



SPGS
INTERNATIONAL

SPGS International School Chengdu

Expulsion, Removal and Review Policy



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Expulsion, Removal and Review Policy

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| Effective Date | February 2025 |
| Policy set by | School Senior Management Team |
| Approval | School Governing Board |
| Next Review Date | February 2026 |

Introduction

1.1 **Scope:** This policy contains guidelines, which will be adapted as necessary, explaining the circumstances under which a student may be expelled from SPGS International School Chengdu (the school), or required to leave permanently for misconduct or other reasons. The policy applies to all students at the school but does not cover cases when a student has to leave because of ill-health, non-payment of fees, or withdrawal by their parents. This policy should be read in conjunction with the school's Behaviour policy.

1.2 **Interpretation:** The definitions in this clause apply in this policy.

Principal: References to the Principal may include the Head of Junior School in their absence.

Parent: Includes one or both of the parents, a legal guardian or education guardian.

Expulsion: Means the dismissal of a student from the school following serious misconduct formally recorded.

Requirement to leave: Means that the permanent removal of the student is required by the Principal but without the stigma of expulsion.

Policy Statement

2.1 **Aims:** The aims of this policy are:

- To support the school's Behaviour policy
- To ensure procedural fairness and natural justice
- To promote co-operation between the school and parents when it is necessary for the school that a student should leave earlier than expected.

2.2 **Misconduct:** The main categories of misconduct which may result in expulsion or a requirement to leave are outlined in the school's Behaviour policy and include but are not limited to:

- Bullying of any kind including, child-on-child abuse and cyberbullying
- Supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco
- Stealing
- Vandalism (including computer hacking)
- Persistent attitudes or behaviour which are inconsistent with the school's ethos
- Other serious misconduct which affects the welfare of a member or members of the school community, or which brings the school into disrepute (single or repeated episodes) on or off school premises or via the use of digital technologies such as Internet sites.

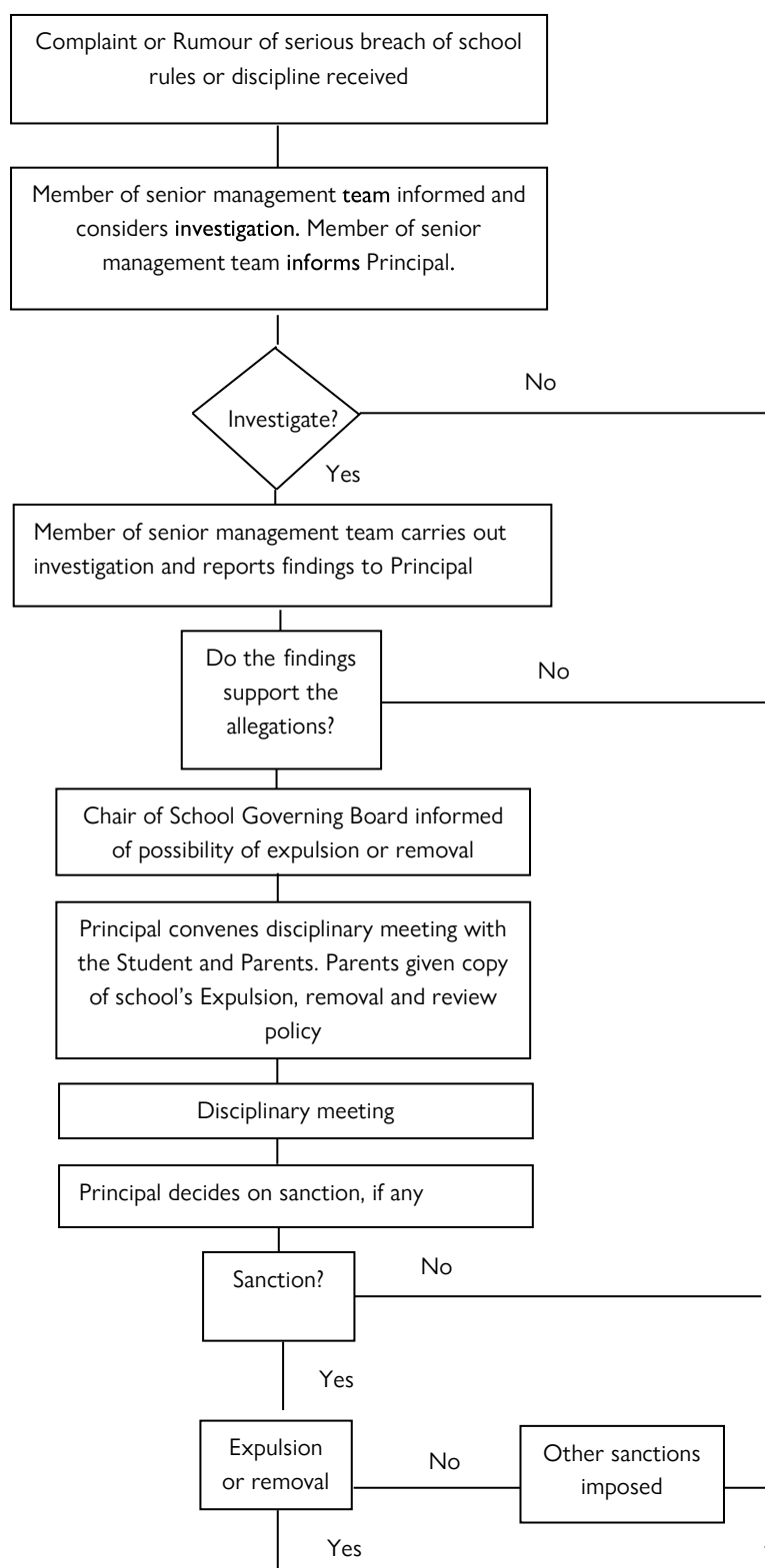
2.3 **Other circumstances:** A student may be required to leave if, after all appropriate consultation, the Principal is satisfied that it is not in the best interests of the student, or of the school, that they remain at the school.

