ST BENEDICT'S SCHOOL
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Expulsion and Required Removal Policy

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1. Introduction

1.1 St Benedict's School

This policy reflects the Benedictine values of St Benedict's School: love, forgiveness, integrity, fairness, and generosity. All procedures are designed to uphold the dignity and welfare of every member of the School community.

1.2 Scope

This policy explains the circumstances in which a student may be expelled from St Benedict's School or required to leave permanently for misconduct or other reasons. It applies to conduct in School; while travelling to or from School; while representing the School or taking part in a School-organised activity; and to conduct outside School in the circumstances set out in paragraph 1.2. It does not cover departure because of ill health, non-payment of fees or withdrawal by parents.

1.3 Application

This policy may apply to a student's conduct outside School, including outside school hours, during holidays and online, whether or not the student is wearing School uniform, representing the School or otherwise identifiable as a St Benedict's student. The School will consider such conduct where it has, or could reasonably be expected to have, a material effect on the safety or wellbeing of a member of the School community, the orderly running of the School, or the School's reputation. Any decision to investigate or impose a sanction will take account of the nature and seriousness of the conduct, its connection with the School, the student's age and circumstances, and the requirements of fairness and proportionality.

1.4 Accessibility

This policy can be made available in large print or another accessible format if required.

1.5 Definitions

Head: References to the Head include the Senior Deputy Head and Junior School Headmaster when acting in their stead.

Parent: Includes one or both parents, a legal guardian, or education guardian.

Expulsion: Dismissal of a pupil from the School following serious misconduct, formally recorded.

Required Removal: A pupil required to leave the School, as determined by the Head.

Working days: Monday to Friday, during term time. The School will take reasonable steps to minimise hardship or unfairness caused by delays due to holidays.

2. Policy Statement

2.1 Aims

To support the School's behaviour and discipline code.

To ensure procedural fairness and natural justice.

To promote co-operation between the School and parents when it is necessary for a pupil to leave earlier than expected.

2.2 Expulsion

Only the Head has the authority to expel a pupil.

Serious misconduct which may result in expulsion includes, but is not limited to:

Supply, possession, or use of illegal drugs, solvents, alcohol, tobacco, or related paraphernalia.

Theft, blackmail, physical violence, intimidation, discrimination, or actions amounting to hatred or soliciting hatred for a protected characteristic (e.g., age, race, religion, sexual orientation, disability, gender reassignment, sex), or persistent bullying.

Misconduct of a sexual nature; supply or possession of pornography.

Possession or use of unauthorised firearms or other weapons.

Vandalism, computer hacking, or the creation/posting of highly offensive or libellous material online concerning another member of the School community.

Harmful sexual behaviour, including sexual violence and/or sexual harassment.

Other misconduct specifically provided for in the Parent Contract and School rules.

Other serious misconduct affecting the welfare of a member of the School community or bringing the School into disrepute, whether occurring on or off School premises

2.3 Required Removal

A pupil may be required to leave if, after appropriate consultation, the Head is satisfied that it is not in the best interests of the pupil or the School for them to remain.

Only the Head has the authority to require removal.

Reasons may include:

Breakdown of trust between the School and parents (e.g., lack of support for School policies, unreasonable or abusive behaviour towards staff, pupils, parents, or visitors).

Breakdown of trust between the School and pupil (e.g., persistent minor breaches of discipline, attitudes, or behaviour inconsistent with the School's ethos, or other serious misconduct).

2.4 Withdrawal During Procedure

If a pupil is withdrawn before the conclusion of a disciplinary procedure, the School reserves the right to complete the procedure in their absence and to make a finding. Findings may be reported to inspectors, regulators, local authorities, or the police, and may be referenced in future references for the pupil.

2.5 Malicious Allegations

Where a pupil makes a deliberately invented or malicious accusation against a member of staff or another pupil, disciplinary action may be taken. The School may also refer the matter to the police if appropriate.

2.6 Equality

The School will make reasonable adjustments for behaviour related to a pupil's disability and ensure that any pupil with a disability or religious requirements can fully present their case.

2.7 Looked After and Previously Looked After Children

The School will make every effort to avoid expelling or requiring the removal of a Looked After Child (LAC) or Previously Looked After Child (PLAC) and will consider their particular needs in the application of this policy.

3. Investigation Procedure

3.1 Complaints

Investigation of allegations or complaints about serious misconduct will normally be coordinated by the Senior Deputy Head or Deputy Head Pastoral, who should not have prior involvement. Parents will be informed as soon as reasonably practicable if the investigation could result in expulsion or required removal.

3.2 Suspension

A pupil may be suspended from School as a neutral act during investigation. If suspension exceeds three working days, reasonable steps will be taken to ensure continuing education.

3.3 Search

Staff may search a pupil's space and belongings if there is reasonable cause. Only outer clothing may be

searched, and privacy will be respected. The police will be called if necessary.

