

# THE BRITISH SCHOOL OF BAHRAIN



## Exclusions Policy

DOCUMENT CONTROL	
Policy Reference	BSB - Exclusions Policy - 041
Date Adopted	August 2020
Review Date	September 2020
Next Scheduled Revision (yearly)	August 2021

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## BSB Policy – Exclusions Policy

This policy should be read in conjunction with the Behaviour and Sanctions Policy which explains the School's expectations for behaviour and details sanctions for misbehaviour.

The following policy deals only with major disciplinary issues.

### **1.0 Aims**

1.1 The aims of this policy are:

1.1.1 To ensure procedural fairness and natural justice.

1.1.2 To promote cooperation between the School and parents when it is necessary for pupils to leave earlier than expected.

### **2.0 Policy Statement**

2.1 A pupil may be excluded from normal day to day schooling for a fixed period of time or excluded permanently (permanently excluded/expelled) from BSB, or parents may be asked to remove a pupil, or a pupil may be required to leave permanently for reasons of misconduct.

2.2 The main categories of misconduct which may result are:

2.3 Supply/possession/use/inciting the use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco.

2.4 Theft, blackmail, physical violence, intimidation, racism and persistent bullying including cyber-bullying.

2.5 Misconduct of a sexual nature; supply and possession of pornography.

2.6 Possession or use of unauthorised firearms or other weapons.

2.7 Serious violations of the ICT Acceptable Use Policy including Vandalism and computer hacking.

2.8 Persistent attitudes or behaviour which are inconsistent with the ethos of the School.

2.9 Other serious misconduct towards a member of the School community or which brings the School into disrepute (single or repeated episodes) on or off school premises.

2.10 Violations of local Bahraini law

2.11 Violations of the terms of a previous or existing exclusion

2.12 Please note that this is not an exhaustive list and other behaviours may result in exclusion.

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2.13 Action will be taken following a single offence where that offence is deemed to be sufficiently serious. In most cases, a lesser sanction will be the result of a first offence, although the Executive Headmaster may permanently exclude any pupil for a first offence which is considered to warrant such a step. In other instances, permanent exclusion may be the result of a series of less serious offences, where repetition of these offences indicates the pupil's unwillingness to conform to an acceptable pattern of behaviour. In such cases parents will have been consulted before such a stage is reached in an attempt to correct the behaviour.

2.14 A pupil may also be required to leave if, after all appropriate consultation, the Head is satisfied that it is not in the best interests of the pupil, or of the School, that he/she remains at the School.

2.15 The policy applies to all pupils at BSB but does not cover cases when a pupil has to leave because of ill-health, non-payment of fees, or withdrawal by his/her parents.

### **3.0 Policy Procedure**

3.1 The following procedures specifically deal only with major disciplinary issues.

3.2 For the Nursery and Reception, an exclusion would only take place once all other avenues have been explored and exhausted, including one to one intervention.

3.3 Sanctions for serious disciplinary matters:

3.3.1 Internal contemplation time

3.3.2 Authorised Absences

3.3.3 Removal at the Request of the School (also known as Required Withdrawal)

3.3.4 Expulsion (also known as Permanent Exclusion).

3.3.5 Only the Executive Head may request the removal of a child or permanently exclude a child.

3.4 Before deciding to suspend a child the Executive Head will:

3.4.1 Ensure that an appropriate investigation has been conducted

3.4.2 Ensure that all the relevant evidence has been considered

3.4.3 Give the child an opportunity to be heard

3.4.4 Consult other relevant people if necessary

## 4.0 Investigation of Suspected Offences

4.1 A staff member who suspects a student of having committed an offence should report the matter to the Head of Infants/Juniors/Seniors as soon as practicable who should in turn report the matter to the Executive Headmaster.

