



MAGDALEN COLLEGE SCHOOL

FOUNDED IN 1480
BY WILLIAM OF WAYNFLETE

Discipline, Exclusion and Required Removal Policy

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Reviewer	Usher
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Introduction

This policy should be read in conjunction with the School's Behaviour Management Policy, Anti-Bullying Policy, School Rules, Drugs and Alcohol Policy, Online Safety Policy and Complaints Procedure.

This policy is available on the School's website and also on request from the School.

At Magdalen College School we encourage the establishment of good teacher-pupil relationships and support for the School's values through a system of rewards and sanctions which are designed to promote a calm and disciplined learning environment. Our system of rewards includes:

- verbal praise and written praise for good work and/or acts;
- reports to parents;
- house points and commendations (worth 5 house points) (Junior School only);
- commendation slips and certificates for achieving certain numbers of commendations (2nd Form – 5th Form)
- positive cause for comment slips (6th Form)
- annual subject and year group prizes;
- announcing examples of excellent work/acts/achievements in School chapel or assemblies
- posting examples of excellent work/acts/achievements in School publications, website, and/or social media, so that the community can celebrate success;

Sanctions for breaches of discipline

It is hoped that pupils will respond to the School's positive encouragement and rewards and will comply with the School Rules at all times. However, the School acknowledges that from time to time, pupils' conduct may fall below the standards of behaviour reasonably expected by the School.

When poor behaviour is identified sanctions are implemented in line with the School's Behaviour Management Policy.

School staff can issue sanctions any time pupils are in School or elsewhere under the charge of a member of staff, including on School trips. This also applies in certain circumstances when a pupil's misbehaviour occurs outside of School.

The School has a range of sanctions 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);
- time outs (Junior School)
- referral slips (2nd Form – 5th Form);
- conduct slips (Junior School)
- cause for comment slips (6th Form)
- Junior School detention (3:30-4:30pm, Friday)
- Senior School detention (4:00-5:00pm, Friday)

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 invoked 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, or their representative, 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.

The relevant teacher is responsible in the first instance for dealing with minor infringements, such as lateness, casual rudeness or disruption in class, and late or poorly completed work. They may impose any of the sanctions above, excluding the three Master's sanctions. School detentions may only be issued with the agreement of the relevant Head of Year/Section or the Deputy Head (Pastoral) of the Junior School.

Persistent lateness will be reported to the pupil's tutor and Head of Year/Section or the Deputy Head (Pastoral) of the Junior School, and may lead to a detention.

Persistently poor academic work/performance/effort may result in the Head of Year/Section or the Deputy Head (Academic) of the Junior School requiring a pupil's teachers to fill in a satis card (or equivalent) at the end of every lesson that he/she attends for a period of one or two weeks.

Deliberately missing a lesson, or other school event such as a musical/drama performance or sports fixture may result in a detention or Master's detention.

Serious or repeated breaches of school rules may lead to suspension. Only the Master, Usher, or their representative, can suspend a pupil. Before deciding to suspend a pupil, the Master, or their representative, 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, or their representative, 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 difficulties of the suspended pupil and how they might be addressed in the interim together with reintegration post-suspension.

The Master, Usher, or their representative, will inform parents without delay in a meeting, over the telephone or by email, 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, or their representative, is in all cases reluctant to suspend more than twice and pupils and parents must understand that a second suspension may, at the discretion of the Master, or their representative, be converted into an expulsion. It is usual for the Master, or their representative, to inform the Chairman of Governors in the event of a pupil receiving a suspension.

Breaches of discipline outside of the School grounds

The School takes the conduct of its pupils outside of School grounds extremely seriously. A pupil's misbehaviour outside of School can be damaging to the reputation of both the pupil and the School. Where an incident is reported to the School of a pupil's poor behaviour outside of the School grounds and the incident has not been witnessed by School staff, the School will take an evidence-based approach and/or talk to witnesses before identifying further action and any sanctions required for such behaviour.

School staff 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.

Please note that this is not an exhaustive list.

Reporting to other agencies

The School will in almost all cases report to the police any activity which it believes may amount to a criminal activity which takes place either within the School grounds or outside of its grounds. Suspected drugs and weapons will be confiscated immediately and held for the police as potential evidence. If the School believes a pupil may have taken drugs then the School will seek immediate medical advice and may involve the police. Alleged sexual offences (including those committed online) will be reported to the police without undue delay. Other agencies, for example Children's Social Care, may also be notified where necessary and appropriate to the facts of the case.

Breaches of School Rules by pupils which merit expulsion

All pupils are entitled to an education where they are protected from disruption and can learn in a calm, safe and supportive environment. Serious incidents or persistent poor behaviour which has not improved following in-School sanctions and interventions could result in permanent exclusion of a pupil.

