

Blundell's

FOUNDED 1604

Exclusion Policy

Applicable to:	Senior School
Name of Sponsor:	Second Master
Date of Last Review:	1st September 2026
Date for Next Review:	1st September 2027
Governing Body Oversight:	Yes
Date Approved by Governing Body:	14th November 2025
Date of Next Governing Body Review:	13th November 2026
Published Internally:	Yes
Published on School Website:	Yes

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Introduction

All schools have the legal right to impose reasonable sanctions if a pupil misbehaves. Physical punishment is illegal; but sanctions for misbehaviour that a school might use include: a reprimand, a letter to parents or guardians, removal from a class or group, loss of privileges, confiscation of a possession that is inappropriate in the classroom, detention, or in serious cases or persistent incidents of misconduct, exclusion. Exclusion, whether temporary or permanent, is used as a last resort. Permanent exclusion is used only in the most serious circumstances.

Blundell's ('the School') has a set of general rules which are designed in order that the School may be a safe, happy and caring place where members of the School community show consideration, concern and respect for each other. These rules are found in the School's Behaviour Management Policy. All pupils are expected to comply with the School's Behaviour Management Policy.

Aims

This policy deals with the School's policy and procedure which informs the School's use of exclusion. It contains guidelines, which may be adapted as necessary, explaining the circumstances and sorts of behaviour that could merit exclusion.

General Rewards and Sanctions

The School encourages the establishment of good teacher/pupil relationships and support for the School's values through a system of recognitions and rewards which are designed to promote a calm, disciplined learning environment. Where a pupil's behaviour falls below the standard expected and/or a pupil fails to comply with the School's Behaviour Policy, an appropriate sanction will be applied.

The School's system of recognitions, rewards and sanctions can be found in the 'Rewards and Sanctions' section of the School Rules and Notes for Guidance.

Sanctions for Breaches of Discipline that do not Merit Exclusion

The teacher is responsible in the first instance for dealing with minor infringements, such as lateness, casual rudeness in class, late or poorly completed work. Additional work may be set , or the pupil may be required to re-do unsatisfactory work. The pupil may be brought back at lunch break or another time during the school day or be placed in an Academic Detention. Repetition of this behaviour will be reported to the Head of Department and to the pupil's House Master/Mistress.

Persistent lateness to lessons will be monitored by the pupil's House Master/Mistress via the Registration System. Repeated lateness or deliberately missing a lesson may be escalated to either a Deputy Head's or Second Master's Detention, depending on the circumstances. In serious cases of absenteeism, a Minor Gating will be considered.

Minor Gatings are issued by the relevant Houseparent. While formal approval by the Second Master is not required, the Houseparent should still inform the Second Master when a Minor gating is issued.

If a pupil falls badly behind with their work the Head of Department may require a pupil to attend an Academic Detention. Persistently poor academic performance may result in the Head of Department or House Master/Mistress requiring a pupil to go on Report where his/her effort and performance is recorded after every lesson. A Report will also require regular meetings with the Tutor to review the teacher's comments. A Report can be for a single week or longer. If there are major concerns about work effort and attitude then the pupil will be sent to see the Head.

Minor indiscipline in the House or elsewhere may lead to a pupil being set a domestic task for a designated time, usually no more than an hour, such as collecting litter, or cleaning an area in the House. Alternatively, the House Master/Mistress can use a Minor Gating. If these low level behavioural concerns persist then the Second Master or Head may be informed.

For persistently poor dress a Uniform card will be given requiring the pupils to obtain a member of staff's signature at regular intervals during the day. For regularly missing meals a Meal card will be issued requiring pupils to attend all meals.

For repeated antisocial behaviour or other more serious breaches of discipline, pupils will be given a Major Gating usually for one or two weeks. Where they are allowed to go will be restricted and they will need to sign in at regular intervals. The Second Master will record all Major Gatings on the Sanctions Register. A major gating is a sanction that can only be issued with the approval of the Second Master.