4.2 The Head of Infants/Juniors/Seniors, or an experienced staff member appointed by the Executive Headmaster, should, as soon as possible, conduct an investigation to determine the facts surrounding the alleged offence. Where appropriate, more than one person may assist in the conduct of the investigation; the scope and length of the investigation will depend upon the individual circumstances and may include, without limitation, the following:

4.3 Witness interviews, including interviews of the student suspected of the offence.

4.3.1 Students who are suspected of the offence should be given the opportunity to tell their story. Leading and intimidating questions should be avoided.

4.3.2 Security tapes

4.3.3 Reports and information gleaned from the use of software

4.3.4 Any other evidence deemed relevant by the investigators

4.3.5 Facts to be investigated should include possible mitigating and aggravating circumstances, if they exist.

4.4 Examples of mitigating factors include:

4.4.1 Provocation as a result of bullying or racial abuse;

4.4.2 Coercion by others;

4.4.3 The student's medical condition;

4.4.4 The student's emotional condition;

4.4.5 The lack of previous instances of misconduct;

4.4.6 Evidence of the student's remorse and willingness to make restitution;

4.4.7 The student's cooperation with the investigation;

4.4.8 The student's admission of the offence;

4.4.9 The student's apology for the offence.

## **5.0 Examples of aggravating circumstances include:**

- 5.1 The nature and frequency of previous misconduct;
- 5.2 The failure to heed warnings;
- 5.3 The failure to respond to pastoral support offered by the School;
- 5.4 Evidence of planning and premeditation;
- 5.5 The use of a weapon or other means of violence;
- 5.6 Targeting younger or smaller victims;
- 5.7 The failure to apologise or to make a genuine apology;
- 5.8 The lack of remorse;
- 5.9 The failure or refusal to cooperate with the investigation;
- 5.10 Lying in response to the investigation.

## **6.0 Standard of Proof**

6.1 The appropriate standard of proof in the investigation of an offence is a preponderance of the evidence. That is, those evaluating the evidence must determine if it is more likely than not that the suspected student committed the offence.

## **7.0 Evaluation of Evidence from the Investigation**

7.1 Once, in the estimation of the investigator(s), sufficient evidence has been gathered, it should be presented to the Executive Headmaster for evaluation.

7.2 If, in the opinion of the Executive Headmaster, the evidence is inconclusive, (s)he may require the investigators to conduct further investigations, or determine that further investigation would not be useful.

7.3 If the evidence is sufficient, the Head of School shall, in consultation with the Executive Headmaster and any other investigator(s), determine whether it is more likely than not that the suspected student committed the offence.

7.4 Where the relevant Head of School is acting in the Executive Headmaster stead in the absence of the latter, the Head of School should evaluate the evidence in consultation with at least one, and if possible two, other members of the School Leadership Team.

7.5 The Executive Headmaster should maintain a written record of the investigation; this should be prepared no later than 15 days after the start of the investigation, but preferably as soon as practicable.

## **8.0 Internal contemplation time**

8.1 There may be offences where students are withdrawn from classroom based education in order to reflect on their actions. This may be part of an investigation procedure or form part of the sanction itself.

8.2 During this time a student will be closely supervised to ensure they are safe. Work will be set and the student will be expected to comply with all instructions.

8.3 Parents will be informed of this sanction.

## **9.0 Authorised absences from School**

9.1 Work will be set for a child to do at home during the period when they are absent from school (as far as is reasonably possible).

9.2 In addition, consideration will be given to any relevant problems of the child and how they might be addressed in the interim, together with reintegration on their return.

9.3 The Head will inform parents. They will also write to confirm the authorised absence, stating the length of time and the reason(s).

9.4 This sanction constitutes a clear warning about continued membership of the School, and this warning might be regarded as final. The School is highly reluctant to impose this sanction more than twice.

## **10.0 Re-integration Meeting**

10.1 A re-integration meeting should be scheduled at or before the end of the exclusion period. This meeting should be attended by the student, at least one parent or guardian, the relevant Head of School, and one other member of the School Leadership Team or a designated alternate to record the meeting.

