



# MAGDALEN COLLEGE SCHOOL

FOUNDED IN 1480  
BY WILLIAM OF WAYNFLETE

## **DISCIPLINE, EXCLUSION AND REQUIRED REMOVAL POLICY**

**Contents**

Introduction..... 3

Breaches of School Rules by pupils which merit Suspension or Expulsion..... 4

Circumstances which may merit required removal..... 5

Suspension (Temporary Exclusion)..... 6

Expulsion (Permanent Exclusion) ..... 7

Religious belief..... 8

Decision to expel/require removal..... 8

Review of expulsion decision ..... 8

Recording and monitoring..... 9

## Introduction

The School's Promoting Positive Behaviour Policy details the reward and promotion of good behaviour as well as the sanctions for misbehaviour. The following specifically deals with major disciplinary and relationship issues. Terminations of the Parent/School Contract for other reasons are dealt with elsewhere. It should be read in conjunction with the Promoting Positive Behaviour Policy and other policies pertaining to behaviour.

Reasonable adjustments will be made to this policy for those with disabilities.

School staff can issue sanctions any time pupils are in school or elsewhere under the charge of a member of staff, including on school visits. This also applies in certain circumstances when a pupil's misbehaviour occurs outside of School. Teachers may discipline pupils for behaviour off school premises, including:

- misbehaviour when the pupil is:
  - taking part in any School-organised or School-related activity;
  - travelling to or from School;
  - wearing School uniform; or
  - in some other way identifiable as a pupil at the School, or
- misbehaviour at any time, whether or not the conditions above apply, that:
  - could have repercussions for the orderly running of the School;
  - poses a threat to another pupil or member of the public; or
  - could adversely affect the reputation of the School.

Note that this is not an exhaustive list.

We have a range of disciplinary measures which include:

- a verbal reprimand from a member of School staff;
- reports to parents (which are always worded to be as constructive as possible);
- additional school work or repeating unsatisfactory work until it meets the required standard;
- the setting of written tasks as sanctions, for example, letters of apology or an essay relevant to the poor behaviour (e.g. the dangers of smoking);

- Referrals
- Detention (held on a Friday at 4pm for one hour)

The Master and Governing Body will at all times act reasonably in reaching their decisions.

The Governing Body make available to the Master three sanctions for more serious breaches of the School Rules. These are:

- Master's Detention\*, which takes place on a Saturday morning;
- Suspension from School (also known as Temporary Exclusion);
- Expulsion (also known as Permanent Exclusion).

\*In the Junior School Detention with the Head of the Junior School, taken in situ, takes the place of Master's Detention

In some cases, these sanctions will be evoked sequentially. However, a single breach of school discipline of a major kind may justify permanent exclusion without any previous Master's sanction having been invoked.

The Master does not generally award Master's Detention more than twice in a single academic year, and will nearly always impose suspension or expulsion on any occasion when a third Master's Detention is merited.

## Breaches of School Rules by pupils which merit Suspension or Expulsion

A non-exhaustive list of the sorts of behaviour that could merit permanent exclusion (including behaviour or conduct outside of School) includes the following:

- physical assault against pupils or adults;
- behaviour which puts the safety of the pupil, or any other person, in jeopardy;
- verbal abuse/threatening behaviour against pupils or adults;
- bullying, including cyber-bullying;
- committing a criminal offence;
- fighting;

- abuse on the grounds of race, religion/belief, disability, SENs (etc.) or any form of unlawful discrimination;
- sexual harassment or misconduct, including non-consensual sharing of nudes or semi-nude images and/or videos;
- drug and alcohol misuse (including supply/possession/use);
- damage to property;
- vandalism or computer hacking;
- theft or unauthorised possession of any property belonging to the School, another pupil, or a member of staff;
- wilful damage to property;
- bringing illegal, inappropriate or dangerous items into School, such as drugs, weapons, firearms, pornographic material etc;
- misconduct which adversely affects or is likely to adversely affect the welfare of a member or members of the School community;
- misconduct which brings or is likely to bring the School into disrepute; and
- persistent disruptive behaviour or breaches of the School Rules.

## Circumstances which may merit required removal

A non-exhaustive list of the sorts of circumstances that could merit required removal (including behaviour or conduct outside of School) includes the following:

- Conduct or behaviour (including conduct or behaviour outside of School) which is unsatisfactory and/or in the reasonable opinion of the Master, the removal is in the School's best interests, and/or those of the pupil in question and/or other children;
- Where attendance is unsatisfactory and/or, in the reasonable opinion of the Master, the removal is in the School's best interests and/or those of the pupil in question and/or of other children;
- Where progress is unsatisfactory and/or, in the reasonable opinion of the Master, the removal is in the School's best interests and/or those of the pupil in question and/or of other children;
- Circumstances where the School is unable to meet the pupil's needs, including cases where the School cannot reasonably accommodate adjustments or reasonably provide the nature or level of support required.

