



Cheadle Hulme School

## **PROCEDURES FOR DISCIPLINARY INCIDENTS INVOLVING STUDENTS**

**Applicable to all students in the School including those in an EYFS setting**

**Please follow this link for the relevant policy on the School's intranet:  
Alcohol Drugs Substance Abuse Policy.docx; Behaviour Management Policy**

### **Introduction**

This procedure contains guidelines, which will be adapted as necessary, explaining how the School will deal with students and liaise with parents when allegations of serious misconduct are made against a student.

- Reference to 'the Head' includes the Second Master and the Deputy Head Pupil Progress & Welfare.
- Reference to 'parents' includes one or both of the parents, a legal guardian or education guardian.

[Subheadings are for ease of reading and not part of the procedures.]

### **Aims**

These procedures are designed to reflect the School's behaviour management policy, to ensure fairness and justice and to promote co-operation between the School and parents in dealing with situations which can be serious enough for a student to be required to leave the School.

### **Misconduct**

The main categories of misconduct, which may cause these procedures to be used, are:

- Persistent attitudes or behaviour which is inconsistent with the School's ethos, such as persistent failure to complete academic work or to follow a teacher's instructions.
- Computer hacking and/or the abuse of the School's ICT facilities.
- Theft, buying or selling, blackmail, physical violence, intimidation, racism and persistent bullying.
- The supply, possession or use of drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol and tobacco.
- Misconduct of a sexual nature; the supply and possession of pornography.
- Possession or use of firearms or other weapons.
- Vandalism
- 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.

## **INVESTIGATIVE PROCEDURE**

*[An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a school, without formal legal procedures or legal representation. The proceedings will at all times be considered confidential.]*

On receiving a complaint or indication of serious misconduct on the part of a student, the following steps will normally be taken:

### **1. Investigation**

The investigation is co-ordinated by the Head of Year or Assistant Head of School.

- An initial informal meeting will be held with the student to ascertain if there are sufficient grounds to proceed further. Outcomes will be reported to the Head who will decide if any further action is to be taken.
  - Mobile devices will be temporarily confiscated from the student. With the consent, and in the presence of the student, the contents of the mobile device may be examined. The School does not search mobile phones or computers to gain further information. However if the School has serious cause for concern about the content of a phone we will seek advice from the Police via the Public Protection and Investigation Unit about gathering evidence.
  - Parents will be notified of the nature of the complaint on the day that a student has been investigated for wrongdoing.
  - The student may be withdrawn from lessons.
  - If it is felt that the continued presence of the student in the School potentially impacts upon the personal safety or well-being of any member of the CHS community, or jeopardises the effectiveness of the investigation, the School reserves the right to request that the student returns home whilst the investigation is undertaken. If it is not possible for the student to return home at that time, the School will isolate the student for the remainder of the day; in such circumstances, a student will remain under the supervision of a member of CHS staff. (the supervision may be "remote" in that the student is held adjacent to a room occupied by that member of staff)
  - In some circumstances and only with reasonable cause, the School may feel it necessary to search a student's clothes, belongings or locker space. Students may be required to turn out the contents of their pockets or bag(s). A more thorough search of clothing will only be carried out with the permission of the student and once that clothing has been removed by the wearer. Care will be taken to ensure reasonable privacy. (These procedures do not authorise an intimate search or physical compulsion in removing clothing. If necessary, the Police would be called to facilitate a search.)
  - If necessary, other students/staff may be interviewed as part of the investigation. Notes will be taken at these meetings and used, if required, as part of the evidence for the disciplinary hearing. In most cases, the anonymity of other students will be preserved.
- 2.** The Assistant Head of School may conclude the investigation with a sanction up to a written warning or refer the matter to the Head who will convene a disciplinary hearing.

### 3. Disciplinary Hearing

If the student and parents are asked to attend a Disciplinary Hearing with the Head, the Assistant Head of School will explain the circumstances of the complaint and investigation.

- At the hearing the School will have available
  - A statement setting out the points of complaint against the student. This will be communicated to parents and student at the meeting and may be a verbal statement;
  - Written statements and notes of the evidence supporting the complaint, where relevant;
  - The student's file and conduct record;
  - The relevant School policies and procedures. Copies of all of these will be available for parents.
- Members of staff will be on hand to join the meeting if necessary; any statements taken during the course of the investigation will be disclosed but, in most cases, the anonymity of other students will be preserved.
- The student and his/her parents will then have an opportunity to state their side of the case.

### 4. Outcomes

- The Head will consider the complaint/s and the evidence, including statements made by and/or on behalf of the student.
- Unless the Head considers that further investigation is needed, a decision will be made as to whether the complaint has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the *balance of probabilities*. Appropriate reliance may be placed on hearsay evidence but the Head will not normally refer to the student's disciplinary record at this stage.
- If the complaint has been proved, the Head will outline the range of disciplinary sanctions which she considers are available to her. In most cases, the sanctions available will be from amongst the following:
  - Verbal warning – may be issued by the Head of School
  - Written formal warning – may be issued by the Head of School
  - Written final formal warning – requires a disciplinary hearing
  - Suspension – requires a disciplinary hearing
  - Permanent Exclusion – requires a disciplinary hearing
- In deciding on the sanction, the Head will take into account any further statement which the student and/or others present on the student's behalf wish to make. The student's disciplinary record will also be taken into account.
- At the end of the disciplinary hearing, or at some later time within 24 hours, the Head will communicate her decision on the sanction, giving her reasons, to parents and student. This will be a verbal communication and will be followed up by a written notification.

### 5. Permanent Exclusion

*If the disciplinary hearing has been chaired by a Deputy, any case for exclusion must be made to the Head.*

If the Head decides that permanent exclusion is the appropriate sanction, she will consult with the parent before deciding on the student's leaving status. In every case of required withdrawal, a review of the decision by a panel of Governors is offered to the parents.