



Exclusion Policy

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Exclusion Policy

The Exclusion Policy is considered when all possible actions identified through the Strategies for Success Policy have been exhausted or the serious nature of the behaviour(s) being addressed require investigation without possible interference or are likely to impact upon the safety of the individual or others in the College. Formal exclusion is the only means by which a student may be formally asked to leave Carmel College.

The Role of the Principal and Vice Principal

The Vice Principals are the only personnel permitted to permanently exclude a student. They are required to follow the procedures set out in the Strategies for Success Policy, which are designed to ensure fairness and openness and minimise the need for an appeal against the decision.

The Principal will consider any appeals following an exclusion.

All Code of Conduct cases including exclusions are treated in the strictest confidence. Only those who need to know the details of exclusion should be informed of them.

This policy allows the College to exclude permanently any student if a decision is made that this is beneficial to the college operation and/or reputation.

Where there is conclusive evidence the College may exclude any student:

- a) Where the effect of a student's conduct and behaviour is deemed to be so serious that it damages the College's reputation
- b) Where a student is in possession of an offensive weapon or illegal substances
- c) Where a student's actions put students, staff or visitors at serious risk
- d) Where there is considerable cause for concern as a result of the student being under the influence of drugs or alcohol at College or when participating in a College-related activity.
- e) The procedures outlined in the Strategies for Success Policy and related support strategies have been used and exhausted without any demonstration of improvement to the student's behaviour.

The student may be suspended pending a decision, or action might be immediate.

Informing the Parent/Guardian

Whenever there is a possibility of permanently excluding a student, the parent/guardian must be notified immediately by the Vice Principal, Assistant Principal or Pastoral Director, ideally by telephone followed up by a letter (e mail letter).

The letter must state:

- the parent's right to attend and provide information to the Disciplinary Panel leading on the decision of exclusion and how the student may be involved in this
- the person whom the parent should contact if they wish to make such representations - usually the Designated Safeguarding Lead
- the reasons for the Disciplinary Meeting

- the latest date by which the Panel must meet to consider the circumstances in which the student may be permanently excluded
- the parent's right to see and have a copy of his or her student's notes

Exclusion Meeting

An Exclusion can be actioned only by a Vice Principal. Other college staff will be involved in providing evidence to the Vice Principal. The Assistant Principal and Pastoral Director will be in attendance.

The student and the parent/carers will be invited to attend the meeting.

There is no expectation that a student will be asked for their viewpoint if a case is dealt with as an Exclusion, though sometimes this might happen.

The meeting will draw upon evidence of a student's past behaviour; the risk of a repeat of the unacceptable behaviour and the likelihood to respond positively to the guidance, actions and sanctions available

A record will be kept of all interviews and their date and time. Students and their parent/carers will be given the opportunity to amend errors or point out omissions in the notes taken. Once the text is agreed it should be signed by all parties.

Post Exclusion

The College will ensure that students have safe and adequate means to travel to their home. However, if a student shows the intention of disrupting College's normal working practices or threaten others, the college may decide to seek police help to remove the student from College's premises.

In all cases where a student is to be permanently excluded, information and guidance will be provided to the student to advise of possible alternative places of study.

An outcome letter will be sent to the student, with a copy to the parents/carers, which must include the reason for the Exclusion.

Within one day of the exclusion decision, the Vice Principal must inform SLT, relevant teaching and support staff and MIS.

There is a right of appeal against an Exclusion. This should be made in writing by the student or their parent/carer and addressed to the Principal. It must be sent within one week of date of letter confirming permanent exclusion decision.

After exclusion an individual is no longer a student of the College and loses student status and access to college facilities. After exclusion, an individual will not be reconsidered for re-application at any time in the future.

Appeal for re-instatement against a permanent exclusion

Appeals must be in writing to the Principal, setting out reasons for appeal and sent within one week of date of letter confirming permanent exclusion decision.

The Principal, or a delegated officer on the behalf of the Principal other than the Vice Principal,

will review all appeals against permanent exclusion. The Principal will appoint a member of College Senior Leadership Team (SLT) not previously involved with the exclusion to act as the investigating officer.

The role of the investigating officer is to confirm to the Principal the following:

- a. The Disciplinary Panel has followed College procedure
- b. The Vice Principal has acted fairly and considered all relevant matters at the time of the meeting
- c. If there is any new or further information to consider

If any of the above has not taken place then the Principal will ask for the Disciplinary meeting to take place again and will chair the panel instead of the Vice Principal.

Where the investigating officer confirms all procedures were followed fairly and all information was considered, the outcome of the original Disciplinary meeting will be upheld.

If the Principal re-instates an excluded student, a separate meeting between the Principal and the Disciplinary Panel should take place to plan the careful re-integration of the student. The College must meet its duty of care by taking steps to reduce the likelihood of a recurrence of the original behaviour and incident.

For example, if a student were re-instated after a drug-related offence, it would be appropriate to offer counselling as part of the re-integration plan. The re-integration plan should be supportive and developmental and leave no room for the student to feel victimised.

Police involvement and parallel criminal proceedings

If it is necessary to contact the police, staff members should notify the Principal, Vice Principal or, in their absence, a senior member of College staff.

A College related incident may sometimes also be the subject of a police investigation which may subsequently result in criminal proceedings. This can mean that the evidence available to the Vice Principal is very limited. It should be remembered that the police and the courts will be applying the criminal standard of proof — beyond reasonable doubt — whereas the Vice Principal and SLT must apply the civil standard of proof (the balance of probabilities). The possibility of criminal proceedings should not delay or postpone the Disciplinary Panel decision.