



**THE DOWNS**  
PREPARATORY SCHOOL  
BRISTOL

## **6.3 SANCTIONS EXCLUSION AND EXPULSION POLICY**

### **Discipline and Sanctions**

The fundamental school rules are expressed in the Guide to Behaviour. School rules distinguish between Cardinal Rules (not exclusively: smoking, drinking, unauthorized use of drugs, serious bullying, stealing, carrying dangerous weapons e.g. knives and other such matters) and those listed in the Guide to Behaviour. Everyday offences (see 6.4 and 4.11) are normally dealt with by the member of staff who discovers them. Cardinal offences are dealt with by the Head or / and the Assistant Head. Exclusion, whether temporary or permanent, is a last resort. Permanent exclusion is only used in the most serious circumstances.

#### **Behaviour that may merit an exclusion:**

- Physical assault against pupils or adults;
- Verbal abuse/ threatening behaviour against pupils or adults;
- Bullying;
- Abuse on grounds of race, religion/ belief, disability, Special Education Needs, sexuality and gender.
- Sexual misconduct
- Drug and alcohol misuse;
- Damage to property;
- Theft;
- Persistent disruptive behaviour; and
- Unreasonable or otherwise inappropriate parental behaviour.
- Malicious allegations against staff

Please note that exclusion may also be imposed by the school as a sanction for a series of minor misdemeanours.

In addition to defining behaviour that merits exclusion within the school grounds, the school takes the conduct of its pupils outside of school grounds extremely seriously. The 2014 DfE guidance 'Behaviour and Discipline in Schools' notes that 'teachers have the power to discipline pupils for misbehaviour outside of the school premises "to such an extent as is reasonable".'

Subject to our school's Behaviour Management Policy, teachers may discipline pupils for:

- Misbehaviour when the pupil is:
  - Taking part in any school organised or school related activity or
  - Travelling to or from school or
  - 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 or
  - Poses a threat to another pupil or member of the public or
  - Could adversely affect the reputation of the school.

In all cases of misbehaviour, the teacher may only discipline the pupil when on school premises (or elsewhere when the pupil is under the lawful control of the teacher).

### **Appeals against exclusion**

An application against an exclusion can be appealed by way of a complaint under the school's complaint procedure. The complaints procedure can be found in the Parent Handbook and on the school's website.

**Disciplinary aspects including but not limited to: Physical or verbal abuse, bullying, sexual misconduct, theft and persistent disruptive behaviour.**

### **Investigation**

The investigation of any serious incident can be extremely complicated, nevertheless allegations are always treated seriously and research is thorough.

Investigations will be conducted fairly and in accordance with natural justice. Investigations will be carried out by an Assistant Head, who has undertaken investigation training. The Assistant Head will gather all the relevant information, in line with the school's Child Protection Policy and, when necessary, with the guidance of the Local Authority. These investigations will be conducted separately from the Head, who will remain independent from the investigation until a time when a decision can be made.

The investigation may involve segregating pupils but this would be for no longer than is necessary; asking him or her questions; asking him or her to give a written account of particular circumstances; gaining the views of witnesses. Interviews will normally be conducted by the Assistant Head. Pupils may be accompanied at interview by his or her Tutor so that the pupil clearly understands what is happening and is helped to express themselves. Sources of information will not be disclosed. Documentation will be kept by the Head or Assistant Head. Parents will be kept informed.

### **Sanction**

These are complex issues and it is difficult to issue a 'flat charge' sanction. They are nonetheless issues that the school takes very seriously and the Assistant Head and the Head would be involved in any serious matter. A pupil could, should the matter be sufficiently unpleasant, irremediable or repetitive, be required to leave the school.

## **Disciplinary Aspects – Drugs and Harmful Substances**

### **Terminology used in this section**

'*Drugs*' means controlled drugs including cannabis, temazepam, LSD, amphetamines, ecstasy, cocaine and heroin.

'*Involvement with drugs*' includes possession, use, supplying and dealing with controlled drugs or substances resembling controlled drugs or the paraphernalia of drugs

'*Harmful substances*' means controlled drugs and, in the appropriate context, alcohol, tobacco, cigarettes, smoking paraphernalia (including vapes) and every other substance that when abused may damage the health, safety and welfare of pupil.

'*Reasonable suspicion*' means suspicion based on a cogent reason stated by the Head

'*Satisfied*' means 'more likely than not' in the opinion of the Head

### **Investigation**

The school will investigate any rumour about the involvement of drugs or harmful substances at which point parents will be informed. The investigation may involve segregating a pupil but this would be for no longer than is necessary; asking him or her questions; asking him or her to give a written account of particular circumstances; searching his or her belongings; taking possession of property for analysis; and or asking the pupil to provide a urine test under appropriate supervision.

Search:

Under Section 3(5) of the Children Act 1989

'A person who ...does not have parental responsibility...but has care of the child may... do what is reasonable in all the circumstances of a case for the purpose of safeguarding or promoting the child's welfare'.

The school considers that a search of personal property for illegal drugs falls into the category of search for the purpose of 'safekeeping promoting child's welfare.'

Investigations will be conducted fairly and in accordance with natural justice. The pupil will not be left unaccompanied for long periods of time. Interviews will normally be conducted by the Head or Assistant Head. The pupil may be accompanied at the interview by his or her Tutor so that the pupil clearly understands what is happening and to help the pupil express him or her self. Sources of information will not be disclosed. Documentation will be filed and kept by the Head or the Assistant Head.

Support for any child in need will be given in all circumstances in line with the Child Protection and Safeguarding Policy 5.1.

Children

### **Testing for Drugs**

If the Head forms a reasonable suspicion that a pupil has been involved in drugs, the pupil may be asked, with the consent of the parents, to provide a urine sample under appropriate supervision at school premises or at an external laboratory. Testing will

be in accordance with standard practice. Refusal of a test in these circumstances may result in the pupil being required to leave the school community forthwith and the police being informed.

## Sanctions

- **Drugs**

The normal sanction following involvement in drugs is expulsion. However, there will always be a thorough and careful investigation to ensure natural justice obtains.

## Alcohol

The normal sanction following involvement with alcohol is exclusion. If the incident has resulted in real physical harm, the exclusion may be for some considerable time (perhaps for a week). A Breathalyzer may be required to measure alcohol consumption, which is kept securely in matron's room.

If the offence is serious enough and is repeated, such behaviour can be met with expulsion.

- **Smoking**

The normal sanction following involvement with smoking is exclusion. If the incident is repeated, a second exclusion will be for some considerable time. Should the offence be repeated, such behaviour will be met with expulsion.

<b>This policy was updated on</b>	<b>Signed on behalf of the School</b>	<b>Date for review</b>
<i>25/10/21</i>	<i>O Elliott</i>	<i>01/01/2024</i>

<b>Overview required by education Committee - date</b>	<b>Policy upload to ISI Portal - date</b>	<b>Policy uploaded to website(s) - date</b>
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