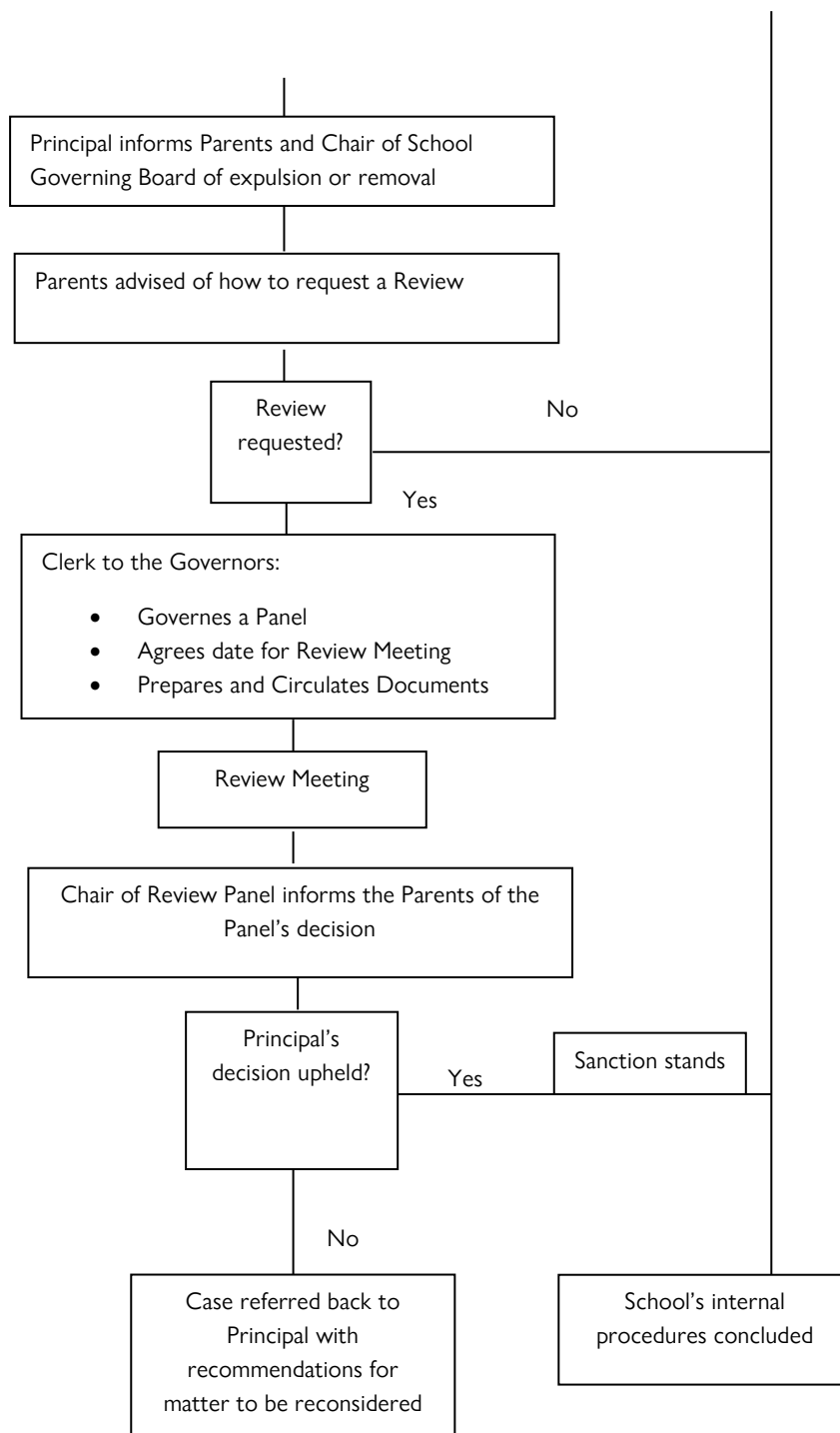
- 2.4 **Equality:** The school will make reasonable adjustments for managing behaviour which is related to a student's special educational need or disability. Where expulsion needs to be considered, the school will ensure that a student with a disability or special educational needs is able to present their case fully where their disability or special educational needs might hinder this. Any religious requirements affecting the student will also be considered.

