

Felixstowe International College

Serious Disciplinary Offences Policy (temporary and permanent exclusion)



Felixstowe International College is committed to promoting good behaviour and discipline for the benefit of all members of the school community. Positive behaviour will be promoted as the norm. However, when the Principal considers that a student's behaviour or continued behaviour makes his/ her presence detrimental to school discipline or presents adverse effects on the welfare of other students and the staff, it may be necessary to remove the student temporarily/permanently from the school.

AIMS of this policy

- To ensure the effective running of the school;
- To ensure high standards of conduct;
- To ensure that all students are aware of the standards expected;
- To ensure that the conduct of a student does not adversely affect others;
- To help create a working environment in which all students are accountable for their actions;
- To ensure that a student is given fair treatment;

PRINCIPLES

- The following procedures will act as guidelines for use when a student perpetrates a gross misconduct or there is an allegation of serious misdemeanour by a student.
- Before the most serious disciplinary actions (i.e. temporary and permanent exclusion) take place, there will be an investigation into the circumstances of the alleged offence and a right of response.
- All aspects of this policy and the following procedure must be reviewed annually.

GENERAL

- This policy works in conjunction with the Rewards Policy and the Discipline Policy.
- The definition of gross misconduct is action that has the potential to endanger the safety, well-being and/or security of individuals and/or property and/or the reputation of Felixstowe International College. The following is not intended to be an exhaustive list but are examples of gross misconduct;
 - Repeated bad behaviour, of the same or different types, when lesser sanctions have not led to significant improvement;
 - A single act of seriously bad behaviour;
 - Repeated acts of unkindness to others which constitutes 'bullying, including cyberbullying and outside school premises or time;
 - The use of aggressive behaviour or inappropriate and offensive language;
 - Fighting or physical assault;
 - Substance abuse, including alcohol;
 - Bringing the school into disrepute;
 - Theft, wilful damage or gross negligence that leads to loss or damage to property;
 - Repeated unauthorised absence;
 - Fraud or any other offence committed against or outside the school that constitutes a breach of the law;

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- Academic dishonesty, taking other students' work and passing it off as their own, any form of cheating;
 - Deliberate misuse of confidential data.
- Misconduct is action that constitutes a breach of the school's regulations or code of behaviour, is unsatisfactory personal conduct or is detrimental to either staff or other students.
- Only in the case of gross misconduct should a student be dismissed for a first breach of discipline.
- Disciplinary investigation and action may take place during term or holiday time.
- Investigations may include asking those concerned and/or witnesses to write their account of events.

PROCEDURES

- Almost every case is different. Thus it is appropriate to allow as much flexibility of approach as possible to meet the individual circumstances.
- When an alleged incident of gross misconduct is considered too serious or misdemeanour that has been too often repeated for normal school sanctions like detention and letters to parents to be insufficient, these Serious Disciplinary Procedures will be used.
- When an alleged incident of gross misconduct is reported, an investigation will be undertaken by two members of staff. It is likely to be the Form Tutor and a member of SLT.
- The school has a duty to investigate alleged misconduct. It is not necessary to have parental permission to investigate and neither a student nor the parents/guardians can withhold co-operation, as long as the basic principles of natural justice are followed.

Note: Should the investigating member of staff feels that the scope of the misconduct is so great that it poses a threat to the safety of other students or staff, he/she must speak to the Principal who will implement appropriate supervision or temporary exclusion until the investigation is carried out.

- The method will depend upon the circumstances but may include:
 - Requiring those concerned to write their accounts of the incident;
 - Individual and/or group interviews;
 - Investigation among staff and/or other students;
 - Communication and/or meetings with the parents or guardians of the concerned student and/or others;
 - If necessary, investigation beyond the school;
- When the investigation is, at least for the present, complete, the results will be communicated to the Principal. At this stage the Principal is not necessarily actively involved in the investigation.
- Either the member of staff who carried out the investigation will tell the student(s) concerned the results of the investigation. The student(s) will then be given an opportunity to respond.
- If it is decided by the school that there is a case of gross misconduct to be addressed, the parent(s) or guardian(s) of each student concerned will be informed by the Principal/Deputy Principal.
- Parents will be called in to a meeting either face to face or online with the Principal/Deputy Principal. This meeting should take place as soon as is practically possible.
- Meeting with a student and the parents should constitute two parts. The format will be:
 - The Principal and another member of staff (usually the investigator) present the results of the investigation to the parents in the absence of the student.
 - Discussion and parental response