A non-exhaustive list of the sorts of behaviour that could merit permanent exclusion (including behaviour or conduct outside of School and, where applicable, online) 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, in accordance with the School's Anti-Bullying Policy;

- deliberate and significantly harmful humiliation of a member of the School community;
- committing a criminal offence;
- fighting;
- abuse on the grounds of age, disability and SENs, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or body image or any form of unlawful discrimination;
- sexual harassment or misconduct, including non-consensual sharing of nudes or semi-nude images and/or videos or the generation and/or sharing of explicit images of others (for example using AI);
- engaging in inappropriate sexual activity during School activities and/or while on School property;
- drug and alcohol misuse (including supply/possession/use);
- refusal to undergo a drugs test when requested;
- 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;
- Serious academic malpractice, for example, the improper use of AI generated material in externally examined coursework;
- misconduct which brings or is likely to bring the School into disrepute; and
- persistent disruptive behaviour or breaches of the School's Behaviour Management Policy or School Rules.

The School reserves the right to impose a less severe sanction than permanent exclusion for such conduct or behaviour, including but not limited to the imposition of a period of suspension or a warning (up to and including a final written warning).

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 including, where applicable, online) includes the following:

- Conduct or behaviour (including conduct or behaviour outside of School including, where applicable, online) which is unsatisfactory;
- Where attendance is unsatisfactory;
- Where progress is unsatisfactory;
- 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;
- Where, in the reasonable opinion of the Master, or their representative, the required removal is in the School's best interests (including our staff) and/or those of the pupil and/or of other children.

The School reserves the right to impose sanctions for conduct or behaviour which fall short of required removal, including but not limited to the imposition of a period of suspension or a warning (up to and including a final written warning).

Unreasonable parental conduct which may merit required removal

As set out in the School's Parent Contract, the School may also require the removal of a pupil in circumstances where the Master, or their representative, 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, a pupil, a member of the School community, or the School;
- discriminatory, bullying or harassing conduct or behaviour towards staff (including sexual harassment);
- 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 a less severe sanction than required removal for such parental behaviour, 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).

Serial or persistent issues

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 parent related) and/or repeated short-term absence in the case of the pupil (as well as long term absence).

Procedure

Parents will be informed as soon as reasonably practicable in the event there is a complaint, concern, allegation or circumstance that could result in the pupil being excluded or removed.

Although the School will endeavour to process investigations and disciplinary steps as swiftly as reasonably practicable, there may be factors, such as contact with external agencies, which require the School to pause or delay their internal processes.

The Master, or their representative, for their part undertakes to make decisions in respect of exclusions or required removals fairly, and, where appropriate, after due investigative action has taken place (such investigation to be carried out by the Master or their nominee). Any findings of fact will be made on the basis of the balance of probabilities. The nature and level of investigation carried out by the School will depend on the circumstances of the case. Parents will be provided (to the extent appropriate) with the information / evidence collated which is relevant to the allegation, concern or circumstance (which could result in the pupil's exclusion or removal) and on which the School proposes to consider when reaching its decision.

The School reserves the right to require the pupil to remain away from School as a neutral act during an investigation procedure; this may be, for example, to protect the integrity of any investigation or to support the welfare of the pupil themselves and/or other members of the School community or in compliance with direction from statutory agencies. Alternatively, depending on the circumstances of the case, the pupil may be placed under a segregated regime if they remain on School premises.

Decision to expel / require removal

Only the Master, or their representative, can expel or require the removal of a pupil and before doing so the School will follow the procedure above.

Prior to any decision being taken by the Master, or their representative, to expel or require the removal of the pupil, the Master, or their representative, will meet with the parents and sometimes the pupil as well.

In circumstances where the School believes removal may be warranted because the School is unable to meet the pupil's needs, reasonably accommodate adjustments or reasonably provide the level or nature of support required or where there are progress and/or attendance issues, the School will collate relevant information and evidence (including, where available and appropriate, any external or expert evidence or assessments), share and discuss these with the parents and provide the parents with a reasonable opportunity to share their views.

If the Master, or their representative, considers that further investigation/information 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, or their representative, will reach their decision having taken all the relevant circumstances into account. The Master, or their representative, will communicate their decision in writing within six working days from the meeting.

Decisions to exclude or require removal will take effect immediately unless otherwise notified.

Review of expulsion/required removal decision

A decision to expel or require the removal of a pupil is not taken lightly and before it is reached the Master, or their representative, will have given careful consideration to any representations by the parents and may consult with others if the Master, or their representative, 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, or their representative, 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, or their representative. For clarity, the pupil will remain excluded or removed from the School pending the outcome of the appeal. 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, half term holidays and school holidays.

Recording and monitoring

Where the School imposes expulsion, required removal or suspension as a sanction, the written record of the investigation will be placed on the pupil’s file. In cases where the decision to require removal was not due to the pupil’s behaviour or conduct, e.g. because of the School’s inability to meet need or unreasonable parental conduct, this will be clearly noted.

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