Procedure

- 3.1 **The procedure:** The procedure followed by the school in cases where a sanction of expulsion or required removal may be imposed by the Principal are summarised in the flowchart at Appendix 1 to this Policy. The three stages of this procedure are as follows:
- 3.1.2 Investigation procedure - further details of the procedures to be followed at this stage are set out in Appendix 2
 - 3.1.3 Disciplinary meeting with the Principal - further details of the disciplinary meeting are set out in Appendix 3.
 - 3.1.4 Governors' Review meeting - further details of the School Governing Board's Review meeting are set out in Appendix 4.
 - 3.1.5 Alternative arrangements may be made if face to face meetings are not possible.

Appendix 1: Procedural flowchart





Appendix 2 - Investigation procedure

1. **Complaints:** Investigation of a complaint or rumour about serious misconduct will normally be coordinated by a member of the senior management team, and its outcome will be reported to the Principal. Parents will be informed as soon as reasonably practicable if a complaint under investigation is of a nature that could result in the student being expelled or required to leave.
2. **Suspension:** A student may be suspended from the school while a complaint is being investigated or while an investigation is suspended (see paragraph 6 below). Should a suspension continue for a period of more than five school days, the school will take reasonable steps to put in place arrangements to ensure the continuing education of the student. The appropriate senior leader will co-ordinate these arrangements with the student's parents or guardians. Parents or guardians should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, the student may be placed under a segregated regime on school premises.
3. **Search:** We may decide to search a student's space and belongings. Please refer to the policy on Search and Confiscation.
4. **Interview:** A student may be interviewed informally by a senior member of staff to establish whether there are grounds for a formal investigation. If the student is then interviewed formally about a complaint or rumour, arrangements will be made for them to be accompanied by a member of staff of her choice. A minute of the interview will be recorded in writing by the interviewing member of staff.
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.
6. **Suspension of an investigation:** It may be necessary to suspend an investigation, for example where external agencies such as the police are involved and have advised that this is necessary. A decision to suspend an investigation will take into account advice from an appropriate external agency and will be subject to periodic review.
7. **Outcome of investigation:** Once the investigation has been completed, the member of the senior management team will prepare a written report for the Principal and will state whether in their view:
 - there is a case of serious misconduct that needs to be addressed
 - the misconduct does not warrant expulsion or a requirement to leave and another lesser sanction may be appropriate
 - there is no case of serious misconduct and the matter can be closed.
8. Once the Principal has received the final report, he will consult where necessary and decide on the appropriate course of action.

