difficulty with their children at home by discussion with the child in school if the parents feel this would be helpful.

### **Medical/Personal/SEN Concerns**

If a medical, personal or Special Educational Need is thought to affect behaviour then the class teacher should liaise with the Head of Learning Enrichment and Head of Section to discuss their concerns. This may lead to a meeting with the child's parents to discuss strategies and/or to devise a behavioural plan. The school works closely with behaviour psychologists and child counselling services to help to deal with issues that may be affecting behaviour. A Learning Support Assistant may be put in place to help support a pupil with persistent behavioural difficulties. Members of staff should avoid making diagnoses and using labelling terminology.

Our system of using praise, and when necessary reprimands, sanctions and reports, works for the majority of children, most of the time, helping them to develop good attitudes and to keep acceptable standards of behaviour. Where pupils do not respond to preventative strategies to combat bullying or other unacceptable behaviour, further action will be taken. Parents will be kept fully informed and will be involved in this process. If for any reason a child has not been able to respond when we put these policies into practice, we may ask the parents to have their

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child assessed by an Educational Behavioural Specialist. If the child does not respond to suggestions made from this assessment the School would then have to use the ultimate sanction of excluding a child from school for a period of time. We see this as very much a last resort. Exclusion would only be considered in a case of extreme and continuing bad behaviour e.g. bullying, sexual harassment, theft, fighting, racist abuse, persistent disruptive behaviour etc.

A child would be excluded if his/her behaviour were such that it threatened the safety of others, is a case of long term bullying or harassment, is causing a serious disruption to school life, is a serious case of disobedience, or it has been continuing over an extended period with no signs of improvement at all (see Expulsion Policy from page 22). Parents and children will be warned in advance that exclusion from school could be a possibility for them. Depending on the reason for the exclusion, this may have a fixed term or may be permanent. Exclusion from school may cause inconvenience to parents, but we do not see this as a measure designed to punish parents, but the purpose is to bring home to the child the serious nature of the misbehaviour and to remind the child concerned and all other children that some kinds of behaviour are totally unacceptable in school. Children excluded on a fixed term would be given work to complete at home.

Suspension: **a pupil may be placed under suspension while a complaint is investigated or as a sanction in its own right.** In addition, the Head may prescribe and authorise the use of such other sanctions as comply with good education practice and tend to promote good behaviour and compliance with the School Rules. The School is aware of and supports section 131 of the School Standards and Framework Act 1998, and as such corporal punishment of children is prohibited.

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## Appendix 2 Use of reasonable force

- 1 Reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:
  - 1.1 committing a criminal offence
  - 1.2 injuring themselves or others
  - 1.3 causing damage to property, including their own
  - 1.4 engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 2 In these circumstances, force will be used for two main purposes: to control pupils or to restrain them. Reasonable force may be used, for example, to restrain a pupil at risk of harming themselves or another individual or to prevent a pupil leaving a classroom where allowing him / her to do so would risk his / her safety or lead to behaviour that disrupts the behaviour of others.
- 3 In addition, reasonable force may be used to conduct a search for "prohibited item" (see Appendix 3 below).
- 4 In deciding whether reasonable force is required, the needs of individual pupils will be considered and reasonable adjustments will be made for pupils with special educational needs or disabilities.
- 5 Where reasonable force is used by a member of staff, the Designated Person for child protection must be informed of the incident and it will be recorded in writing. The pupil's parents will be informed about serious incidents involving the use of force. In the EYFS setting, the pupil's parents will be informed about any use of force on the day of the incident or as soon as reasonably practicable.

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## Appendix 3 Searching and confiscation

All schools have a general power to impose reasonable and proportionate disciplinary measures (Education and Inspections Act 2006). This enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so. The School's policy on searching and confiscation has regard to guidance published by the Department for Education (DfE), *Screening, searching and confiscation* (February 2014).

### 11 Prohibited items

- 11.1 The following are "prohibited items" under Section 550ZA(3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of Articles) Regulations 2012:
- 11.1.1 knives or weapons, alcohol, illegal drugs and stolen items
  - 11.1.2 tobacco and cigarette papers, fireworks and pornographic images
  - 11.1.3 any article that a member of staff reasonably suspects has been, or is likely to be used:
    - (a) to commit an offence or
    - (b) to cause personal injury to, or damage to the property of, any person (including the pupil) and
  - 11.1.4 any item banned by the School rules that are identified as being items which may be searched for.
- 11.2 The School has banned items that are reasonably believed to be likely to cause harm or disruption. Pupils must not have these items in their possession on school premises or at any time when they are in the lawful charge and control of the school (for example on a school trip).<sup>1</sup>

### 12 Searching with consent

- 12.1 Before any search is undertaken the pupil will usually be asked to consent. In seeking consent, the age and maturity of the pupil will be taken into account together with any special needs the pupil may have. Written consent will not usually be required.
- 12.2 If a member of staff suspects that a pupil has an item that is banned by the School they can instruct the pupil to turn out his or her pockets or bag. If the pupil refuses, disciplinary action may be taken in accordance with the School's Behaviour and Discipline Policy.

### 13 Searching for prohibited items

- 13.1 Where the Head or an authorised member of staff have reasonable grounds to suspect that a pupil may have a prohibited item, consent is not required and the search will be carried out, using reasonable force where appropriate.
- 13.2 Searches will be carried out only on school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on a school trip or in training settings.

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<sup>1</sup> The School Rules should include details of any items that are banned and which may be searched for.