- As set out in the School’s Parent Contract, the School may also require the removal of a pupil in circumstances where the Master considers in their discretion that the behaviour or conduct of a parent (or both parents) is unreasonable; and/or adversely affects (or is likely to adversely affect) their child's and/or other children's progress at the School, and/or the wellbeing of School staff; and/or brings (or is likely to bring) the School into disrepute (among the School community or the general public); and/or is not in accordance with their obligations under the Parent Contract. A non-exhaustive list of the sorts of behaviour that could merit required removal of a pupil on the grounds unacceptable parental behaviour or conduct includes the following:
  - treating the School or a member of staff unreasonably;
  - making a malicious allegation about a member of staff or the School;
  - communicating with the School in person or in writing (directly or indirectly), in a manner which is deemed voluminous, and/or relentless, and/or confrontational, and/or unreasonable, and/or overly aggressive;
  - behaving in a manner which adversely affects (or in a manner which is likely to adversely affect) the welfare of a member or members of the School community; and
  - breaching the Parent Contract.

The School reserves the right to impose sanctions for parental behaviour falling short of required removal, including but not limited to placing restrictions on a parent’s access to School / School events, communications with the School and/or the imposition of a warning (up to and including a final written warning).

Please note that exclusion / required removal may also be imposed by the School as a sanction for a series of more minor misdemeanours (whether that be pupil or parental related) and/or repeated short-term absence in the case of the pupil (as well as long term absence).

## Suspension (Temporary Exclusion)

Only the Master or Usher can suspend a pupil. Before deciding to suspend a pupil, the Master will:

- Ensure that an appropriate investigation has been conducted;
- Ensure that all the relevant evidence has been considered;
- Give the pupil an opportunity to be heard;
- Consult other relevant people if the Master considers this appropriate.

Work will generally be set for a pupil to do at home during the period when they are suspended. In addition, consideration will be given to any relevant problems of the suspended pupil and how they might be addressed in the interim together with reintegration post-suspension.

The Master or Usher will inform parents without delay by telephone, followed up by a letter stating the length of suspension, and the reasons.

Suspension constitutes a clear warning that continued membership of the school is at risk and this warning should be regarded as final. The Master is in all cases reluctant to suspend more than twice and pupils and parents must understand that a second suspension may, at the Master's discretion, be converted into an expulsion.

It is usual for the Master to inform the Chairman of Governors in the event of a pupil receiving a suspension.

The School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure. Alternatively, the pupil may be placed under a segregated regime if they remain on School premises.

## Expulsion (Permanent Exclusion)

Temporary or permanent exclusion can follow from a range of offences including any matter pertaining to a serious breach of the school rules. Such reasons may include (but are not limited to) the possession, use or distribution of alcohol, tobacco, illegal substances and recreational drugs (including "legal highs"); failure to undergo a drugs test when requested; anti-social behaviour (including cyber bullying); bringing the school into disrepute (including verbally, in print or online); gambling; stealing. Repeat offences are particularly likely to give rise to a temporary or permanent exclusion.

In making decisions about exclusion the Master will take into account any special educational needs, disabilities, gender and cultural differences that may be relevant to the case.

The Master will inform the Chairman of Governors before any pupil receives an expulsion.

## Religious belief

Although the School's religious ethos is based on Christian values and tradition, the School is inclusive and welcomes and respects the rights and freedoms of individuals from other religions and faiths (or with no religion or faith) subject to considerations of safety and welfare and the rights and freedoms of other members of the School community.

The governing body, through the senior leadership team, actively promotes the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.

## Decision to expel/require removal

Only the Master can expel a pupil and before doing so the School will follow the same procedure as for suspension.

Prior to any decision being taken by the Master to exclude or require the removal of the pupil, the Master will meet with the pupil and their parents or (in circumstances involving the possibility of the pupil's required removal on the grounds of parental unreasonable behaviour) the parents.

If the Master considers that further investigation is needed, the meeting may be adjourned, and the reason for the adjournment will be explained to the pupil / their parents.

Following the conclusion of the meeting the Master will reach their decision. The Master will communicate their decision in writing within six working days from the meeting.

## Review of expulsion decision

A decision to expel a pupil is not taken lightly and before it is reached the Master will have given careful consideration to any representations by the parents and may consult with others if she thinks fit.

If the decision is confirmed, the parents will be informed immediately and they may, if they wish, seek a Governor review of the decision by letter addressed to The Clerk to the Governors at the School. If parents wish Governors to review the case, they should, within 14 working days, set out

in writing the reasons they see for review and for setting the decision aside. The decision remains effective unless and until Governors may decide otherwise.

Any review will be carried out by Governors who have up to that point had no involvement in the case. For the avoidance of doubt, a Governor Review relating to expulsion is not a complaint. This review will consider whether there was material on which it was reasonable for the Master to act, whether the pupil was given proper opportunity to answer the charges made, and whether overall the decision was fair and reasonable. Parents will be given an opportunity to present their case and to question the Master. The decision of the Governors will be communicated to the parents, and is final.

If a decision is taken by the parents to withdraw the pupil, the parents will waive any right to an appeal.

For the purposes of this policy “working days” refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term.

## Recording and monitoring

Details of the exclusion, required removal or suspension will be recorded on the School’s Sanctions Record.