Appendix 3 - Disciplinary meeting with the Principal

If it is found that there is a case of serious misconduct to be answered, a disciplinary meeting will be convened at which the Principal will consider the complaint of serious misconduct and the findings of the investigation.

1. **Preparation:** The Chair of the School Governing Board will be informed of the meeting. The Principal will consider the case of alleged serious misconduct or complaint against the student, any written statements and relevant correspondence and the student's school file. The parents of the student will normally be sent all relevant documentation, including the investigation report, at this point.
2.
 - 2.1 **Attendance:** The student and their parents will be asked to attend the disciplinary meeting with the Principal. The Principal may ask a member of the senior management team who has conducted the investigation or other members of staff to attend to outline the outcome of any investigation and the circumstances of the serious misconduct and/or complaint.
 - 2.2 The student and their parents will have an opportunity to state their side of the case. Staff statements will be disclosed but, in most cases, the anonymity of students will be preserved.
 - 2.3 If the parents or the student have any special needs or disability that call for additional facilities or adjustments (e.g., parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Principal's office so that appropriate arrangements can be made.
3. **Proceedings:** There are potentially three distinct stages of a disciplinary meeting:
 - 3.1 **The complaint(s):** The Principal will consider the complaint/s and the evidence, including statements made by and/or on behalf of the student. Unless the Principal considers that further investigation is needed, they 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.
 - 3.2 **The sanction:** If the complaint and/or case of serious misconduct have been proved the Principal will outline the range of disciplinary sanctions which they consider are open to them. They will take into account any further statement which the student and/or others present on their behalf wish to make. The student's disciplinary record will be taken into account. The Principal may decide that circumstances are such that a less severe sanction is required such as suspension for a period of time.
 - 3.3 Either at the meeting, or normally within 24 hours, the Principal will give their decision.
 - 3.4 **Leaving status:** If the Principal decides that the student must leave the school, they will discuss the leaving status with the student's parents with a view to reaching an agreement. If no agreement can be reached, the Principal will determine the leaving status.

4. **Delayed effect:** A decision to expel or remove a student shall take effect seven days after the decision was first communicated to a parent. Until then, the student shall remain suspended and away from school premises. If within seven days the parents have made a written application for a Review by the Governors, the student shall remain suspended until the Review has taken place.

5. **Leaving status**

The Principal will determine the leaving status and will also confirm arrangements including:

- the form of letter which will be written to the parents and the form of announcement in the school
- the form of reference which will be supplied for the student
- the entry which will be made on the school record and the student's status as a leaver
- arrangements for transfer of any course and project work to the student, their parents or another school
- whether (if relevant) the student 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 student
- whether the student will be entitled to leavers' privileges
- the conditions under which the student 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; refund of prepaid fees.

