



WINCHESTER  
COLLEGE

## Suspensions, Exclusions and Required Removals

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### *Introduction*

This policy should be read in conjunction with the Winchester Code and School Rules, General Behaviour and Discipline policy, Illegal Drugs and Harmful Substances Policy, Smoking and Alcohol policies, Appendices 4 – 4a of Child Protection and Safeguarding Policy and the Complaints Policy.

This policy and all other policies mentioned are available on the College's website and also on request from the School office.

### *Rewards system*

At Winchester College we believe that acknowledging good behaviour encourages repetition and communicates the School's expectations and values to all pupils. Positive reinforcements and rewards are applied clearly and fairly to reinforce the routines, expectations and norms of the School's behaviour culture.

We encourage the establishment of good teacher / pupil relationships and support for the School's values through a system of rewards which are designed to promote a calm, disciplined learning environment. Our system of rewards includes:

- verbal praise and written praise for good work and contributions to community service;
- prize ceremonies and special assemblies;
- commendations for both effort and achievement, which are celebrated both in the classroom up to House;
- annual subject and year group prizes;
- posting examples of excellent work in art/design, sports, and drama and concert achievements on the College's website, so that the community can celebrate success;

### *Sanctions for breaches of discipline that do not merit exclusion / required removal*

It is hoped that pupils will respond to positive encouragement and rewards and will comply with the Winchester Code and School Rules at all times. However, we acknowledge that from time to time, pupils' conduct may fall below the standards of behaviour reasonably expected by the College.

When poor behaviour is identified sanctions are implemented in line with the College's General Behaviour and Discipline policy.

School staff can issue sanctions any time pupils are in school or elsewhere under the charge of a member of staff, including on school visits. This also applies in certain circumstances when a pupil's misbehaviour occurs outside of College. Winchester College takes the conduct of its pupils outside of school grounds extremely seriously. The College has the power to sanction pupils for misbehaviour outside of the school premises to such an extent as is reasonable.

For a full description of sanctions, please refer to the General Behaviour and Discipline policy: [general-behaviour-and-discipline-policy.pdf \(winchestercollege.org\)](#)

#### *Breaches of School Rules by pupils which merit exclusion*

The Headmaster may exclude a pupil from the College if the pupil's conduct or behaviour (including conduct or behaviour outside school) is unsatisfactory and the suspension or exclusion is in the school's best interests or those of the pupil or other pupils.

The contractual details of Suspensions, Exclusions and Required Removals may be found in Clause 7 of the Parent Contract with the School.

A non-exhaustive list of the sorts of behaviour that could lead to exclusion (including behaviour or conduct outside of School) includes the following: (See also The Winchester Code and School Rules<sup>1</sup>)

- physical assault against pupils or adults;
- behaviour which puts the safety of the pupil, or any other person, in jeopardy;
- verbal abuse/threatening behaviour against pupils or adults;
- bullying, including (cyber-bullying) [in accordance with the School's Anti-Bullying Policy];
- committing a criminal offence;
- fighting;
- abuse on the grounds of race, religion/belief, disability, SENs (etc.) or any form of unlawful discrimination;
- sexual harassment or misconduct, including youth-produced sexual imagery;
- drug and alcohol misuse (including supply/possession/use);
- damage to property;
- vandalism or computer hacking;
- theft or unauthorised possession of any property belonging to the School, another pupil, or a member of staff;
- wilful damage to property;
- bringing illegal, inappropriate or dangerous items into School, such as drugs, weapons, firearms, pornographic material etc;
- misconduct which adversely affects or is likely to adversely affect the welfare of a member or members of the School community;
- misconduct which brings or is likely to bring the School into disrepute; and
- persistent disruptive behaviour or breaches of the School's [Behaviour Policy] or School Rules.

N.B. Certain of the behaviours described above may give rise to a child protection concern when there is reasonable cause to believe that a child is suffering or likely to suffer significant harm.

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<sup>1</sup> The Winchester Code and School Rules is provided to parents with the Parent Contract.