The Head may suspend a pupil, for a period of between 48 hours and one week for very serious indiscipline, or less serious offences, where repeated punishment has proved ineffective. The suspension may be an internal suspension or an external suspension. The nature of the suspension will be determined by the circumstances of the pupil concerned. If suspension is ineffective, the School may be forced to exclude the pupil, or to require him/her to leave the School under the procedure described below. In certain cases, a 'behaviour contract' might be appropriate, and this would be discussed with the pupil on their return to school.

The above information is summarised in the 'Rewards and Sanctions' section of the School Rules and Notes for Guidance.

Serious Offences

A 'Serious Offence' refers to a breach of school rules that may result in suspension or exclusion.

Examples of such behaviour include:

- Drug abuse
- Supply/possession/use of controlled drugs, solvents, so-called legal highs or their paraphernalia or substances intended to resemble them, or alcohol or tobacco
- Alcohol abuse
- Smoking
- Theft
- Bullying, including bullying online, or via social media
- Physical assault/ threatening behaviour
- Fighting
- Sexual harassment
- Any kind of discriminating abuse, including, but not limited to racism, sexism, misogyny, homophobia and xenophobia

- Inappropriate and/or sexual misconduct
- Cheating, including plagiarism
- Damage to property
- Persistent disruptive behaviour
- Malicious accusations against staff
- Parental or pupil behaviour which, in the Head's reasonable opinion, leads the Head to believe that removal of the pupil from the School is in the best interests of the School or the pupil
- Bringing the School into disrepute
- Bunking Out, Night Walking and Absence without leave

The above is not an exhaustive list and there may be other situations where the Head makes the judgment that exclusion is an appropriate sanction.

All serious offences must be reported to the House Master/Mistress and the Second Master.

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 they remain at the School.

The School will make reasonable adjustments for managing behaviour which is related to a pupil's special education needs. Where exclusion needs to be considered, the School will ensure that a disabled pupil is able to present their case fully where their disability might hinder this.

Behaviour outside School

Pupils' behaviour outside School on school "business" - for example school trips and journeys away, school sports fixtures or a work experience placement - is subject to School policies including the School's Behaviour Policy. Inappropriate behaviour in these circumstances, including incidents where it is considered that the School has been brought into disrepute, will be dealt with as if it had taken place in School and in accordance with School policies, and this policy, where the circumstances warrant it. In certain circumstances, it may be that a pupil's behaviour can be seen to have brought the School into disrepute, even if not on School "business". In such circumstances, the terms of this Policy will be applied

Malicious Allegations against Staff

A pupil who is found to have made malicious allegations against a member of school staff will be managed in accordance with this policy which may result in permanent exclusion from the School.

Required Removal

A pupil may 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.

A Guide to Procedure

In drawing up the procedure below, the School has had due regard to DfE guidance *Behaviour and Discipline in Schools: guidance for headteachers and staff,* which provides a helpful benchmark of good practice.

The procedure which will normally be followed is set out below but does not have contractual effect. All procedures will be conducted fairly and in a way that is appropriate to the circumstances.

Rules of Natural Justice

The School's procedure is based on the principles of natural justice. These can be summarised in the following two basic rules:

- No person is to be a judge in their own cause; and
- No person is to be condemned unheard.

The rules are therefore concerned with the manner in which a decision is taken. The over-arching principle is a duty to act fairly. Whilst the precise procedure to be followed in a given situation depends on the circumstances of the case, some key principles are as follows:

- A fair and thorough investigation should take place
- Pupils must be informed of the allegation and the evidence relied upon
- Pupils must be given a fair opportunity to exculpate themselves
- An appeal of the Head's decision should be offered.

1. THE PROCEDURE

It is very important to follow the correct procedures so that a fair decision-making process is followed from the outset.

First Steps

When a potential exclusion presents itself, some key considerations are as follows:

- ***What exactly is the allegation*?**

Clarity at this stage is essential, not least because the pupil must be informed of the case against them. For example, if the allegation is that pupil A supplied drugs to pupil B, pupil A should be told all the elements of this (i.e. the identity of the other pupil, what was allegedly supplied, when and where) and asked to explain what happened.

- ***What information is available and what further information is required?***

Consider what evidence is already available to support the allegation. Next, consider what additional information is required and how best to obtain it.

