

## Expulsion, Removal and Review

### 1. Introduction

1.1 This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be expelled from the School, or required to leave permanently for misconduct or other reasons.

1.2 Cranleigh Abu Dhabi undertakes a commitment that the use of sanctions against pupils, for example suspension and expulsion, will be in line with ADEK regulations and policies (policy 50 and 51 Student Behaviour Policy and Expelling Students) these policies outline the legal process for expulsion in Abu Dhabi. The policy, where possible is also in keeping with Articles 48 and 49 of the BILo of the Private Education Law, First Edition 2001.

1.3 Cranleigh Abu Dhabi undertakes that records of serious incidents, and of suspensions and expulsions, will be kept and will be available immediately upon request by ADEK.

1.4 Cranleigh Abu Dhabi also undertakes that the Principal will report immediately to ADEK any evidence of staff misconduct.

1.5 The policy applies to all pupils at the School whether or not in the care of the School 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.

1.6 References to the Principal include the Vice Principals. "Parent" includes one or both of the parents, a legal guardian or education guardian. "Expulsion" means a dismissal from the School in disgrace, formally recorded. "Removal" means that a pupil has been required to leave, but without the stigma of expulsion. Subheadings are for ease of reading and not part of the policy.

### 2. Policy Statement

#### 2.1 Aims:

- To support the School's behaviour and discipline code.

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- To ensure procedural fairness and natural justice.
- To promote cooperation between the School and parents when it is necessary for the School that a pupil leaves earlier than expected.

### 2.2 Misconduct:

The main categories of misconduct which may result in expulsion or removal are:

- supply / possession / use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, and alcohol, tobacco, vaping products and dokha.
- theft, blackmail, physical violence, intimidation, racism and persistent bullying
- misconduct of a sexual nature; supply and possession of pornography
- possession or use of unauthorised firearms or other weapons
- vandalism and computer hacking
- tampering with any fire appliance or safety device
- persistent attitudes or behaviour which are inconsistent with the School's ethos
- 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. This also includes misconduct via use of technology or the internet.
- other serious misconduct at Level 3 outlined in ADEK Policy 50 or repeated Level 2 offences.

### 2.3 Other Circumstances:

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

### **3. Investigation Procedure**

#### **3.1 Complaints:**

Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by the Assistant Head, and its outcome will be reported to the Head of School, Vice Principal or the Principal in very serious cases. Parents will be informed as soon as reasonably practicable if a complaint under investigation is of a nature that could result in the pupil being expelled or required to leave.

#### **3.2 Suspension:**

A pupil may be suspended from the School while a complaint is being investigated. Alternatively, he/she may be isolated from their class/school community on the school premises.

#### **3.3 Search:**

We may decide to search a pupil's space and belongings, and ask him/her to turn out the contents of pockets or a bag, if we consider there is reasonable cause to do so. Clothing will not be searched until it has been removed from the wearer and care will be taken to ensure reasonable privacy. This policy does not authorise an intimate search or physical compulsion in removing clothing. If necessary, parents and / or the police would be called.

#### **3.4 Interview:**

A pupil may be interviewed informally by a member of staff to establish whether there are grounds for a formal investigation. If the pupil is then interviewed formally about a complaint or rumour,

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arrangements will be made for him/her to be accompanied by a member of staff of his/her choice and/or by a parent (if available at the relevant time). A pupil who is waiting to be interviewed may be segregated but made as comfortable as possible, accompanied or visited regularly by a member of staff, and given access to a toilet, telephone and adequate food and drink.

### 3.5 Ethos:

An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a school, without formal legal procedures unless necessary.

## 4. Disciplinary Meeting

### 4.1 Preparation:

The Chairman of the Governing Body will be informed of the investigation. Documents available at the disciplinary meeting before the Head of School or Principal will include:

- a statement setting out the points of complaint against the pupil
- written statements and notes of the evidence supporting the complaint, and any relevant correspondence
- the Assistant Head's Investigation Report
- the pupil's school file and conduct record
- the relevant school policies and procedures

### 4.2 Attendance:

The pupil and his/her parents (if available) will be asked to attend the disciplinary meeting with the Head of School, Vice Principal or Principal at which the Assistant Head will explain the

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circumstances of the complaint and their investigation. The pupil may also be accompanied by a member of staff of his/her choice. The pupil and his/her parents will have an opportunity to state their side of the case. Members of staff will be on hand to join the meeting if needed, and their statements will be disclosed but, in most cases, the anonymity of pupils will be preserved.

### 4.3 Proceedings:

There are potentially three distinct stages of a disciplinary meeting:

### 4.4 The Complaints:

The Head of School or Principal will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless the Head of School or Principal considers that further investigation is needed, s/he will decide whether the complaint has been sufficiently proved. The standard of proof shall normally 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 pupil's disciplinary record at this stage.