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- 13.3 When pupils travel outside England on a school trip, they will be required as a condition of participating in the trip to confirm their consent in writing to any search that may be considered necessary by an authorised member of staff during the period in which pupils are outside England.
- 13.4 If it is believed that a pupil has a prohibited item, it may be appropriate for a member of staff to carry out:
- 13.4.1 a search of outer clothing and / or
  - 13.4.2 a search of school property (e.g. pupils' lockers or desks) and / or
  - 13.4.3 a search of personal property (e.g. bag or pencil case).
- 13.5 Searches will be conducted in such a manner as to minimise embarrassment or distress. Any search of a pupil or their possessions will be carried out in the presence of the pupil and another member of staff. Where a pupil is searched, the searcher and the second member of staff present will be the same gender as the pupil.
- 13.6 Where it is reasonably believed that serious harm may be caused if the search is not carried out immediately and it is not practicable to summon another member of staff, a member of staff may carry out a search of a pupil of the opposite sex and / or in the absence of a witness.
- 4.4 Where the Head, or staff authorised by the Head, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item in accordance with this policy.

## **14 Confiscation**

- 14.1 Under the School's general power to discipline, a member of staff may confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.
- 14.2 Confiscation of an item may take place following a lawful search, as set out above, or however the item is found if the member of staff considers it to be harmful or detrimental to school discipline.

## **15 Searching electronic devices**

- 15.1 An electronic device such as a mobile phone or a tablet computer may be confiscated in appropriate circumstances in accordance with this policy. If there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or break school rules, any data or files on the device may be searched and, where appropriate, data or files may be erased before the device is returned to its owner. Any data or files will only be erased, if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or break school rules.
- 15.2 If inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of School discipline or criminal offence or hand it over to the police if the material is of such seriousness that police involvement is required.

## **16 Disposal of confiscated items**

- 16.1 **Alcohol:** alcohol which has been confiscated will be destroyed.
- 16.2 **Controlled drugs:** controlled drugs will usually be delivered to the police as soon as possible. In exceptional circumstances and at the discretion of the Head or authorised member of staff, the drugs may be destroyed without the involvement of the police if there is good reason to do so. All relevant circumstances will be taken into account and staff will use professional judgement to determine whether the items can be safely disposed of. They will not be returned to the pupil.

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- 16.3 **Other substances:** substances which are not believed to be illegal drugs but which are harmful or detrimental to good order and discipline (for example "legal highs") may be confiscated and destroyed. Where it is not clear whether or not the substance seized is an illegal drug, it will be treated as though it is illegal and disposed of as above.
- 16.4 **Stolen items:** stolen items will usually be delivered to the police as soon as possible. However, if, in the opinion of the Head or authorised member of staff, there is good reason to do so, stolen items may be returned to the owner without the involvement of the police. This is likely to apply to items of low value, such as pencil cases.
- 16.5 **Tobacco or cigarette papers:** tobacco or cigarette papers will be destroyed.
- 16.6 **Fireworks:** fireworks will not be returned to the pupil. They will be disposed of safely at the discretion of the Head or other authorised member of staff which may include donation to an appropriate charity.
- 16.7 **Pornographic images:** pornographic images involving children or images that constitute "extreme pornography" under section 63 of the Criminal Justice and Immigration Act 2008 will be handed to the police as soon as practicable. As possession of such images may indicate that the pupil has been abused, the school's Designated Person for Child Protection will also be notified and will decide whether to make a referral to children's social care.
- 16.8 Other pornographic images will also be discussed with the School's Designated Person for Child Protection. The images may then be passed to children's social care for consideration of any further action. If no action is to be taken by the local authority the images will be erased after a note has been made for disciplinary purposes, confirming the nature of the material.
- 16.9 **Article used to commit an offence or to cause personal injury or damage to property:** such articles may, at the discretion of the Head or authorised member of staff taking all the circumstances into account, be delivered to the police, returned to the owner, retained or disposed of.
- 16.10 **Weapons or items which are evidence of an offence:** such items will be passed to the police as soon as possible.
- 16.11 **An item banned under school rules:** such items may, at the discretion of the Head or authorised member of staff taking all the circumstances into account, be returned to its owner, retained or disposed of. Where staff confiscate a mobile phone that has been used in breach of school rules to disrupt teaching, the phone will be kept safely until the end of the school day when it can be claimed by its owner. If a pupil persists in using a mobile phone in breach of school rules, the phone will be confiscated and must be collected by a parent.
- 16.12 **Electronic devices:** if it is found that a mobile phone, laptop or tablet computer or any other electronic device has been used to cause harm, disrupt teaching or break school rules, including carrying out cyberbullying, the device will be confiscated and may be used as evidence in disciplinary proceedings. Once the proceedings have been concluded the device must be collected by a parent or carer and the pupil may be prohibited from bringing such a device onto school premises or on school trips. In serious cases, the device may be handed to the police for investigation.

## 17 **Communication with parents**

- 17.1 There is no legal requirement for the School to inform parents before a search for banned or prohibited items takes place or to seek their consent to search their child and it will not generally be practicable to do so. However, we will inform parents of any search that takes place and provide details of any items that have been found. In appropriate cases we will consult parents on how the School should dispose of certain items.

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- 17.2 We will keep a record of searches carried out which can be inspected by the parents of the pupil(s) involved subject to any restrictions under the Data Protection Act 1998. The record will include details of the disposal of items confiscated.
  - 17.3 Complaints about searching or confiscation will be dealt with through the School's Complaints Procedure. A copy of the procedure is posted on the School website and hard copies are available on request.
  - 17.4 The School will take reasonable care of any items confiscated from pupils. However, unless negligent or guilty of some other wrongdoing causing injury, loss or damage, the School does not accept responsibility for loss or damage to property.