- ***Is anyone at risk i.e. do the police or social services need to be informed?***

This is an important issue that is addressed more fully in Section 3.

- ***Who should be dealing with this?***

The rules of natural justice dictate that, where possible, a different person should conduct each of the following stages:

  - interviews with witnesses and general investigation of the allegations;
  - the hearing; and
  - the appeal.

In most circumstances it will generally make sense for the investigation to be carried out by the Second Master or perhaps another member of the Senior Leadership Team, for the hearing to be conducted by the Head and for any appeal to be held by the Governors. The Head should avoid taking part in the investigation if at all possible, so as to avoid arguably compromising their impartiality at the actual hearing. It is important to decide from the outset who will be doing what.

Investigation

The Head will ensure that a fair and thorough investigation will be held into the allegations against an individual pupil (there may be occasions on which the pupil will be asked to remain offsite without prejudice pending an investigation – see below).

The investigation will normally be carried out by the Second Master or perhaps another member of the Senior Leadership Team and its outcome reported to the Head.

Particular care should be taken at this stage. See the School document 'Advice on Disciplinary matters including Investigations'. Key issues are as follows:

- ***Information gathering***

Before a decision to exclude can be fairly taken, it is essential to establish the facts. If exclusion is being considered then statements should be taken from all pupils and staff who were involved in or witnessed the incident. All written statements should be attributed, signed and dated by the pupil or witness who should first be given the opportunity to read it. The statement should also be countersigned by the person who took the statement and the person who was present when the pupil signed it. The original statement should be kept on file.

- ***Should another adult be present?***

Yes. Where a member of staff investigating the matter deems it necessary to interview pupils they will be accompanied by an appropriate adult (which will usually be a member of staff). However, this need not be a parent. The pupil will be informed of the allegation and the evidence relied on by the member of staff investigating the incident and will be given a chance to respond to these allegations and give their version of events.

- ***When should the parents be informed?***

This will always depend on the facts of the particular case. As a general rule, however, it will normally make sense for the parents to be informed after initial investigations have been made but sufficiently in advance of any hearing to allow them time to prepare for that hearing.

However, parents will be informed, as soon as reasonably practicable and usually ahead of any investigation, if a complaint under investigation is of a nature that could result in the pupil being excluded. Similarly, in cases where Social Services or the Police become involved, parents will usually be informed as soon as possible.

- ***Should suspects be kept apart?***

Yes, to the extent that this is reasonably possible. The pupil should be told not to discuss the matter with other pupils and, in particular, with the other pupils involved. This is particularly important where the accusation relates to issues such as bullying and physical or verbal abuse. The possible use of mobile phones should be borne in mind.

- ***When is suspension appropriate?***

In particularly serious cases it may be appropriate for the pupil to be suspended. It is important to be realistic in assessing how long the suspension needs to be. Any suspension should in principle be as brief as possible. If a relatively lengthy suspension is unavoidable, arrangements should be made for work to be sent home and marked. Parents should be told immediately of any decision to suspend and this should be followed up within one school day by a confirmatory letter.

Disciplinary Hearing

Once the information gathering stage has been completed, the next step is to hold the hearing itself.

The pupil (where appropriate) and their parents will be invited to the disciplinary hearing with the Head and will be given the opportunity to state their side of the case. This invitation will be put in writing, and will state that the disciplinary hearing is a formal process, and will outline the form that the hearing will take. The Head will consider all the available evidence (including any statements made by or on behalf of pupils and staff involved) and take into account the School's Behaviour Management Policy. The Head will check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment.
The hearing will also be attended by a note taker, which may be the Second Master or the relevant Houseparent. Guidelines for conducting the hearing are held by the Head.

Sanction

Following the Hearing, and unless the Head considers that further investigation is needed, they will decide whether the complaint has been sufficiently proved. If the Head is satisfied that, on the balance of probabilities, the pupil did what he or she is alleged to have done, the Head will decide on the appropriate sanction. The timing for the communication of the decision will be explained during the Hearing itself.