### 4.5 The Sanction:

If the complaint has been proved the Head of School or Principal will outline the range of disciplinary sanctions which s/he considers are open to him/her. He/she will take into account any further statement which the pupil and/or others present on his behalf wish to make. The pupil's disciplinary record will be taken into account. Then, or at some later time, normally within 24 hours, the Head will give his decision, with reasons.

### 4.6 Leaving Status:

If the Head of School or Principal decides that the pupil must leave the School, he/she will consult with the School Disciplinary Committee before deciding on the pupil's leaving status (see below).

### 4.7 Delayed Effect:

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A decision to expel or remove a pupil shall take effect 72 hours after the decision was first communicated to a parent. Until then, the pupil shall remain suspended and away from school premises. **If within this period the parents have made a written application for a Review by The Board of Trustees, the pupil shall remain suspended until the Review has taken place.**

### 5. Leaving Status

#### 5.1 Explanation:

If a pupil is expelled or required to leave, his/her leaving status will be one of the following: "expelled", "removed" or "withdrawn by parents"

#### 5.2 Detail:

Additional points of leaving status include:

- the letter which will be written to the parents and the announcement in the School that the pupil has left
- the reference which will be supplied for the pupil
- the entry which will be made on the school record and the pupil's status as a leaver
- arrangements for transfer of any course and project work to the pupil, his/her parents or another school
- whether (if relevant) the pupil will be permitted to return to school premises to sit public examinations
- whether (if relevant) the School can offer assistance in finding an alternative placement for the pupil

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- whether the pupil will be entitled to leavers' privileges
- whether the pupil will be eligible for membership of the Old Cranleighans and if so from what date
- the conditions under which the pupil may re-enter school premises in the future
- financial aspects: payment of any outstanding fees and extras; whether the deposit will be returned or credited; refunded of prepaid fees.

### 6. The Board of Trustees Review

#### 6.1 Request for Review:

A pupil or his/her parents, aggrieved at the Principal's decision to expel or require a pupil to leave, may make a written application for a Board of Trustees Review. The application must be received by the PA to the Principal within 72 hours of the decision being notified to a parent, or longer by agreement.

#### 6.2 Grounds for Review:

In their application the parents must state the grounds on which they are asking for a review and the outcome which they seek.

#### 6.3 Review Panel:

The Review will be undertaken by a three member sub-committee of the Board of Trustees. The panel members will have no detailed previous knowledge of the case or of the pupil or parents and will not normally include the Chairman of the Trustees. Selection of the Review Panel will be made by the PA to the Principal . 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. One

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member of the Review Panel will be independent of the governance, management and running of the School.

### 6.4 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.

### 6.5 Attendance:

Those present at the Review Meeting will normally be:

- members of the Review Panel and the PA to the Principal.
- the Principal and any relevant member of staff whom the pupil or his/ her parents have asked should attend and whom the Principal considers should attend in order to secure a fair outcome
- the pupil together with his/her parents and, if they wish, a member of the school staff who is willing to speak on the pupil's behalf. The parents may be accompanied by a friend or relation. The PA to the Principal must be given 7 days notice if the friend or relation is legally qualified

### 6.6 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 Chairman and a parent 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. The PA to the Principal will be asked to keep a hand-written 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 written decision will serve as the formal



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minute of the meeting. The meeting will be directed by the Chairman who will conduct it so as to ensure that all those present have a reasonable opportunity of asking questions and making appropriate comments. Everyone is expected to show courtesy, restraint and good manners. The Chairman may at his/her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

### 6.7 Procedure:

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

- whether the facts of the case were sufficiently proved when the decision was taken to expel or remove the pupil. **The civil standard of proof, namely, "the balance of probability" will normally apply except where the case involves an allegation of a criminal offence in which case the standard of proof will be "beyond reasonable doubt"**
- 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.
- the requirements of natural justice will apply. If for any reason the pupil or his/her parents are dissatisfied with any aspect of the meeting they must inform the Chairman at the time and ask the PA to the Principal to note their dissatisfaction and the reasons for it.

### 6.8 Identification:

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

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

### 6.9 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.

### 6.10 Leaving Status:

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

### 6.11 Decision:

When the Chairman decides that all issues have been sufficiently discussed and if by then there is no consensus, s/he may adjourn the meeting; alternatively the Chairman may ask those present to withdraw while the Panel considers its decision. The Panel will not overrule the decision of the Principal without first remitting the matter to the Principal for further consideration of specific issues of which the Head may or may not have been aware at the time of his original 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 Chairman of the Review Panel or the Chairman of the Trustees by letter or telephone within three days of the meeting.

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