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# Anti – Bullying Policy

## 1 Policy statement

- 1.1 This policy applies to all pupils and staff at the School irrespective of their age and whether or not a pupil is in the care of the School when or if bullying behaviour occurs. This policy has been drawn up with assistance from guidance issued by the Department for Education (**DfE**), *Preventing and tackling bullying* (July 2017) and will be reviewed against any new government guidance issued from time to time.
- 1.2 Through the operation of this policy we aim:
  - 1.2.1 to maintain and drive a positive and supportive culture among all pupils and staff throughout the School
  - 1.2.2 to deter bullying behaviour, detect it when it occurs, and deal with it on a case-by-case basis by counselling and / or disciplinary sanctions and, if necessary, by expulsion
  - 1.2.3 to comply with the School's duties under the Equality Act 2010.
- 1.3 Bullying behaviour is always unacceptable and will not be tolerated at the School because:
  - 1.3.1 it is harmful to the person who is bullied, and to those who engage in bullying behaviour, and those who support them, and can in some cases lead to lasting psychological damage and even suicide
  - 1.3.2 it interferes with a pupil's right to enjoy his / her learning and leisure time free from intimidation
  - 1.3.3 it is contrary to all our aims and values, our internal culture and the reputation of the School.
- 1.4 A bullying incident will be treated as a child protection concern where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.
- 1.5 This policy will apply to bullying behaviour outside of the School of which the School becomes aware.

## 2 Bullying behaviour

- 2.1 Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying may be:
  - 2.1.1 **Physical:** hitting, kicking, pushing people around, spitting; or taking, damaging or hiding possessions
  - 2.1.2 **Verbal:** name-calling, taunting, teasing, insulting or demanding money
  - 2.1.3 **Exclusionary Behaviour:** intimidating, isolating or excluding a person from a group
  - 2.1.4 **General Unkindness:** spreading rumours or writing unkind notes, mobile phone texts or e-mails; or
  - 2.1.5 **Cyberbullying:** using the internet, mobile phones, social networking sites etc. to deliberately upset someone else (see section 2.3 below).
  - 2.1.6 **Prejudice-based or discriminatory:** judging someone and treating them unkindly based on their race, religion, spiritual or other belief.



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## 2.2 Bullying may also be:

- 2.2.1 Sexual: talking to (verbally or via mobile / screen devices) or touching someone in a sexually inappropriate way
- 2.2.2 Sexist: related to a person's gender or gender reassignment
- 2.2.3 Racist, or regarding someone's religion, belief or culture
- 2.2.4 related to a person's sexual orientation (homophobic bullying)
- 2.2.5 related to pregnancy and maternity
- 2.2.6 related to a person's home circumstances; or
- 2.2.7 related to a person's disability, special educational needs, learning difficulty, health or appearance.

2.3 **Cyberbullying:** Cyberbullying is the use of information and communications technology, particularly mobile telephones and the internet, deliberately to upset someone else. All staff should be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse online as well as face to face. In many cases abuse will take place concurrently via online channels and in daily life. Children can also abuse their peers online, this can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content. The School has separate E-Safety and Acceptable Use of ICT Policies which deals with cyberbullying. The school also implements a Dukes Cyber Security Policy which sets out the School's safeguards in place to filter and monitor inappropriate content and alert the School to safeguarding issues.

2.4 **Intention:** Not all bullying is deliberate or intended to hurt. Some individuals may see their hurtful conduct as "teasing" or "a game" or "for the good of" the other person. These forms of bullying are equally unacceptable but may not be malicious and can often be corrected quickly with advice and without disciplinary sanctions. A bully who does not respond appropriately to advice or sanctions would ultimately have to leave the School.

2.5 **Responsibility:** It is everyone's responsibility to ensure, whatever the circumstances, that no-one becomes a victim of bullying. A person may be vulnerable to bullying because of his / her age, physical appearance, nationality, colour, gender, sexual orientation, religion, culture or disability, or because he / she is adopted, a carer or new in the School, appears to be uncertain or has no friends. He / she may also become a target because of an irrational decision by a bully.

2.6 **Legal aspects:** A person who makes a physical or sexual assault on another, or who steals or causes damage to the property of another, commits a criminal offence and also a civil wrong known as a "tort" for which there can be legal consequences outside the School. Bullying behaviour may also be regarded as threatening behaviour or harassment which can be either a criminal offence or a civil wrong. Misuse of electronic communications could also be a criminal offence, for example it is an offence to send an electronic communication (such as a text message or e-mail) to another person with the intent to cause distress or anxiety.

## 3 Anti-bullying culture

3.1 Our expectation of all members of the School community is that:

- 3.1.1 everyone will uphold the School Rules

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- 3.1.2 a pupil or a member of staff who witnesses or hears of an incident of bullying will report it
  - 3.1.3 a complaint of bullying will always be taken seriously
  - 3.1.4 no one will tolerate unkind actions or remarks or stand by when someone else is being bullied.
- 3.2 In School and in every year group:
- 3.2.1 discriminatory words and behaviour are treated as unacceptable
  - 3.2.2 positive attitudes are fostered towards people who are disabled and towards ethnic, religious, cultural and linguistic groups within and outside the School; and
  - 3.2.3 positive attitudes are fostered towards both sexes through the curriculum and tutorials.
- 3.3 **Staff:** Through their training and experience, members of staff are expected to promote an anti-bullying culture by:
- 3.3.1 celebrating achievement
  - 3.3.2 anticipating problems and providing support
  - 3.3.3 disciplining fairly, consistently and reasonably, taking into account any special educational needs or disabilities of the pupil and the needs of vulnerable pupils
  - 3.3.4 making opportunities to listen to pupils
  - 3.3.5 acting as advocates of pupils.
- 3.4 **Pupils:** Through the School's pastoral care systems, pupils are informed and taught that bullying will not be tolerated in the School. They are encouraged:
- 3.4.1 to celebrate the effort and achievements of others
  - 3.4.2 to hold and promote positive attitudes
  - 3.4.3 to feel able to share problems with staff
  - 3.4.4 to turn to someone they trust, if they have a problem
  - 3.4.5 not to feel guilty about airing complaints
  - 3.4.6 to treat meals as pleasant social occasions.

#### **4 Anti-bullying systems**

- 4.1 The School's systems for detecting and dealing with bullying are designed to operate vertically (through all year groups) and horizontally (within year groups and in the classroom and other activities).
- 4.2 Members of staff are vigilant at all times but particularly:
  - 4.2.1 before lessons; in the queue for the dining hall and in the dining hall itself
  - 4.2.2 in School corridors

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- 4.2.3 on school transport.
- 4.3 Bullying is regularly discussed in staff meetings. The result of these meetings is to share information about friendship patterns, particular incidents, any pupil who seems to be isolated, any growing "power base" and any known conflict between a member of staff and a pupil, or between pupils so that strategies can be developed to prevent bullying incidents.
- 4.4 Any cases of bullying will be recorded on CPOMS under 'Child on Child' in keeping with guidance from KCSIE.
- 4.5 **Education:** Measures are taken throughout each year to educate pupils about bullying and this policy. These measures include:
- 4.5.1 The PSHE curriculum includes lessons on bullying.
- 4.5.2 Anti-bullying posters placed around the School.
- 4.5.3 Anti-bullying messages are given in assemblies.
- 4.6 **Staff training:** Appropriate training in all aspects of care is arranged to ensure that staff have the necessary professional skills, especially:
- 4.6.1 awareness of the risk and indications of child abuse and bullying, and how to deal with cases
- 4.6.2 counselling skills (including bereavement).
- 4.7 **Pupils' responsibilities:** We emphasise with older pupils the role which is expected of them in setting a good example and being helpful to younger pupils and each other.
- 4.8 **Record keeping and monitoring:** School staff maintain records of the welfare and development of individual pupils. In addition, every complaint or report of bullying must be recorded on CPOMS. The Designated Safeguarding Lead monitors these records in order to enable patterns to be identified, both in relation to individual pupils and across the school as a whole and to evaluate the effectiveness of the School's approach.
- 4.9 **Why incidents might not be reported**
- 4.9.1 **Victim:** There are many reasons why a pupil who has suffered bullying may be reluctant to report it. He / she may become demoralised and may say, for example:
- (a) it is telling tales. They won't believe me because the person I am complaining about is popular and I am not, and I will become even more unpopular
  - (b) the things they are saying and doing are too embarrassing to discuss with an adult
  - (c) it is all my fault anyway for being overweight / too studious etc.
  - (d) there are too many of them; there is nothing the staff can do
  - (e) it will get back to my parents and they will think less of me
  - (f) I will just try and toughen up and grow a thicker skin
  - (g) I will lie low and not audition for a part in the school play etc.

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4.9.2 **Witnesses:** There are also reasons why a pupil who has witnessed or learned of bullying behaviour may not want to make a report. He / she may say:

- (a) it is "grassing" and I will become unpopular
- (b) it is not my concern anyway
- (c) I don't like the victim and I would find it embarrassing to be associated with him / her.

4.10 Any of these responses would be contrary to our culture at the School. When we drive and implement this policy we encourage every pupil to understand that:

4.10.1 every complaint of bullying will be taken seriously

4.10.2 members of staff will deal with a complaint correctly and effectively in accordance with their experience and the training they have received

4.10.3 there is a solution to nearly every problem of bullying

4.10.4 a pupil who complains will receive support and advice and in many cases the problem can be dealt with on a no-names basis

4.10.5 the primary aim will be for the bullying to cease, not the punishment of the bully unless this is necessary.

## 5 Procedures

5.1 **Guidelines:** The following procedures are a guideline except where expressed in the terms "should" or "must". The best guide is the experience and training of the staff.

### 5.2 Reporting bullying complaints

5.2.1 **Pupils:** A pupil who is being bullied, or who is worried about another pupil being bullied, should tell someone without delay. He / she should tell his / her parents or a member of staff at the School. The pupil can also put a note in the worry monster in their class, or write a note to the Listening Teacher, explaining the problem they are experiencing. The class teacher or Listening Teacher will then follow this up with the child privately.

5.2.2 **Parents:** Parents who are concerned that their child is being bullied should inform their child's class teacher or a member of the SLT without delay.

5.2.3 **Staff:** This policy focuses mainly on the bullying of pupils by pupils although it is recognised that a staff member could be a victim and on occasion may be perceived to be guilty of bullying. Staff members who are concerned about being bullied or harassed should refer to the School's Staff Handbook. Pupils and parents who feel that a member of staff is bullying should report this in accordance with the procedures set out above.

5.3 **Initial complaint:** A person who learns of alleged bullying behaviour should:

5.3.1 firstly, respond quickly and sensitively by offering advice, support and reassurance to the alleged victim, then

5.3.2 report the allegation to Designated Safeguarding Lead as soon as possible.

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- 5.4 **Assessment:** The Designated Safeguarding Lead will normally see the victim and (unless the case is very serious) any witnesses without delay and form an initial view of the allegation. The assessment will consider:
- 5.4.1 the nature of the incident(s) - physical? verbal? exclusionary? etc.
  - 5.4.2 is it a "one-off" incident involving an individual or a group?
  - 5.4.3 is it part of a pattern of behaviour by an individual or a group?
  - 5.4.4 has physical injury been caused? Who should be informed? Head? Parents? The School's child protection officer? Social Services? The police?
  - 5.4.5 can the alleged bully be seen on a no-names basis?
  - 5.4.6 what is the likely outcome if the complaint proves to be correct?
- 5.5 At this stage, the possible outcomes for an incident which is not too serious include:
- 5.5.1 there has been a misunderstanding which can be explained sympathetically to the alleged victim with advice to the alleged bully
  - 5.5.2 the complaint is justified in whole or in part, and further action will be needed (see Range of Action, below).
- 5.6 **Serious incident:** If the Designated Safeguarding Lead believes that serious bullying behaviour has occurred involving a pupil or has recurred after warnings have been given to the "bully" he / she will then:
- 5.6.1 interview the alleged victim, bully and any witnesses separately, in order to establish the facts of the case. He / she may decide to ask another senior member of staff to be present; and
  - 5.6.2 send a summary of his / her findings to the Head and other relevant staff.
  - 5.6.3 Record the incident on CPOMS
- 5.7 The Designated Safeguarding Lead will decide on the action to be taken in accordance with the Range of Action set out below. They will notify the parents of the victim and bully giving them details of the case and the action being taken. In serious cases, such action may include further investigation in accordance with the School's Behaviour and Discipline Policy and the Expulsion, Removal and Review Policy.
- 5.8 **Range of Action:** When a complaint of bullying behaviour is upheld, the range of responses will include one or more of the following:
- 5.8.1 advice and support for the victim and, where appropriate, establishing a course of action to help the victim, including support from external services where appropriate
  - 5.8.2 advice and support to the bully in trying to change his / her behaviour. This may include clear instructions and a warning or final warning
  - 5.8.3 consideration of the motivation behind the bullying behaviour and whether external services should be used to tackle any underlying issues of the bully which contributed to the bullying behaviour. If these considerations lead to any concerns that the bully may be at risk of harm, the School's child protection procedures will be followed

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- 5.8.4 a supervised meeting between the bully and the victim to discuss their differences and the ways in which they may be able to avoid future conflict
  - 5.8.5 a disciplinary sanction against the bully, in accordance with the School's Behaviour and Discipline Policy. In a very serious case or a case of persistent bullying, a pupil may be required to leave the School permanently in accordance with the School's Expulsion, Removal and Review Policy
  - 5.8.6 action to break up a "power base"
  - 5.8.7 moving either the bully or victim to another House after consultation with the pupil, his / her parents and the relevant staff
  - 5.8.8 involving social services or the police
  - 5.8.9 notifying the parents of one or both pupils about the case and the action which has been taken
  - 5.8.10 such other action as may appear to the Head to be appropriate.
- 5.9 **Monitoring:** The position should be monitored for as long as necessary thereafter. Action may include:
- 5.9.1 sharing information with some or all colleagues and with pupils in the House so that they may be alert to the need to monitor certain pupils closely
  - 5.9.2 ongoing counselling and support
  - 5.9.3 vigilance
  - 5.9.4 mentioning the incident at meetings of staff
  - 5.9.5 reviewing vulnerable individuals and areas of the School
  - 5.9.6 liaison between Heads of Year and other relevant members of staff, the outcome being recorded appropriately

## 6 Review

The annual review of this policy will take into account any guidance published by the DfE together with the record of any bullying incidents as set out in 4.7 above.

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# Expulsion, Removal and Review Policy

## 1 Introduction

1.1 **Scope:** This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be expelled from the School, or required to leave permanently for misconduct or other reasons. The policy applies to all pupils at the School but does not cover cases when a pupil has to leave because of ill-health, non-payment of fees, or withdrawal by his / her parents.

1.2 **Interpretation:** The definitions in this clause apply in this policy.

**Head:** references to the Head may include deputies.

**Parent:** includes one or both of the parents, a legal guardian or education guardian.

**Expulsion:** means the dismissal of a pupil from the School following serious misconduct formally recorded.

**Removal:** means that a pupil has been required to leave, but without the stigma of expulsion.

## 2 Policy statement

2.1 **Aims:** The aims of this policy are:

- to support the School 's behaviour code
- to ensure procedural fairness and natural justice
- to promote co-operation between the School and parents when it is necessary for the School that a pupil should leave earlier than expected.

2.2 **Misconduct:** The main categories of misconduct which may result in expulsion or removal include but are not limited to:

- supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco
- theft, blackmail, physical violence, intimidation, racism or persistent bullying
- misconduct of a sexual nature; supply or possession of pornography
- possession or use of unauthorised firearms or other weapons
- vandalism or computer hacking
- persistent attitudes or behaviour which are inconsistent with the School 's ethos
- other serious misconduct which affects the welfare of a member or members of the School community or which brings the School into disrepute (single or repeated episodes) on or off School premises.

2.3 **Equality:** The School will make reasonable adjustments for managing behaviour which is related to a pupil's special educational need or disability. Where expulsion needs to be considered, the School will ensure that a pupil with a disability or special educational needs and / or his / her parents are able to

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present their case fully where their disability or special educational needs might hinder this. Any religious requirements affecting the pupil will also be considered.

- 2.4 **Other circumstances:** A pupil may be required to leave if, after all appropriate consultation, the Head is satisfied that it is not in the best interests of the pupil, or of the School, that he / she remains at the School.

### **3 Procedure**

- 3.1 **The procedure:** The procedure followed by the School in cases where a sanction of expulsion or required removal may be imposed by the Head are summarised in the flowchart at **Appendix 1** to this Policy. The three stages of this procedure are as follows:

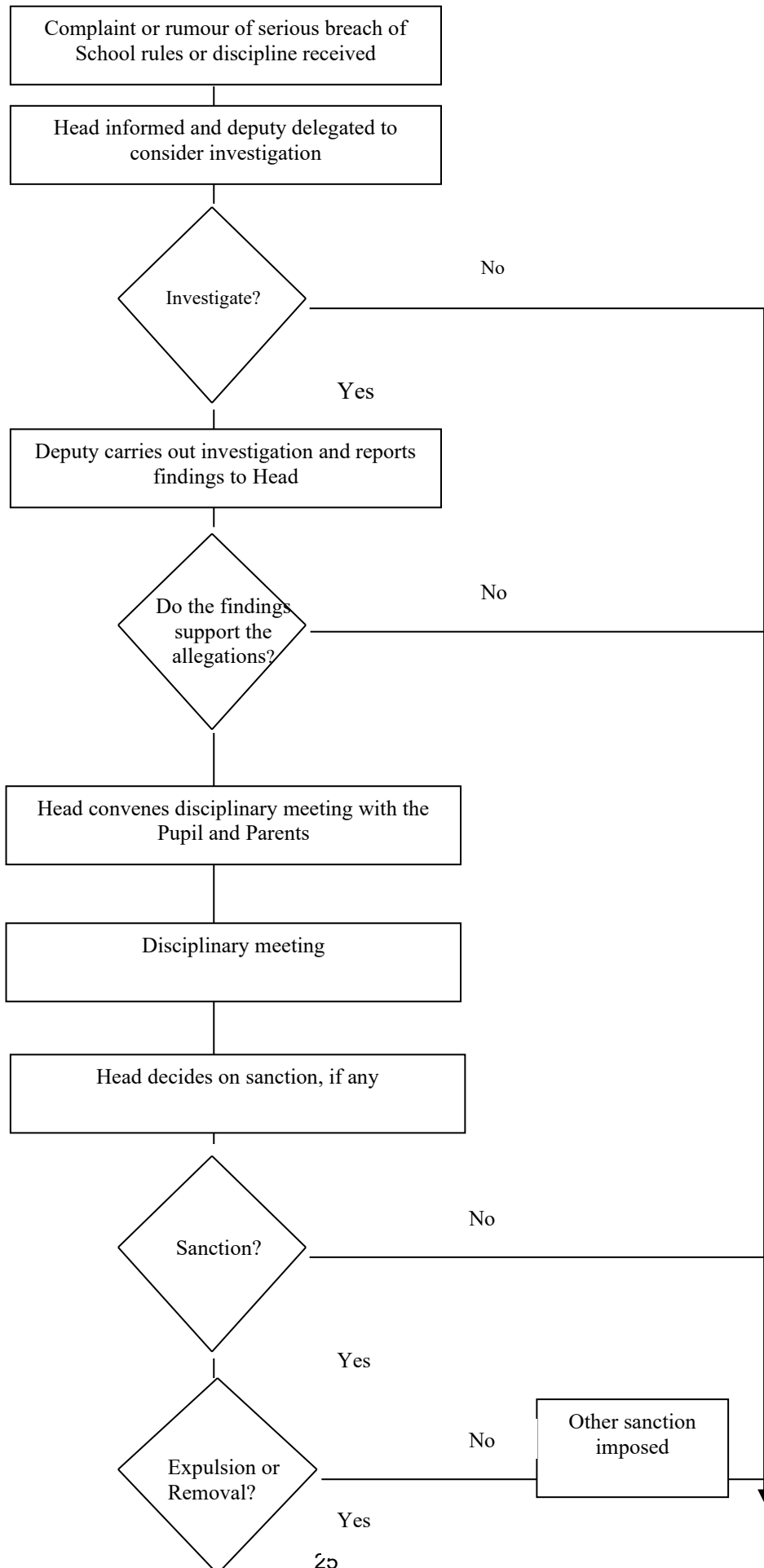
3.1.2 **Investigation procedure** - further details of the procedures to be followed at this stage are set out in **Appendix 2**

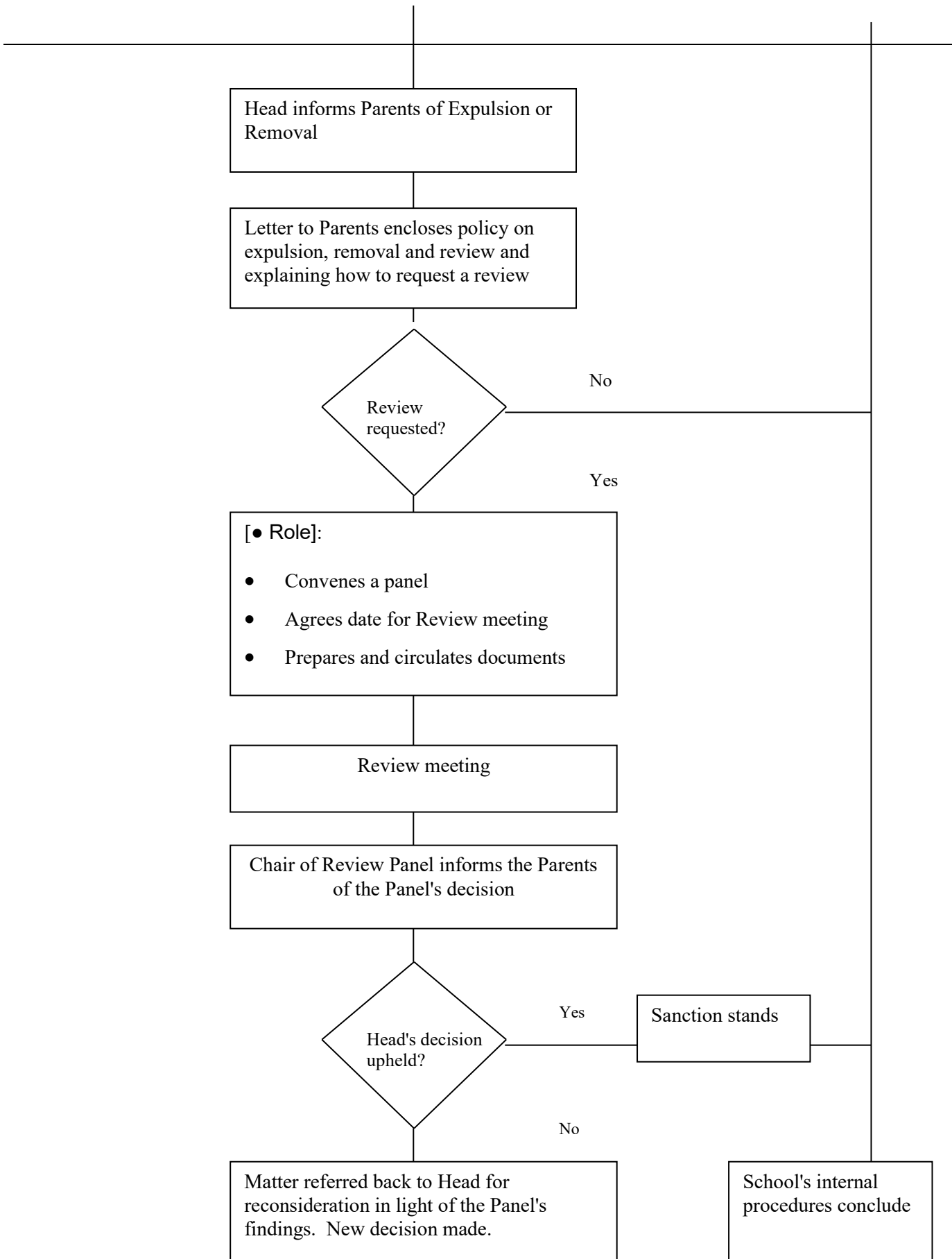
3.1.3 **Disciplinary meeting with the Head** - further details of the disciplinary meeting are set out in **Appendix 3.**