3.4 Interview

A pupil may be interviewed informally or formally. For formal interviews, the pupil may be accompanied by a member of staff of their choice or a pastoral staff member. Interviews will be age-appropriate and recorded.

3.5 Ethos

Investigations and meetings will be conducted fairly and appropriately, without formal legal procedures.

3.6 Adjournment

Investigations may be adjourned if external agencies (e.g., police, children's services) are involved. The School will provide appropriate support for all affected pupils.

4. Disciplinary Meeting Before the Head

4.1 If investigation findings support the allegation, a disciplinary meeting with the Head will be held.

4.2 Preparation

Documents available at the meeting will include:

Statement of complaint

Written statements and supporting evidence

Investigation report

Relevant parts of the pupil's school file and conduct record

Relevant policies and procedures

Parents will receive copies of the complaint statement and relevant policies and may receive summaries or redacted versions of other documents.

4.3 Attendance

The pupil and parents will be asked to attend. The pupil may request to be accompanied by a member of staff of their choice. All parties will have the opportunity to state their case.

4.4 Adjustments

If parents or pupils have special needs or disabilities, reasonable adjustments will be made.

4.5 Proceedings

Three stages:

Complaint(s): The Head considers the evidence and decides if the complaint is proved (on the balance of probabilities).

Sanction: If proved, the Head outlines possible sanctions and considers further statements. The pupil's disciplinary record is taken into account.

Leaving status: If the pupil must leave, the Head may consult with parents before deciding on leaving status.

4.6 Delayed Effect

A decision to expel or remove a pupil takes effect five working days after communication to parents. If a written application for a Governors' Review is made within five days, the pupil remains suspended until the Review.

5. Leaving Status

5.1 If a pupil is expelled or required to leave, their status will be recorded as expelled, removed, or withdrawn by parents (if agreed).

5.2 Parents will be informed of:

The form of letter and announcement

The reference to be supplied

Entry on the School record

Arrangements for transfer of work

Permission to sit public examinations

Assistance in finding alternative placement

Leavers' privileges

Conditions for re-entry

Financial aspects (fees, deposit, refunds)

6. Governors' Review

6.1 Parents wishing to review the decision must write to the Chair of Governors within five working days of receiving the decision letter.

6.2 Review procedures are outlined in the Governors' Review Procedure, available on request.

7. Record Keeping and Data Protection

7.1 All records are managed in accordance with the School's data protection and record retention policies.

7.2 Administration of major punishments is recorded, including pupil name, reason, dates, and person administering. The log is reviewed regularly.

7.3 Records may contain personal data, managed according to the School's privacy notices and data protection policies.

Appendix

Governors Review Procedure

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This procedure explains how parents may ask governors to review a decision to expel a student or require their removal under the School's Expulsion and Required Removal Policy. The panel provides independent scrutiny and may recommend reconsideration. The final decision remains with the Head, taking into consideration the panel's recommendations.

1 Scope and relationship with other policies

This procedure applies to a decision under the Expulsion and Required Removal Policy to expel a student or require their removal. It does not determine ordinary suspensions, other disciplinary sanctions, non-payment of fees, ill health or a parental withdrawal. A suspension pending investigation or review is managed under the Expulsion and Required Removal Policy.

This is a separate review from the parental Complaints Policy. A complaint about a distinct matter may be considered under that policy, but the merits of an expulsion or required removal decision are considered under this procedure. "Head", "parent", "School" and "working day" have the meanings in the Expulsion and Required Removal Policy. The School will take reasonable steps to minimise delays caused by holidays.

2 Notice of decision and request for review

The Head's decision letter will give the reasons for the decision, the proposed leaving status, the date on which it would take effect, and how to request a review. The School will supply a copy of the procedure with the letter or promptly upon request.

A parent who wishes to request a review must write to the Chair of Governors within five working days of receiving the decision letter, stating the grounds of review, the outcome sought, and any documents on which they wish to rely. The request should be sent via the Clerk to the Governors, marked for the Chair. The Chair may accept a late request where there is good reason, particularly where the delay is owing to disability, difficulty accessing documents, or a school holiday. The Clerk will acknowledge the request promptly and advise the parents of next steps.

A review may address whether the process was fair, relevant policies were followed, the Head had a reasonable evidential basis for material findings, relevant circumstances and mitigation were considered, and the decision was reasonable and proportionate. The parents need not use formal legal grounds. A disagreement with the outcome alone will not require the panel to substitute its view for the Head's.

3 Effect of requesting a review

Under the Expulsion and Required Removal Policy, an expulsion or required removal takes effect five working days after it is communicated to parents. If a written review request is made within that period, the student remains suspended pending the review. Where the panel recommends reconsideration, the suspension continues until the Head communicates the reconsidered decision, unless the Head makes a different interim arrangement. The School will review the suspension regularly, attend to the student's welfare and make reasonable arrangements for continuing education. No adverse inference will be drawn

from the request for review.

