



STUDENT REMOVAL PROCEDURE

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THE KING ALFRED SCHOOL

STUDENT REMOVAL PROCEDURE

KAS prides itself on its inclusive nature and its commitment to pastoral care; as such, removal of a student from the school community is a rare event. However, it may be a necessary step in some instances due to

- a serious one-off incident
- on-going student behaviour issues which adversely impact on others in the community
- unreasonable behaviour by a parent

Grounds for removal include, but are not limited to:

- Behaviour that adversely affects the academic progress of other students
- Behaviour that adversely affects the well-being and/or safeguarding of one or more students
- Behaviour that adversely impacts on the well-being of school staff
- Bringing the school into disrepute
- Behaviour that is illegal
- Behaviour that breaches school policies which include provisions for the removal of a student, including (without limitation) the behaviour, drugs and safeguarding policies
- Behaviour that is not in accordance with the obligations under the parent contract

When considering removal of a student, decisions are required to be reasonable and proportionate, and to have followed a fair process.

In considering events, the school will work on the basis of the civil standard of proof: 'the balance of probabilities'. This means that an event is judged to be more likely to have happened than not to have happened. This is different to the criminal standard of proof of 'beyond reasonable doubt'.

This policy can be triggered in a number of ways:

- Following an investigation into a serious one-off incident
- Following review of a plan already in place to support to a particular student
- By the provisions in another policy, such as the drugs and safeguarding policies

Process

Summary

- 1) The decision to remove a student is taken by the Head of the school, in conjunction with senior colleagues. This is done through a formal process set out below.
- 2) Any decision to remove a student automatically goes to a Council panel for review (CRP). The CRP can either uphold the decision or re-instate the student if it concludes that the school has not applied policies appropriately or has not followed a fair process.

School decision

When a removal from school is being considered, the Head will convene a formal hearing.

The hearing panel (HP) will consider all aspects of the case before coming to a judgement. The student (if age-appropriate) and parents will have the opportunity to make full representation in the hearing.

The HP will consist of the Head and two senior colleagues. This may include, for example, the DSL, Pastoral lead or Deputy Head. When the Executive is making its decision, it may wish to consult with a range of people before taking its decision. This could include, for example, external professionals, such as educational psychologists.

Papers will be circulated at least 3 working days in advance of the meeting.

They will include

- The facts that have been established
- The reasons why removal is being considered
- Mitigating factors to be considered
- Support over time that has been put in place for the student

Parents and the student may make written or oral submissions. If written, these should ideally be received before the papers are circulated, although flexibility can be exercised in this area.

The hearing will be formally minuted. These minutes, along with the decision of the HP will be communicated in writing to the parent within 5 working days of the panel hearing.

During this period, it may well be the case that the student is suspended for a period of time (e.g. 10 days) 'in the first instance'. The school will therefore seek to expedite the process as quickly as it is able to, and during that time ensure that appropriate work is provided for the student at home. The length of the initial exclusion may have to be extended depending on the particular circumstances of the case, but this will be avoided if at all possible.

Council Review

If the decision is taken to remove a student, this will trigger an automatic Council review.

This will take place within 15 term time working days of the notification to parents of the removal.

The CRP will have two options:

- 1) Uphold the decision

2) Re-instate the student

The CRP will comprise 3 members and will typically include at least 2 Council members and an additional individual independent of the management and running of the school.

Papers will be circulated at least 3 working days in advance of the meeting.

The CRP will ask the school to explain the reasoning behind its decision.

Parents and the student (if age appropriate) will then be invited to make representation.

The CRP will consider the full circumstances of the case, and it is their role to decide whether the school has applied school policies appropriately, and has followed a fair process.

If parents and / or student does not take up the invitation to attend the meeting, then the review hearing will still take place.

Parents or guardians may be accompanied, by a friend or relation, for instance, but legal representation will not be appropriate. Parents should inform the Clerk in advance if they wish to be accompanied so that appropriate arrangements can be put in place.

The hearing will be formally minuted and the minutes will be circulated to all parties. These minutes, along with the decision of the CRP will be communicated in writing to the parent within 5 term time working days of the panel hearing.

If the decision is taken to re-instate the student, then a plan will need to put in place to manage this process, and the re-instatement should happen no later than 10 term time working days after the notification of the re-instatement.

If the decision is to uphold removal, then the School will use reasonable endeavours (but without requiring it to do anything that might be detrimental to its own interests) to assist in finding a place for the child in another school.

The findings and recommendations of the Council Review will be final.

Note 1

If the process occurs before a school holiday the time limits in this policy will run from the first day of the next term or half term period. However, all effort will be taken to expedite the process during the holiday, subject to the availability of all relevant parties, so as to conclude the review as soon as possible

Note 2

Correspondence, statements and records relating to the student will be kept confidential except where disclosure is required by law.