3.1.4 **Review meeting** - further details of the Review meeting are set out in **Appendix 4.**



## Appendix 1 Procedural flowchart





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## Appendix 2 - Investigation procedure

- 1. Complaints:** Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by the Deputy Head, and its outcome will be reported to the Head. Parents will be informed as soon as reasonably practicable if a complaint under investigation is of a nature that could result in the pupil being expelled or removed from the School.
- 2. Suspension:** A pupil may be suspended from the School while a complaint is being investigated or while an investigation is suspended (see paragraph 6 below). Should a suspension continue for a period of more than five School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. Parents or guardians should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, the pupil may be placed under a segregated regime on School premises.
- 3. Search:** We may decide to search a pupil's space and belongings and ask him / her to turn out the contents of pockets or a bag, if we consider there is reasonable cause to do so. Clothing will not be searched until it has been removed from the wearer and care will be taken to ensure reasonable privacy. This policy does not authorise an intimate search or physical compulsion in removing clothing. Only outer clothing will be searched. If necessary, the police would be called. See also Appendix 3 of the School's Behaviour and Discipline Policy for the School's policy on searching and confiscation.
- 4. Interview:** A pupil may be interviewed informally by a member of staff to establish whether there are grounds for a formal investigation. If the pupil is then interviewed formally about a complaint or rumour, arrangements will be made for him / her to be accompanied by a member of staff of his / her choice and/or by a parent (if available at the relevant time). A minute of the interview will be recorded in writing by the interviewing member of staff.
- 5. Ethos:** An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a school, without formal legal procedures.
- 6. Suspension of an investigation:** It may be necessary to suspend an investigation, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to suspend an investigation will take into account advice from an appropriate external agency and will be subject to periodic review.

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## Appendix 3 - Disciplinary meeting with the Head

1. **Preparation:** Documents available at the disciplinary meeting before the Head will include:

- a statement setting out the points of complaint against the pupil
- written statements and notes of the evidence supporting the complaint, and any relevant correspondence
- the Deputy Head's Investigation Report
- the pupil's school file and (if separate) conduct record
- the relevant School policies and procedures.

2. **Attendance:** The pupil and his / her parents (if available) will be asked to attend the disciplinary meeting with the Head at which the Deputy Head will explain the circumstances of the complaint and his / her investigation.

The pupil may also be accompanied by a member of staff of his / her choice. The pupil and his / her parents will have an opportunity to state their side of the case. Members of staff will be on hand to join the meeting if needed, and their statements will be disclosed but, in most cases, the anonymity of pupils will be preserved.

If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Deputy Head so that appropriate arrangements can be made.

If a parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the parent can be involved, remotely if necessary, with the disciplinary process and their child's education.

3. **Proceedings:** There are potentially three distinct stages of a disciplinary meeting:

**3.1 The complaints:** The Head will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless the Head considers that further investigation is needed, he will decide whether the complaint has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities. Appropriate reliance may be placed on hearsay evidence but the Head will not normally refer to the pupil's disciplinary record at this stage.

**3.2 The sanction:** If the complaint has been proved the Head will outline the range of disciplinary sanctions which he considers are open to him. He will take into account any further statement which the pupil and/or others present on his behalf wish to make. The pupil's disciplinary record will be taken into account. Then, or at some later time, normally within 24 hours, the Head will give his decision, with reasons.

**3.3 Leaving status:** If the Head decides that the pupil must leave the School, he will consult with a parent before deciding on the pupil's leaving status (see below).

4. **Delayed effect:** A decision to expel or remove a pupil shall take effect seven days after the decision was first communicated to a parent. Until then, the pupil shall remain suspended and away from School premises. If within seven days the parents have made a written application for a Review of the decision,

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the pupil shall remain suspended until the Review has taken place and either the sanction is upheld or a reconsidered decision made.

## 5. Leaving status

**5.1 Explanation:** If a pupil is expelled or removed, his / her leaving status will be one of the following: Expelled, Removed or if the offer is made and accepted Withdrawn by parents.

**5.2 Detail:** Additional points of leaving status include:

- the form of letter which will be written to the parents and the form of announcement in the School
- the form of reference which will be supplied for the pupil
- the entry which will be made on the School record and the pupil's status as a leaver
- arrangements for transfer of any course and project work to the pupil, his / her parents or another school
- whether (if relevant) the pupil will be permitted to return to School premises to sit public examinations
- whether (if relevant) the School can offer assistance in finding an alternative placement for the pupil
- whether the pupil will be entitled to leavers' privileges
- the conditions under which the pupil may re-enter School premises in the future
- financial aspects: payment of any outstanding fees and extras; whether the deposit will be returned or credited; refunded of prepaid fees.

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## Appendix 4 - Review

1. **Request for review:** A pupil or his / her parents may request a Review of the Head's decision to expel or remove a pupil. The application must be made in writing using the Request Form at **Appendix 5** and received by the Headmaster within seven days of the Head's decision being notified to the parents, or longer by agreement. If the parents or the pupil have any special needs or disabilities which call for additional facilities or adjustments, these should be made known to the Headmaster so that appropriate arrangements can be made.
2. **Grounds for review:** In their application the parents must state the grounds on which they are asking for a Review and the outcome which they seek. For the avoidance of doubt, a mere disagreement with the decision of the Head will not of itself be grounds sufficient for a Review.
3. **Review Panel:** The Review will be undertaken by a three member panel selected by SLT. 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 names of the panel members. Fair consideration will be given to any bona fide objection to a particular member of the panel.
4. **Role of the Panel:** The role of the Panel is to consider the documentation provided by the parties and representations made and to decide whether to uphold the Head's decision or refer the decision back to his / her with recommendations so that he / she may consider the matter further.
5. **Review meeting:** The meeting will take place at the School premises, normally within ten school days after the parents' application has been received. A Review will not normally take place during school holidays. The parents and the Head will be asked to submit any documents they wish to refer to at the meeting to SLT and a single bundle will be circulated to the Panel and the parties at least three days before the meeting. On receipt of new information not previously available to the Head before his decision was made, the SLT will decide whether:
  - to include the new information in the bundle; or
  - to omit the information if not relevant to the grounds for Review; or
  - to make further enquiries of the parents or the pupil about the information; or
  - to refer the information to the Head for his / her consideration as to whether the decision should be revisited.

A Review meeting is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law. The requirement is without prejudice to the parties' right to refer to the Panel's decision in any subsequent legal proceedings.
6. **Attendance:** Those present at the Review meeting will normally be:
  - members of the Review Panel and an appointed Clerk
  - the Head and any relevant member of staff whom the pupil or his / her parents have asked should attend and whom the Head considers should attend in order to secure a fair outcome
  - the pupil together with his / her parents and, if they wish, a member of the School staff who is willing to speak on the pupil's behalf. The parents may be accompanied by a friend or relation. The meeting is not a legal proceeding and so legal representation is not necessary. SLT must be given seven days' notice if the friend or relation is legally qualified and the parents should note that the Review Panel will wish to speak to them directly and this person will not be permitted to act as an advocate.

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7. **Conduct of 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. All statements made at the meeting will be unsworn. The meeting will not be recorded but the Clerk will be asked to keep a hand-written minute of the main points which arise at the meeting. All those present will be entitled, should they wish, to write their own notes. The meeting will be directed by the Chair who will conduct it so as to ensure that all those present have a reasonable opportunity of asking questions and making appropriate comment. Everyone is expected to show courtesy, restraint and good manners. The Chair may at his / her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.
8. **Procedure:** The Head will provide the parents with a copy of the current Review procedure if requested. The Panel will consider each of the points raised by the pupil or his / her parents and any documentation they wish to rely on so far as relevant to:
- **whether the decision was fair procedurally and / or substantively** - whether the facts of the case were sufficiently proved when the decision was taken to expel or require the removal of the pupil. The civil standard of proof, namely, "the balance of probability", will apply and
  - **whether the sanction was proportionate** - that is whether it was warranted in respect of the breach of discipline or the other events which are found to have occurred and to the legitimate aims of the School 's policy in that respect.

The requirements of natural justice will apply. If for any reason the pupil or his / her parents are dissatisfied with any aspect of the meeting they must inform the Chair at the time and ask the Clerk to note their dissatisfaction and the reasons for it.

9. **Decision:** When the Chair decides that all issues have been sufficiently discussed and if by then there is no consensus, he / she may adjourn the meeting; alternatively the Chair may ask those present to withdraw while the Panel considers its recommendations. The Panel's decision and any recommendations will be notified in writing, with reasons, to the Head and the parents by the Chair of the Review Panel within three days of the meeting. The Head will provide his / her response to those recommendations, if appropriate, in writing within 24 hours. In the absence of a significant procedural irregularity, the Head's decision will then be final.

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## Appendix 5 - Form for requesting a Review

To The Headmistress

Subject [Name of pupil]

I/we request a Review of the Head's decision to expel or require the removal of the above named pupil. I/we agree that the Review will be carried out in accordance with the Review Procedure supplied to us with this form and I/we agree to abide by the terms of that Procedure and in particular that the proceedings are and will remain confidential subject to law and that the Head's decision following consideration of the recommendations made by the Panel will be final, subject to such legal rights (if any) as may exist.

I/we confirm that I/we have parental responsibility for the above named pupil and that I/we have consulted the pupil who wishes the Review to be undertaken.

I/we understand that the Panel will be concerned with the fairness and proportionality of the Head's decision in accordance with the School 's existing policies (where applicable and relevant) on educational, pastoral care and administration matters.

I/we understand that we may be accompanied at the Review meeting by a friend or relation and that I/we may ask up to two members of the School staff to attend the meeting and speak on behalf of the pupil if they are willing to do so. If I/we wish to bring a friend or relation who is legally qualified I/we will provide seven days' notice as required.

I/we will inform SLT if I/we have any special needs or disabilities requiring additional facilities or adjustments.

The grounds upon which I/we seek a Review and the matters which I/we wish to discuss at the Review and to ask the Panel to take into account are as set out in a statement attached to this sheet.

(Two signatures required where practicable)

Signed	Signed
Full name	Full name
Relationship to pupil	Relationship to pupil
Date	Date
Address	Address
Telephone number	Telephone number