4 Review panel and Clerk

The Chair of Governors will appoint a panel of three governors and identify its chair. Members must have had no material part in investigating or deciding the matter and must declare any conflict or relevant prior knowledge. Having been notified of a decision does not by itself disqualify a governor; conflict or substantive involvement may do so. The Chair of Governors should not sit where previously consulted on the case. If the Chair is conflicted, an unconflicted governor will make the appointments.

The Clerk to the Governors, or another person appointed for that purpose, will organise the review, circulate papers, keep an accurate record and advise on process. The Clerk is not a decision maker. Panel members must approach the matter with an open mind and may seek independent advice where needed; any substantive advice that influences the review should be disclosed in a fair manner.

5 Preparation and disclosure

The Clerk will arrange a review as soon as reasonably practicable, normally aiming for a hearing within 10 working days of receiving the request. The parties will receive reasonable notice of its time, place or video arrangements, the names of panel members, and a common bundle normally at least three working days before the hearing. Where circumstances require a shorter timetable, both sides must still have a fair opportunity to prepare.

The bundle will normally contain the decision letter; the parents' request and evidence; the investigation report, material statements and evidence considered by the Head; relevant portions of the conduct record; and relevant policies. The School may redact information to protect other students, safeguarding interests and personal data in line with data protection regulations. It should nevertheless provide a fair account of material relied on so that parents can respond. Material given to the panel must ordinarily be shared with the parents and the Head on the same basis unless there is a justifiable reason e.g. information from a third party which cannot be suitably redacted.

The Clerk will invite further relevant material by a stated deadline. New evidence may be admitted where it could materially affect the decision and there is a fair opportunity to respond; the panel may adjourn for further enquiries. It should distinguish evidence that was before the Head from evidence that emerged later.

6 Attendance and support

The Head will normally attend to explain the decision. The parents will be invited to attend, and the student may be heard in an age-appropriate manner, in person or through a written statement, with attention to their wishes and welfare. A relevant investigator or other member of staff may attend for a particular part of the hearing process if the panel needs clarification.

Parents may be accompanied by a friend or supporter. It is not necessary for that person to be legally qualified; indeed, as review hearings are not legal proceedings, if parents are accompanied by a legally qualified person, that person will be attending in a supportive capacity only and will not be permitted to advocate on the parents' behalf. They should notify the Clerk in advance of the person's identity and role.

The Clerk will arrange reasonable adjustments, accessible formats, interpretation or other support where appropriate, including for a student with SEND or a disability. If a parent or student cannot attend, the

panel may rearrange once where practicable or consider written representations, ensuring a fair opportunity to participate.

7 Conduct of the review

The hearing is a fair, respectful discussion led by the panel chair, not a formal trial or a complete rehearing. The chair will explain its scope, introduce participants and check that each side has the materials. The Head will explain the decision and answer questions. Parents and, where appropriate, the student will explain their grounds and answer questions. The panel may ask each party for clarification, permit questions through the chair, and invite brief closing remarks, with parents speaking last. Direct cross-examination is not permitted.

The chair may pause or adjourn the hearing to obtain necessary information, address a safeguarding or welfare concern, or give either side a fair chance to respond to new material. The Clerk will record the reason and revised arrangements. The panel deliberates privately with the Clerk after the parties have withdrawn.

8 Matters for the panel and its powers

The panel will review whether the investigation and decision-making process were fair; whether material findings had a sufficient evidential basis applying the balance of probabilities where misconduct was alleged; whether relevant policies, adjustments and obligations were observed; whether pertinent context and mitigation were taken into account; and whether the decision was within the range of reasonable and proportionate decisions open to the Head. The panel will take account of the student's interests and those of the wider School community.

The panel may:

- uphold the Head's decision, giving reasons; or
- recommend that the Head reconsider the decision, identifying the matters requiring attention and giving reasons. It may recommend further enquiries or consideration of a lesser sanction or different leaving status.

The panel cannot expel, remove or reinstate a student, overturn or vary the Head's decision, or require the Head to reach a particular outcome. Its recommendation must nevertheless receive genuine and careful consideration.

9 Outcome and reconsideration

The panel chair will communicate its reasoned findings in writing to the parents and Head as soon as reasonably practicable, normally within five working days of the hearing. If reconsideration is recommended, the Head will consider the panel's reasons and any further information fairly, undertake any further steps necessary, and communicate a reasoned final decision to the parents normally within five working days of receiving the recommendation. If more time is needed, the School will explain why and give an expected date.

The final decision on expulsion, required removal and leaving status is the Head's. If the decision changes, the School will confirm the student's status, reintegration or other practical arrangements, and any correction to its records. This procedure does not remove any legal rights available to the parties.

10 Records and confidentiality

The Clerk will retain the review papers, hearing record, panel findings and the Head's response under the School's retention and data protection policies. Information will be shared only as needed for the review, safeguarding, legal duties or school administration. Parents may request an accessible copy of this procedure via the Clerk.