10.2 The purpose of this meeting is to determine whether the student can return to school.

10.3 Parents may not be accompanied by legal counsel.

10.4 At the re-integration meeting, the representatives of the School should:

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10.4.1 Describe the offence and the rules that were broken.

10.4.2 Describe the investigation. The names of witnesses who were interviewed may be withheld at the discretion of the School representatives.

10.4.3 Indicate the standards of behaviour that are expected of the student upon his or her return to school. Discuss the appropriate level of support necessary to enable the student to return to school.

10.4.4 Describe to the student and parent(s) or guardian(s) the consequences of the student's repeated offences and/or failure to maintain the expected behavioural standards. If appropriate, the School may offer a contract to be signed by the student and parent(s) or guardian(s) setting out the expected behavioural standards and consequences of further misconduct by the student.

10.4.5 The consequences may include further temporary exclusion(s) or permanent exclusion, and the concomitant effect on the student's records.

10.4.6 Listen to and consider the comments and concerns of the student and parent(s) or guardian(s). The student and each parent or guardian shall have the opportunity to speak; if such speech should become rude or abusive, the Head of School has the discretion to require them to stop.

### **11.0 Removal at the Request of the School (Required Withdrawal)**

11.1 Parents may be required, during or at the end of a term, to remove the pupil, without refund of fees, temporarily or permanently from the School if:

11.1.1 The Executive Head is of the opinion that the conduct or progress of the pupil has been unsatisfactory or if the pupil,

11.1.2 In the judgement of the Executive Head, is unwilling or unable to profit from the educational opportunities offered

11.1.3 Or a parent has treated the School or members of its staff unreasonably and in any such case removal is considered to be warranted.

11.2 The deposit will be refunded in the event of removal from the School and fees in lieu of notice will not be charged but all outstanding fees and extras will be payable in full.

11.3 Only the Executive Headmaster can require parents to remove a pupil and before doing so he/she will follow the same procedure as for tan Authorised Absences.

11.4 In making decisions about Required Withdrawal the Executive Headmaster will take into account any special educational needs, disabilities, mental health concerns, gender and cultural differences that may be relevant to the case.

## **12.0 Expulsion (Permanent Exclusion)**

12.1 A pupil may be expelled at any time if the Executive Headmaster is reasonably satisfied that the pupil's conduct (whether on or off School premises or in or out of term time) has been prejudicial to good order or School discipline or to the reputation of the School.

12.2 The School and the Head will act fairly and in accordance with the procedures of natural justice and will not expel a pupil other than in serious circumstances. There will be no refund of fees following expulsion (and all unpaid fees must be paid). The deposit will not be returned/credited, but fees in lieu of notice will not be charged.

12.3 Some parents prefer, after due consideration, voluntarily to withdraw their child rather than the School imposing Permanent Exclusion. However, it must clearly be understood that the Executive Head reserves the right to insist on Permanent Exclusion.

12.4 Only the Executive Headmaster can permanently exclude a child and, before doing so, he or she will follow the same procedure as for suspension.

12.5 In making decisions about exclusion the Executive Headmaster will take into account any special educational needs, disabilities, mental health concerns, gender and cultural differences that may be relevant to the case.

## **13.0 Discretion**

13.1 The decision to exclude, require removal or expel a pupil and the manner and form of any announcement shall be in the sole discretion of the School, acting on the recommendation of the Executive Head.

13.2 In no circumstances shall the School or its staff be required to divulge to parents or others any confidential information or the identities of pupils or others who have given information which has led to sanction, the requirement to remove, or expulsion, or which the Executive Headmaster has acquired during an investigation.

## **14.0 Access**

14.1 A pupil who has been withdrawn, removed or expelled from the School has no right to enter School premises, be on School grounds or attend School trips

## **15.0 Board of Trustees Request for review**

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15.1 A decision to permanently exclude, or require removal, of a child is not taken lightly and before it is reached the Head will have given careful consideration to any representations by the parents.

