



CLAYESMORE

EXCLUSION POLICY AND REVIEW PROCEDURE

Responsibility: The Head

Date of this version: Autumn 2025

Review: Annually by The Board

SCOPE

This policy applies throughout Clayesmore School and is developed to meet the requirements of the Independent Schools Regulations 2018 Part 6 paragraph 3(a).

INTRODUCTION

The Exclusion policy should also be considered in the context of the school's behaviour policy, the policy for anti-bullying and other specific policies relating to the misuse of drugs and other banned substances, alcohol, tobacco and vapes.

The Clayesmore parent contract states: The Head may, in his or her discretion, suspend or, in serious or persistent cases, exclude your child from the School if the Head considers that your child's conduct or behaviour (including behaviour or conduct outside school) is unsatisfactory and the suspension or exclusion is in the School's best interests or those of your child or other children.

The parent contract, signed by all parents, contains the clause If your child is excluded or you are required to remove your child from the School, fees in lieu of notice will **not** be payable. Should the Head exercise his or her right you will not be entitled to any refund or remission of fees or additional charges due (whether paid or payable) in or relating to the term in which your child is excluded or suspended and (save in the case of suspension) the deposit will be forfeited meaning that the School will retain the deposit. If you are required to remove your child from the School as a result of the Head exercising his or her discretion then the deposit will be credited in the usual way.

HOW MIGHT AN EXCLUSION OR EXPULSION ARISE?

1. Asking a pupil to leave Clayesmore is a serious step to take, and the Head would only take it in extremis. Our natural inclination is to find a way in which lessons can be learned, even if this might have to include a suspension from the School, without resorting to permanent exclusion.
2. The need to ask a pupil to leave could arise after a number of misdemeanours. The Head will always endeavour to give fair warning if the number of incidents may give cause to consider exclusion.
3. In a similar fashion, a pupil who over a period of time shows quite clearly that they are not prepared to fit in with the Clayesmore school rules and expectations and is constantly in trouble may be asked to leave even though the nature of their problem is not in itself a serious breach of discipline.
4. Undoubtedly the most unfortunate and upsetting situation is when a pupil does something that no one has expected which happens to be of a nature that makes it impossible for that pupil to remain a member of the School. Such situations would include a pupil who admits to, or who has been caught, bringing drugs or other illegal items into the School, a pupil caught or discovered to have been stealing either within the School or elsewhere, pupils caught or admitting to performing intimate sexual acts whilst at school or on a school trip, a pupil who assaults another pupil or a member of staff, or a pupil who bullies other pupils. Wanton damage to property, serious misbehaviour or unruliness of any sort would be other reasons why a pupil should leave the School, as would a serious breach of the law. However, this list is not exhaustive and young people do the most surprising things which is why the clause in the prospectus and on the Application for Entrance form are worded as they are.

FAIRNESS AND THE INTERVIEW PROCEDURE

1. Once it is clear to a member of staff that they are dealing with an incident that might require a pupil to leave, they will inform the Head at the earliest opportunity. It must be understood that the School has a duty to its pupils to investigate any serious incident as fully as possible and in order to do this, a pupil may be asked to remain in the Medical Centre or to go home and stay out of contact (in their own interests) whilst investigations continue.
2. A Deputy Head will be responsible for the initial stages of any investigation including interviewing pupils and asking them to write statements.
3. At the earliest opportunity, the facts, as far as they are known, will be placed before the Head. Where appropriate, the pupil will be given an opportunity to present their case to the Head.
4. If the final decision is that the pupil should leave, the Head will inform the Chair of The Board. The parents and the pupil will be informed at the earliest opportunity. This decision will be confirmed in writing.
5. Students and their parents must appreciate that however much we may wish to forgive a young person and give them another chance, the School has to balance this compassion with the needs of the wider community. The School will always seek to support the student in their move on to another educational setting.

APPEAL OR REVIEW PROCEDURE

These guidelines are non-contractual in nature. They have been prepared for the information and guidance of all who may be concerned in a review hearing following exclusion of a pupil from Clayesmore.

APPLYING FOR REVIEW HEARING

1. Parents/Guardians may apply for a review of a decision to exclude or require removal, by emailing the Heads PA headpa@clayesmore.com within five working days of receipt of the written notification of the decision in question.

2. Within twenty-one working days of receiving the appeal or review request, the Chair of the Board will convene a panel consisting of at least three people not directly involved in the matters detailed in the appeal or review, one of whom shall be independent of the leadership and running of the school.

The school will make all reasonable effort to deal with appeal or review received in the holidays in a timely way. Parents will be informed as soon as possible of the time-frame of responses to appeals made during the holiday.

3. Each member of the Review Panel will be supplied with a copy of any relevant documents including a report on the pupil's conduct to date.

THE REVIEW PANEL

The Chair of the Board shall appoint each of the panel members and one of them to be its chair.

The Chair of the panel will acknowledge the appeal or review and schedule a hearing to take place within twenty-one working days.

In the selection of the independent member of the panel, the DfE advises that "Our general view is that people who have held a position of responsibility and are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered."

If the panel deems it necessary, it may require that further particulars of the appeal or review or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 4 working days prior to the hearing.

THE REVIEW HEARING

1. The Review Hearing will take place at the School. Those present at the hearing will normally be:

1. Members of the Review Panel
2. The Head
3. A Deputy Head
4. The parents or those with parental responsibility
5. The pupil (where considered appropriate)
6. Heads PA

2. Seven clear days' notice to the Heads PA is required if the parents or guardians wish to be accompanied. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

3. The proceedings will be chaired by one member of the Review Panel and will be conducted in an informal manner. All statements made at the hearing will be unsworn. Although the proceedings will not be recorded, the Heads PA will be asked to keep a minute of the main points that arise. All present will be entitled, should they so wish, to write their own notes. The hearing shall be directed at all times by the Chair of the panel 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.
4. All those attending the hearing are expected to show courtesy, restraint and good manners. The Chair may in his or her discretion adjourn or terminate the hearing. If the hearing is terminated the original decision will stand.
5. The Panel will consider each of the queries raised by the parents or guardians so far as these are relevant to:
 - (a) Whether the facts of the case, so far as they relate to the pupil, were sufficiently proved when the decision was taken to exclude or to require removal of the pupil.
 - (b) Whether the sanction was warranted, ie proportionate to the breach of discipline or other events that are found to have occurred, and the pupil's previous disciplinary record. The requirements of natural justice will apply.
6. If the Head considers it necessary in the interests of the individual or the School that the identity of any person should be withheld, the Chair of the Panel may require that the name of that person and the reasons for withholding it be written down and shown to the Review Panel. The Chair in his/her discretion may direct that the person be identified.
7. When the Chair of the Panel decides that all issues have been sufficiently discussed and if by then there is no consensus he/she will send away all those attending so that the Review Panel can determine what course of action to take.
8. The decision of the Review Panel will be notified to parents or guardians by the Chair of the Review Panel or the Chair of The Board by letter or telephone within five working days of the hearing of the final outcome and this will be taken as the final decision.