Both temporary and/or permanent exclusion may be imposed by the Headmaster as a sanction for an individual or for a series of misdemeanours. Although the Headmaster may impose any of the sanctions below (for example by imposing a higher sanction where there has been previous misbehaviour or where particular circumstances justify it), the School's sanction system generally works as an escalator, with warnings as to the next level of sanctions if behaviour is not adjusted.

The Second Master decides on preliminary sanctions as follows:

**Verbal Warning:** The Second Master will record a Verbal Warning as a formal record of a conversation they have had with a pupil over any behavioural matter, which gives cause for concern.

**Second Master's Caution:** The Second Master may speak to a pupil about their conduct and record a Caution, which will remain in force for a period of three months (not counting school holidays). Further need for a Caution during this period will normally lead to a Major Warning.

In cases of a serious breach of the School Rules, the Headmaster will normally impose one of the following sanctions according to the offence and the circumstances. However, for younger pupils a code of conduct, which the pupil signs, may be drafted to provide a framework to help improve behaviour.

**Major Warning:** This lasts for one calendar year from the date of offence. It states that any further serious breach during that period may result in exclusion. A Major Warning may be extended at the discretion of the Headmaster.

**Probation:** The Headmaster may give notice of placing a pupil on Probation for a specified period, at the conclusion of which the Headmaster will decide whether the Probation will be removed or extended or require the pupil's departure from the School. Probation may be for poor academic performance, for poor behaviour, or for both.

**Final Warning:** This lasts for the remainder of a pupil's time in the School. It states that any further serious breach will very probably result in exclusion. Pupils who have previously incurred a Major Warning, now lapsed, may incur this penalty on a second serious offence.

#### **Mandatory leave pending conclusion of an investigation**

If, on the basis of evidence collected at the earliest stage of an investigation, the Headmaster has reasonable cause to believe that a pupil has been responsible for a serious breach of the school rules, the Headmaster may require the pupil to be removed from the College by his/her parent(s)/guardian(s), and remain absent from the College on mandatory leave for the duration of the investigation.

#### **Suspension**

The Headmaster can temporarily exclude a pupil. Temporary exclusion is also sometimes called suspension. Before deciding to temporarily exclude (suspend) a pupil the Headmaster will so far as is possible:

- Ensure that an appropriate investigation is conducted and consider the evidence collated
- Give the pupil an opportunity to be heard
- Consult other relevant people if necessary

At the Headmaster's discretion, work will generally be set for a pupil to do at home during the period when they are temporarily excluded (suspended).

## **Permanent Exclusion**

The Headmaster can permanently exclude a pupil. Before deciding to permanently exclude a pupil the Headmaster will so far as is possible:

- Ensure that an appropriate investigation is conducted and consider the evidence collated
- Give the pupil an opportunity to be heard
- Consult other relevant people if necessary

Generally, the Headmaster will offer parents the opportunity to withdraw their child voluntarily if it is concluded that permanent exclusion is an appropriate sanction.

Permanent exclusion will only be considered appropriate where:

- It has been proven to the Headmaster's satisfaction that the pupil has been responsible for a serious one-off breach of the School Rules or persistent breaches of the School Rules, and
- Where allowing the pupil to remain in the School would be likely seriously to harm the education and/or welfare of the pupil or others in the School; and
- Where such a sanction is reasonable, fair and proportionate.

The Headmaster shall ensure that information provided to the pupil and his/her parent(s)/guardian(s) is clear and easily understood. Where the parents' first language is not English consideration shall be given, where practical, to translating the letter or taking additional steps to ensure that the details of the exclusion have been understood.

When reviewing the evidence and determining whether the pupil has been in breach of the School Rules, the Headmaster:

- shall have regard to the matters contained in *Appendix A* paragraphs 1 – 6, and
- insofar as any previous record may be material to the investigation, he/she may have regard to the matters contained in *Appendix A* paragraph 7, and if so he/she shall make known the extent to which he/she has had regard to this.

If the Headmaster finds that the pupil has seriously breached one or more rules contained in the School Rules, in determining sanction, and in particular when determining whether permanently to exclude the pupil, the Headmaster shall have regard to all of the matters contained in *Appendix A* (paragraphs 1 – 11 inclusive).