If the complaint has been proved the Head will consider the range of disciplinary sanctions which they consider are open to them. The Head will consider any factors they deem to be relevant when determining the sanctions including the pupil's disciplinary record. Then, or at some later time, the Head will give their decision, with reasons.

In considering the appropriate sanction, the Head will look at each case on its own merits. In considering whether permanent exclusion is the most appropriate sanction, the Head will consider:

a. The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour Management Policy and School Rules, and
b. The effect that the pupil remaining in the School would have on the education and welfare of other pupils and staff.

The Head may, as an alternative for less serious breaches of school discipline, temporarily suspend a pupil from the School.

All sanctions will be proportionate and reasonable and will take account the pupil's age, any SEND the pupil may have and any religious requirements affecting them.

If it is decided that a permanent exclusion is necessary, then an appeal will be offered to parents of the excluded pupil.

Appeal

Fundamental to the fairness of any exclusion process is the right to appeal. Parents or guardians may apply for a review of the decision to exclude a pupil permanently from the School. The procedure and request form can be found in the document 'Review Procedure for Parents appealing against an Exclusion', which is available on request.

2. THE AFTERMATH

The decision to exclude is always a serious matter for both the pupil and the School. Having followed a fair procedure, the School should do all it reasonably can to minimise the educational damage to the excluded pupil.

After-care

The consequences of a decision to exclude can be far-reaching, both in terms of the immediate issue of placing the pupil in another school but also in light of the perceived blemish to a pupil's good character. The potential for emotional and psychological side-effects should obviously be borne in mind and can be mitigated not only by the human way in which the process is managed, but also by the School's care for the pupil both during and after the process.

Finding a new school

This is an important issue especially if the pupil is in the process of studying for GCSEs or A-levels. The flexibility inherent in these regimes can make it hard to match a pupil's subject choices at a new school. To minimise disruption, the School should consider whether an exclusion decision can be made but on a deferred basis so that the parents have sufficient time to make suitable alternative arrangements. Consideration could be given for the pupil to return to school solely for the purpose of sitting imminent public exams. Depending on the reason for exclusion this may not be possible in many situations.

References

As in the employment context there is no absolute obligation on schools to provide references for their pupils and, where an exclusion is involved, even greater care is required. In giving references schools will owe legal duties both to the pupil and also the recipient. Any reference must therefore be fair, accurate and not misleading.

Other Points for Consideration

Confidentiality

Exclusion cases should be treated by all parties in the strictest confidence. However, confidentiality cannot and should not be guaranteed to any witness or party whose evidence may be considered as part of the School's investigations under this Procedure. As such, the School should avoid giving any assurances in relation to confidentiality.

This is something that should be clarified from the outset and reiterated at intervals throughout the process.

Police

The School will report to the police anything they believe may amount to a criminal activity. An element of discretion is inevitably involved however. For example, an incident in which Pupil A steals something from Pupil B is likely to amount to technical theft but unlikely to warrant a report to the police. Drugs and weapons are more serious and should be confiscated and held for the police as potential evidence.

If the School believes a pupil may have taken drugs then medical advice should also be sought. Sexual offences are perhaps even more serious and will generally be reported to the police immediately, including in cases where a pupil is only suspected or alleged to have committed such an offence provided a reasonable amount of evidence is available. The alleged victim's parents

should also be informed immediately of the incident and told that the police have been informed. Whether the victim and parents then speak to the police is a matter for them.

Children's Social Care

The School will consider whether a child's behaviour gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff should follow the School's Safeguarding Policy. The School will also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs and whether a referral to Social Services is appropriate. In particular, in serious incidents relating to issues such as bullying, physical behaviour, and sexual harassment, due consideration should be given to whether or not the threshold for 'child-on-child abuse' is met, and action taken accordingly.

Equal Opportunities

The School will not discriminate against any pupil on the grounds of any of the protected characteristics under the Equality Act 2010. The Act 2010 defines these, for the purposes of the school's provision, as race, gender, sexual orientation, disability, religion or belief, sexual orientation, gender reassignment, pregnancy, maternity. The School will make reasonable adjustments to help manage a pupil's behaviour which results from the pupil having a disability.

Reviewed by CHF
September 2026