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- The student is brought in to be questioned and/or make his/her response.
- Likely but not necessarily, a discussion or information on possible sanctions and their implications.
- Further investigation may be necessary if new information emerges from the meeting.
- At or after the meeting and taking into account all the original and subsequent information gathered, the Principal will make her decision about the case.
- If she decides that there is no substantive case to answer, this will be communicated to the parents in writing.
- If she decides that there is a case, she will communicate in writing the nature of the offence and what sanctions will be applied.
- If the sanction involves permanent exclusion or temporary exclusion from the school premise of more than one continuous week, she will inform the Chairman of the Board of Directors or, in his absence, a member of the Governing Board.
- The level and type of sanction depends upon circumstances and the offence and the following are examples, not an exhaustive list and not necessarily in progressive order:
 - A written warning (not usually considered sufficient but sometimes appropriate for a first major offence or where the student seems truly to have realised the implications of his/her actions. This would generally be combined with another sanction.)
 - Final or 'first and final' warning (warning that further repetitions of the same or related offence(s) will render the student liable to permanent exclusion. This would generally be combined with another sanction.)
 - Suspension for a defined period of time (Temporary exclusion from the school premise or 'internal suspension' where a student is removed from the classes and supervised elsewhere in the building. A variation may be attendance at lessons but separate supervision during non-teaching time)
 - A Home-School contract (binding rules of behaviour and work ethic drawn up by the school for each individual student and signed by both the student and the parents. It includes a clause that failure to adhere to it may lead to permanent exclusion.)
 - Permanent exclusion (the student will be removed from the school register and will not be permitted to return to school)
- Instead of permanent exclusion, parents may decide to withdraw their child from the school with immediate effect. In this case, the Principal must ensure that the full current term's fees have been paid before accepting such a withdrawal.
- No student will be excluded from public examinations if he/she is under a temporary exclusion or if the examination takes place in the term of the misconduct. However, special arrangements may be made, at the school's discretion, and the parents will be liable for any costs incurred, e.g. separate invigilation.
- If the public examination takes place after the student has been permanently excluded, the school is not obliged to make arrangements for the student to take these examination and if any exams fees incur for the student, the parents are liable to pay the fees, if the fees are paid already, no refund is due.

The Financial implication

Temporary exclusion (Suspension)

Full fees must be paid during this time. There will be no refunds e.g. private lessons, trips missed etc. Parents will be liable for any costs arising from the suspension (internal or external) e.g. airfare, travel costs, supervision or invigilation costs.

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Permanent exclusion (Expulsion)

In the event of a student's permanent exclusion from the school, the 'term's notice' policy on school fees also applies. Parents or guardians are required to fulfill the financial obligations for the following term unless a term's notice is given. This includes payment for the term immediately following the student's permanent exclusion including private lessons, non-refundable exam fees etc.

APPEALS PROCEDURE

- In case of permanent exclusion or temporary exclusion longer than one continuous week off school premises, the parents have the right of appeal.
- If parents wish to appeal, they must apply in writing for a review of the decision. This appeal must be sent within seven days of the decision to exclude the student, and must be addressed to Rebecca Mainprice, c/o Felixstowe International College, Maybush Lane, Felixstowe, Suffolk IP11 7NA or her email beckymainprice@ficedu.org who will review the decision, together with at least two members of the Governing Board. The review will take place as soon as is practicable, but certainly within 14 days.
- Members of the Governing Board who will help make up the Review Committee, along with Mrs Becky, will not have been actively involved in the case, though they may have been informed of the case in general terms. Copies of all appropriate documents, including details of the student's conduct, will be sent to all members of the Review Committee, as well as parents of the student.
- The review hearing will take place either face to face or online, and those present will usually be the Review Committee, the Principal, the parents and a nominated person to take minutes. The student, where appropriate, may be invited to attend the hearing.
- The proceedings will be chaired by one member of the Review Committee and will be conducted in an informal manner, and all statements made at the hearing will be unsworn. The meeting will not be taped, but minutes of the proceedings will be taken. All present will be entitled to write their own notes if they should so wish. The proceedings will be directed at all times by the Chairman of the Committee, who will conduct the hearing in such a manner as to ensure that all those present have the opportunity of asking questions and making comments.
- All those attending the hearing are expected to show courtesy, restraint and good manners. The Chairman may, in his/her discretion, adjourn or terminate the hearing. If the hearing is terminated the original decision will stand.
- The Committee will consider each of the queries raised by the parents and student, so far as these are relevant to:
 - whether the facts of the cases, so far as they are related to the student were sufficiently proved when the decision was taken to exclude the student. The standard of proof will be the balance of probability; and
 - whether the sanction was warranted, i.e. proportionate to the breach of discipline or other events that are found to have occurred.
- If the Principal considers it necessary in the interests of the individual or of the school that the identity of any person should be withheld, the Chairman of the Committee may require that the name of that person and the reasons for withholding it be written down and shown to the Review Committee. The Chairman in his/her discretion may direct that the person be identified.
- A member of the school staff may speak generally about the student's character, conduct and achievements at the school if he/she is willing to do so.

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- When the Committee Chairman decides that all issues have been sufficiently discussed and if by then there is no consensus he/she may adjourn the hearing.
- The decision of the Review Committee will be final. The decision, and the reason for it, will be notified to the parents in writing within 15 working days of the hearing.