### *Required Removal (parent conduct)*

As set out in the School's Terms and Conditions (Parent Contract), the School may require the removal of a pupil in circumstances where the Headmaster considers in his/her discretion that the behaviour or conduct of a parent (or both parents) is unreasonable; and/or adversely affects (or is likely to adversely affect) their child's or other children's progress at the School, or the wellbeing of School staff; and/or brings (or is likely to bring) the School into disrepute; and/or is not in accordance with their obligations under the Parent Contract. A non-exhaustive list of the sorts of behaviour that could merit required removal of a pupil on the grounds unacceptable parental behaviour or conduct includes the following:

- treating the School or a member of staff unreasonably;
- making a malicious allegation about a member of staff or the School;

- communicating with the School in person or in writing (directly or indirectly), in a manner which is deemed voluminous, and/or relentless, and/or confrontational, and/or unreasonable, and/or aggressive;
- behaving in a manner which adversely affects (or in a manner which is likely to adversely affect) the welfare of a member or members of the School community; and
- breaching the School's Terms and Conditions (Parent Contract) or bringing the School into disrepute by things said or done.

The School reserves the right to impose sanctions for parental behaviour falling short of required removal, including but not limited to placing restrictions on a parent's access to School / School events, communications with the School and/or the imposition of a warning (up to and including a final written warning).

#### *Required Removal (attendance and progress)*

As set out in the School's Terms and Conditions (Parent Contract), the School may require the removal of a pupil in circumstances where the Head considers in [his/her] discretion that the pupil's attendance or progress at the School is unsatisfactory and, in the reasonable opinion of the Head, the removal of the pupil is in the School's best interests and/or those of the pupil or other children.

#### *Appeal*

A decision to exclude a pupil is not taken lightly and before it is reached the Headmaster will have given careful consideration to any representations by the parents. In the process, the Headmaster will consult the Warden (or in their absence the Sub-Warden), although it is the Headmaster who remains the decision taker.

In the event of a decision to exclude a pupil, the parents will be informed immediately and they may, if they wish, appeal the Headmaster's decision to the Warden and Fellows by letter. Any such letter must be submitted within seven days of the date of the decision to exclude was communicated to the parents and be addressed to the Secretary to the Governing Body, the Bursar. An appeal against exclusion will be dealt with under the final stage (Stage 3) of the Complaints Procedure (Parents). There is no right of appeal for parents who voluntarily withdraw their child from the school.

The decision of the Warden and Fellows will be communicated to the parents, and is final.

#### *Appendix A*

*Matters which shall be taken into account when collating the evidence, and by the Headmaster when reviewing the evidence.*

1. The age and state of health of the pupil.
2. Any particular circumstances unique to the pupil, which might sensibly be taken into account in connection with the behaviour, e.g., strained or traumatic domestic situations, whether it is known or believed that the pupil is a victim of bullying, whether the pupil has or may have mental health issues.
3. The extent to which parental, peer or other pressure may have contributed to the behaviour.

4. The degree to which the behaviour was a violation of one or more rules contained in the College's School Rules, and the relative importance of the rule(s).
5. Whether the alleged breach of the School Rules was perpetrated by the pupil on his or her own or as a part of a group (using one pupil as a scapegoat should always be avoided).
6. Whether any special educational needs or disabilities which the pupil may have, have been properly considered.

*Matters which may be taken into account when collating the evidence, and by the Headmaster when reviewing the evidence.*

7. The pupil's previous record at the College which may include any previous sanctions, whensoever imposed.

*Additional matters which shall be taken into account by the Headmaster when deciding on sanction.*

8. The degree of severity of the behaviour, the frequency of its occurrence and the likelihood of it recurring.
9. Whether or not the behaviour impaired or will impair normal functioning of the pupil or other pupils in the College.
10. Whether or not the behaviour occurred on school premises or when the pupil was otherwise in the charge of school staff, or when the pupil was on the way to or from school. An important consideration in cases of doubt is the extent to which behaviour away from school had a serious impact on the life of the school.
11. Whether consideration has been given to seeking the support of other agencies such as the Education Welfare Service or Educational Psychology Service.