15.2 In the process, a member of the Board of Trustees will have been consulted and agreed to the issues relating to exclusion.

15.3 Grounds for review: Parents may appeal against the decision of the Executive Headmaster, if they wish, by communicating with the Board of Trustees by letter. If parents wish the Board of Trustees to review the case, they should state the grounds on which they are asking for a review and the outcome they seek.

15.4 Review timing: Under normal circumstances, a request for review must be made by parents within two weeks of the Executive Headmaster's communication of the decision to permanently exclude a pupil.

15.5 Review Panel: The review will be undertaken by a three-member panel, who will have no detailed previous knowledge of the case or of the pupil or parents. Parents will be notified in advance of the names of the panel members. Fair consideration will be given to any bona fide objection to a particular member of the panel.

15.6 Review meeting: The meeting will take place at the School premises, normally between 3 and 10 days after the parents' application has been received. A Review will not normally take place during school holidays. A Review Meeting is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law.

15.7 Attendance: Those present at the Review Meeting will normally be:

15.7.1 Members of the Review Panel and the Clerk to the Governors;

15.7.2 The Executive Headmaster and any relevant member of staff whom the pupil or her parents have asked should attend and whom the Executive Headmaster considers should attend in order to secure a fair outcome;

15.7.3 The pupil together with his/her parents and, if they wish, up to two members of the School staff who are willing to speak on the pupil's behalf.

15.7.4 The parents may be accompanied by a friend or relation who must not be legally qualified.

15.7.5 This friend or relation may not speak during the meeting.

15.8 Conduct of meeting: The meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in an informal manner. All statements made at the meeting will be unsworn. The proceedings will not be tape-recorded without the consent of both the Chair and a parent

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and any tape-recording will be used only to assist the Panel members in reaching their decision and formulating their reasons and will belong to the School. A suitable member of the School staff will be asked to keep a handwritten minute of the main points which arise at the meeting. All those present will be entitled, should they wish, to write their own notes. The meeting will be directed by the Chair of the Review Panel who will conduct it so as to ensure that all those present have a reasonable opportunity to ask questions and make an appropriate comment. Everyone is expected to show courtesy, restraint and good manners. The Chair may at his/her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

15.9 Procedure: The Panel will consider each of the questions raised by the pupil or his/her parents so far as relevant to:

15.9.1 Whether the facts of the case were sufficiently proved when the decision was taken to expel or remove the pupil.

15.9.2 The civil standard of proof, namely, "the balance of probability" will normally apply; Whether the sanction was warranted, that is, whether it was proportionate to the breach of discipline or the other events which are found to have occurred, and to the legitimate aims of the School's Policy in that respect;

15.9.3 The requirements of natural justice will apply.

15.9.4 If for any reason the pupil or her parents are dissatisfied with any aspect of the meeting they must inform the Chair at the time and ask them to note their dissatisfaction and the reasons for it.

15.10 Identification: If the Executive Headmaster considers it necessary in the interests of an individual or of the School that the identity of any person should be withheld, the Chair may require that the name of that person and the reasons for withholding it be written down and shown to the Panel Members.

15.11 The Chair at his/her discretion may direct that the person be identified or not, as the case may be.

15.12 Pupil's character: Up to two members of the School staff may speak generally about the pupil's character, conduct and achievements at the School if they are willing to do so.

15.13 Leaving status: If, having heard all parties, the Panel is minded to confirm the Executive Headmaster's earlier decision, it is open to the Panel, with agreement of the Executive Headmaster, the pupil and his/her parents to discuss the pupil's leaving status with a view to reaching agreement.

15.14 Decision: When the Chair decides that all issues have been sufficiently discussed and if by then there is no consensus, he/she may adjourn the meeting; alternatively the Chair may ask those present to withdraw while the Panel considers its decision. In the absence of a significant procedural irregularity, the decision of the Review Panel will be final. It will be notified, with reasons, to the parents by the Chair of the Review Panel by e-mail within three days of the meeting.

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