



Whole School Policy

Expulsion, Removal and Review Policy

Action	Policy to be reviewed annually		
	Committee	Date	Completed
Reviewed	Deputy Head (Pastoral)	07 June 2022	✓
Reported	Audit, Risk & Compliance	28 November 2022	✓
Approved	Board of Governors	12 December 2022	✓
Next review	Deputy Head (Pastoral)	June 2023	

Introduction

Scope: This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be expelled from Gresham's School (**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.

Interpretation: The definitions in this clause apply in this policy:

- **Headmaster:** References to the Head include the Prep School Head and the Pre-Prep Head, and 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.

Policy statement

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.

Misconduct

The main categories of misconduct, which may result in pupils being excluded from the School are listed below:

Bullying

Bullying is the victimisation of one person by another or others. It includes deliberately hurtful or aggressive behaviour repeated over a period of time which is difficult for the victim to defend him/herself against. Bullying can cause both physical and emotional harm (which may cause psychological damage). The School recognises that it is often motivated by prejudice against particular groups, for example, on grounds of race, religion, culture, sex, gender, homophobia, special educational needs and disability, or because a child is adopted or a carer.

Please read the full anti-bullying policy [here](#).

Supply/possession/use of drugs, alcohol, tobacco, vapes or their paraphernalia, or substances intended to resemble them.

Drugs

Every complaint or report of involvement with drugs and substances will be followed up and investigated. It is forbidden to buy, sell, possess, deal in and/or use drugs, with the exception of medicines for the sole use of particular individuals with the agreement of Matrons and the Health Centre.

A pupil suspected of involvement with drugs and substances may be suspended. Anyone supplying drugs must expect to be expelled immediately even if he/she is about to sit public examinations. Anyone possessing or using drugs must also expect to be expelled, but in exceptional cases a supportive regime may be offered as an alternative to expulsion. This

regime is likely to include regular drug-testing to help ensure this behaviour is not repeated. The Headmaster is not obliged to offer a supportive regime.

Any pupils in possession of, using or supplying drugs outside of the School's geographical boundaries and outside of the School's jurisdiction in term time (i.e. in school holidays or during home weekends, and all other times of the year when the pupils are not attending school) would be bringing the School into disrepute and may also be subject to the same sanctions as those applied during term time, including being expelled if the circumstances warrant it. Please read the full Drugs policy [here](#).

Alcohol

The consumption of alcohol by pupils in the Prep School & Years 9, 10 and 11 at Gresham's or on School trips is forbidden. No pupils are permitted to bring alcohol onto School premises or to keep alcohol at School. House Staff have access to breathalyser equipment and have the right to ask pupils to use this equipment if they suspect that alcohol may have been consumed against School Rules. Senior pupils over the age of 16 may drink alcohol in very specific circumstances as outlined in the Alcohol policy.

It will be considered a particularly serious offence for older pupils to supply younger pupils with alcohol, or purchase alcohol for younger pupils, or in any way encourage other pupils to drink alcohol. Offences involving spirits will also attract a greater disciplinary reaction. Furthermore, should somebody be incapacitated, end up sick or have to be put in the Health Centre, then it is likely that a period of suspension will follow. For alcohol offences, the School reserves the right to telephone parents and ask them to collect their child immediately.

The Alcohol Policy is available to parents on the VLE.

Smoking and Vaping

Gresham's acknowledges its pastoral role in the welfare of young people with regard to smoking and vaping. Issues surrounding the dangers of smoking and vaping are raised in the PSHE programme and the 6th Form Wellbeing programme.

Smoking is not allowed on proven grounds of being a danger to health. Vaping and use of nicotine salts is not allowed on similar grounds, though currently the health dangers are uncertain, owing to a lack of research. This is a significant worry. Vaping can also be an easy way into smoking or taking cannabis. Pupils suspected of smoking or vaping any illegal substance such as THC will be dealt with in line with the School's Drugs policy.

The Smoking and Vaping Policy is available to parents on the VLE.

Other types of misconduct

1. Theft, blackmail, physical violence, intimidation, or discriminatory behaviour
2. Misconduct of a sexual nature, including the use of pornography
3. Possession or unauthorised use of firearms or other weapons
4. Breach of the School's ICT Acceptable Use Agreement
5. Vandalism
6. Persistent disregard of the School Rules, aims or Code of Conduct
7. Other serious misbehaviour, either on or off the premises, in or out of term-time, which may bring the School into disrepute
8. Persistent failure to behave reasonably in academic matters.