Appendix 4 - Governors' Review

1. **Request for Review:** A student or their parents may request a Governors' Review of the Principal's decision to expel or require a student to leave, or where a decision has been made to suspend a student for 11 school days or more, or where suspension would prevent the student from taking a public examination. The application must be made in writing using the Request Form at Appendix 5 and received by the Clerk to the Governors within seven days of the Principal's decision being notified to the parents, or longer by agreement. If the parents or the student have any special needs or disabilities which call for additional facilities or adjustments, these should be made known to the Clerk so that appropriate arrangements can be made.
2. **Grounds for Review:** In their application the parents must state the grounds on which they are asking for a Review and the outcome that they seek. For the avoidance of doubt, a mere disagreement with the decision of the Principal will not of itself be grounds sufficient for a Governing Board Review.
3. **Review Panel:** The Review will be undertaken by at least two members of the School Governing Board. The panel members will have no detailed previous knowledge of the case or of the student or parents and will therefore not normally include the Chair of the School Governing Board. Selection of the Review Panel will be made by the Clerk to the Governors, in consultation with the Chair of the School Governing Board. 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. If appropriate, the panel may include an independent member who is not concerned with the governance, management or running of the school.
4. **Role of the Panel:** The role of the Panel is to consider the documentation provided by the parties and representations made. It is not the role of the Panel to re-instate a student at the school against the wishes of the Principal. The Panel may decide whether to uphold the Principal's decision or refer the decision back to them with recommendations so that he may consider the matter further.
5. **Review meeting:** The meeting will take place at the school premises, as soon as reasonably practical but a Review meeting will not normally take place during school holidays. The parents and the Principal will be asked to submit any documents they wish to refer to at the meeting and a single bundle will be circulated at least three days before the meeting. On receipt of new information not previously available to the Principal before their decision was made, the Clerk should contact the Chair of the Panel who will decide whether to:
 - include the new information in the bundle; or
 - omit the information if not relevant to the grounds for Review; or
 - make further enquiries of the parents or the student about the information; or
 - refer the information to the Principal for his consideration as to whether the decision should be revisited.

A Review meeting is a private procedure and all those who are concerned in it are required to keep its proceedings confidential and not disclose any details unless required by law.
6. **Attendance:** Those present at the Review meeting will normally be:
 - members of the Review Panel and the Clerk to the Governors or the Secretary
 - the Principal

- the parents and the student, if they or their parents so wish. The parents may be accompanied by a friend or relation. The meeting is not a legal proceeding and so legal representation is not necessary. The Clerk to the Governors must be given seven days' notice if the friend or relation is legally qualified.

7. **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 Clerk 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 meeting will be directed by the Chair who will conduct it so as to ensure that all those present have a reasonable opportunity of asking questions and making 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.

8. **Procedure:** The Panel will consider each of the points raised by the student or their parents and any documentation they wish to rely on so far as relevant to determine:

- whether the facts of the case were sufficiently proved when the decision was taken to expel or require the removal of the student. The civil standard of proof, namely, "the balance of probability", will normally apply; and
- 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 student or their parents are dissatisfied with any aspect of the meeting they must inform the Chair at the time and ask the Clerk to note their dissatisfaction and the reasons for it.

9. **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 recommendations. The Panel's recommendations will be notified in writing, with reasons, to the Principal and the parents by the Chair of the Review Panel or the Chair of the School Governing Board within three days of the meeting. The Principal will provide their response to those recommendations in writing within 24 hours. In the absence of a significant procedural irregularity, the Principal's decision will then be final.

Appendix 5 - Form for requesting a Governors' Review

To The Clerk to the School Governing Board (Sabrina.li@spgs-shengbo.com)

Subject [Name of student]

I/we request that a sub-committee (Panel) of the School Governing Board carries out a review of the Principal's decision to expel or require the removal of the above-named student. I/we agree that the review will be carried out in accordance with the Review Procedure supplied to us with this form and I/we agree to abide by the terms of that Procedure and in particular that the proceedings are and will remain confidential and that the Principal's decision following consideration of the recommendations made by the Governors' Review will be final, subject to such legal rights (if any) as may exist.

I/we confirm that I/we have parental responsibility for the above-named student and that I/we have consulted the student who wishes the review to be undertaken.

I/we understand that the panel will be concerned with the fairness and proportionality of the Principal's decision in accordance with the school's existing policies (where applicable and relevant) on educational, pastoral care and administration matters.

I/we understand that we may be accompanied at the review meeting by a friend or relation and that if I/we wish to bring a friend or relation who is legally qualified I/we will provide seven days' notice as required.

I/we will inform the Clerk if I/we have any special needs or disabilities requiring additional facilities or adjustments.

The grounds upon which I/we seek a review and the matters which I/we wish to discuss at the review and to ask the panel to take into account are as set out in a statement attached to this sheet.

(Two signatures required where practicable)

| | |
|-------------------------|-------------------------|
| Signed | Signed |
| Full name | Full name |
| Relationship to student | Relationship to student |
| Date | Date |
| Address | Address |
| Telephone number | Telephone number |