Equality: The School will make reasonable adjustments for managing behaviour that 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.

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.

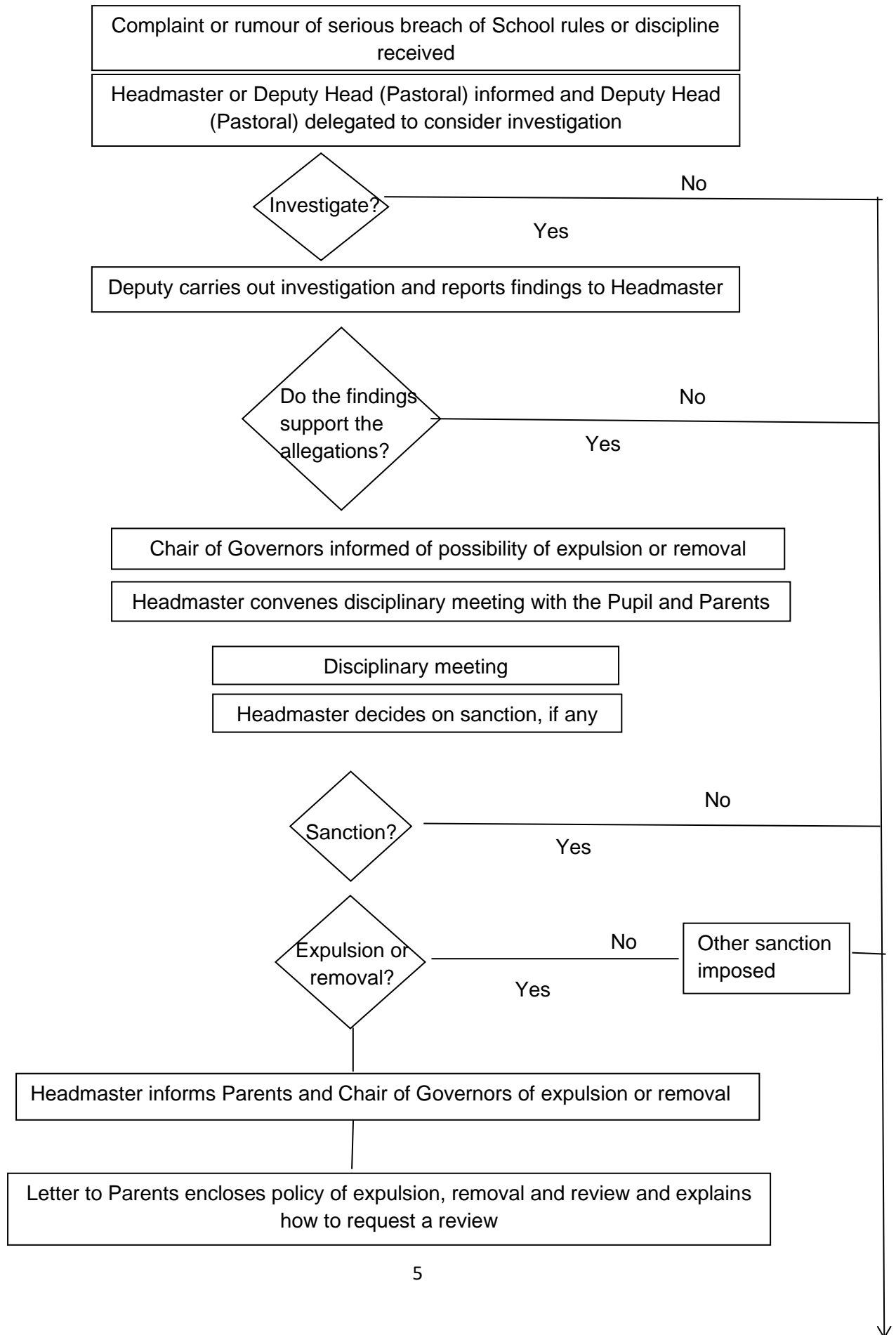
Procedure

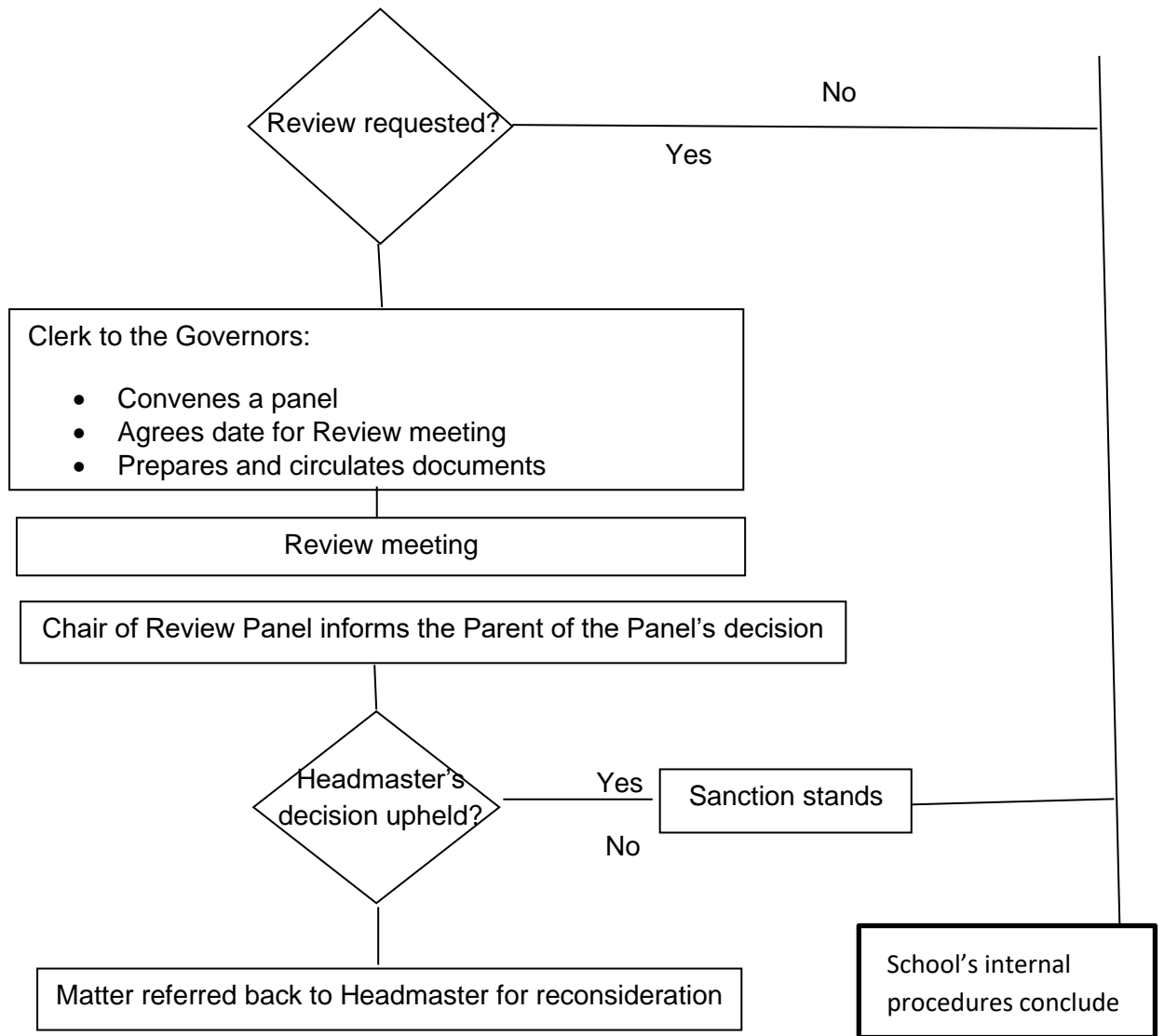
The procedure followed by the School in cases where a sanction of expulsion or required removal may be imposed by the Head is summarised in Appendix 1 to this Policy. The three stages of this procedure are as follows:

- I. Investigation Procedure (Appendix 2)
- II. Disciplinary Meeting with the Head (Appendix 3)
- III. Governors' Review Meeting (Appendix 4)

A form for requesting a Governors' Review is in Appendix 5.

Expulsion & Removal & Review
Appendix 1: Flowchart





Expulsion Removal and Review

Appendix 2: Investigation Procedure

1. **Complaints:** Investigation of a complaint or rumour about serious misconduct will normally be coordinated by the appropriate Deputy Head, and its outcome will be reported to the Headmaster. Parents will be informed as soon as reasonably practicable, and in any case within 2 days, if a complaint under investigation is of a nature that could result in the pupil being expelled or required to leave.
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. The Housemaster/mistress will coordinate these arrangements with the pupil's parents or guardians. 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, including his/her mobile phone, and ask him/her to turn out the contents of pockets or a bag, if we consider there is reason to believe that s/he has in their possession a prohibited item(s), as defined by the law. The School's policy on searching and confiscation can be found in full in Appendix 2 of the School's Behaviour & Discipline Policy and should be strictly adhered to by staff conducting a search. The policy has regard to guidance published by the Department for Education (DfE), Screening, Searching and Confiscation – Advice for Head Teachers, Staff and Governing Bodies [DfE], January 2018.
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.

Expulsion Removal and Review

Appendix 3: Disciplinary Meeting with the Headmaster

1. Preparation

The Chair of Governors will be informed of the meeting. 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 appropriate 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 appropriate Deputy Head will explain the circumstances of the complaint and his 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. provision of documents in large print or other accessible format), those requirements should be made known to the Headmaster or the Deputy Head (Pastoral) or the pupil's Housemaster/mistress 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 and alternative arrangements to ensure the parent can be involved with the disciplinary process and their child's education.

3. Proceedings

There are potentially three distinct stages of a disciplinary meeting:

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

The sanction: If the complaint has been proved, the Headmaster 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/her behalf wish to make. The pupil's disciplinary record will be taken into account. Then, or at some time later, normally within 24 hours, the Headmaster will give his decision, with reasons.

Leaving status: If the Head decides that the pupil must leave the School, he/she 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 by the Governors, the pupil shall remain suspended until the Review has taken place.

5. Leaving status

Explanation: If a pupil is expelled or required to leave, his/her leaving status will be one of the following: expelled, removed or withdrawn by parents.

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 to 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; refund of prepaid fees.

Expulsion Removal and Review

Appendix 4: Governors' Review

1. Request for review

A pupil or his/her parents may request a Governors' Review of the Headmaster's decision to expel or require a pupil to leave, or where a decision has been made to suspend a pupil for 11 School days or more, or where suspension would prevent the pupil from taking a public examination. The application must be made in writing using the Request Form at *Appendix 5* and received by the Clerk to the Governors within seven days of the Headmaster'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 Clerk 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 Headmaster will not of itself be grounds sufficient for a Governors' Review.

3. Review Panel

The Review will be undertaken by a three-member sub-committee of the Board of Governors. The panel members will have no detailed previous knowledge of the case or of the pupil or parents and will not normally include the Chair of Governors. Selection of the Review Panel will be made by the Clerk to the Governors. 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. If appropriate, the panel may include an independent member who is not concerned with the management or running of the School.

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 him with recommendations so that he 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 Headmaster will be asked to submit any documents they wish to refer to at the meeting and a single bundle will be circulated at least three days before the meeting. On receipt of new information not previously available to the Head before his decision was made, the Clerk should contact the Chair of Governors who 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 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.

6. Attendance

Those present at the Review meeting will normally be:

- Members of the Review Panel and the Clerk to the Governors
- 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. The Clerk to the Governors must be given seven days' notice if the friend or relation is legally qualified and the parents should note that this person will not be permitted to act as an advocate.

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 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 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 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 normally apply and
- Whether the sanction was warranted, that is, whether it was proportionate to 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.

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 recommendations will be notified in writing, with reasons, to the Headmaster and the parents by the Chair of the Review Panel or the Chair of Governors within three days of the meeting. The Head will provide his response to those recommendations in writing within 24 hours. In the absence of a significant procedural irregularity, the Head's decision will then be final.

Expulsion Removal and Review
Appendix 5: Form for Requesting a Governor's Review

To The Clerk to the Governors
 Subject [Name of pupil]

I/we request that a sub-committee (**Panel**) of the Board of Governors carries out 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. In particular we agree that the proceedings are and will remain confidential, and that the Head's decision following consideration of the recommendations made by the Governor's Review 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 the Clerk 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: