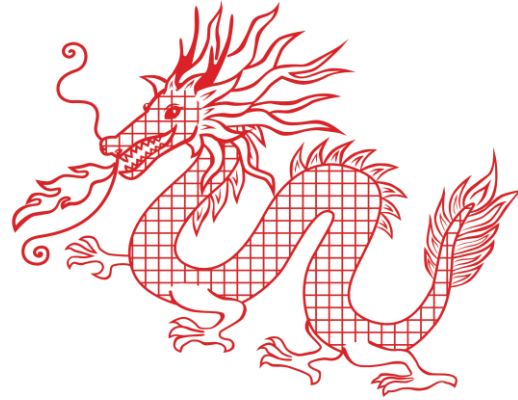


KELLETT SCHOOL HONG KONG

STUDENT PERMANENT EXCLUSION POLICY

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| LAST REVIEWED DATE | March 2022 |
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KELLETT SCHOOL HONG KONG

STUDENT PERMANENT EXCLUSION POLICY

CONTENTS

| | | |
|---|--|---|
| 1 | PURPOSE | 3 |
| 2 | OBJECTIVE | 3 |
| 3 | POLICY COVERAGE | 3 |
| 4 | EXCLUSION | 3 |
| 5 | PROCEDURE FOR A CONTINUED ATTENDANCE MEETING | 3 |
| 6 | ILLEGAL ACTIONS..... | 5 |
| 7 | CONFIDENTIALITY | 5 |
| 8 | DATA PROTECTION | 5 |
| 9 | APPENDIX ONE: PERMANENT EXCLUSION OFFENCES | 7 |

1 PURPOSE

- 1.1 The purpose of this policy is to set out a clear and fair student permanent exclusion policy.

2 OBJECTIVE

- 2.1 The Kellett School Association Ltd, which comprises Kellett School, Pok Fu Lam Prep, Kellett School, Kowloon Bay Prep and Kellett School, Kowloon Bay Senior (together, the "**School**") has the right to permanently exclude or require removal of a student in accordance with this policy and the Parental Terms and Conditions agreed to by parents on accepting a place for their child at the School ("**Terms and Conditions**").

3 POLICY COVERAGE

- 3.1 This policy applies to all students at the School.

4 EXCLUSION

- 4.1 The grounds on which a student may be excluded or removed from the School are set out in the Terms and Conditions.
- 4.2 An indicative list is outlined in Appendix One, below.

5 PROCEDURE FOR A CONTINUED ATTENDANCE MEETING

- 5.1 A fair and thorough investigation will be held into the allegations made against an individual student. A meeting will be held (a "**Continued Attendance Meeting**") will be held, with one of the possible outcomes of the meeting being permanent exclusion.

5.2 The Investigation

- 5.2.1 This investigation will normally be carried out by the student's Head of House or a Member of the relevant School Leadership Team (the investigating officer), other than the Principal & CEO.
- 5.2.2 The purpose of the investigation will be to establish the facts and statements will be taken as appropriate from students and staff involved in the incident or who witnessed the incident.
- 5.2.3 If available, the student will be informed of the allegation and the information relied upon by the investigating officer in an interview and will be given the chance to respond to these allegations.

5.3 **Temporary Suspension**

- 5.3.1 Depending on the nature of the alleged offence, it may be necessary for the student to be temporarily suspended whilst an investigation is carried out. In this instance, parents will be informed immediately. In other cases, parents would normally be informed after the initial investigation but in good time before the Continued Attendance Meeting.
- 5.3.2 While suspended, the student will remain away from the School and will have no right to enter the School premises during that time without prior written permission from the Principal & CEO. The suspension will remain in place until the Continued Attendance Meeting.

5.4 **External Bodies**

- 5.4.1 The police, social services or other appropriate external bodies will be involved if appropriate or required.

5.5 **The Continued Attendance Meeting**

- 5.5.1 Parents will be notified of the Continued Attendance Meeting in reasonable time i.e. there will normally be at least two working days' notice of a hearing in writing.
- 5.5.2 The Continued Attendance Meeting will normally be chaired by the Principal & CEO, although in some circumstances it may be heard by a member of the Governing Body.
- 5.5.3 Parents will be given access to all the evidence, including witness statements (redacted accordingly subject to data protection laws and any other applicable laws) during the meeting.
- 5.5.4 The Principal & CEO will be accompanied by another member of the school staff who has not previously been involved in the matter. He/she may act as minute taker.
- 5.5.5 The student is encouraged to attend the Continued Attendance Meeting.
- 5.5.6 The student's parents may be accompanied at the hearing by a supporter as long as this person is identified in advance of the hearing. This may not be a legal representative and s/he would not be able to make representations.
- 5.5.7 Witnesses may be asked to attend, other students may only be in attendance if necessary, and with their parents' prior consent.
- 5.5.8 The hearing will be fully minuted and the minutes taken shall be retained on file. This will include the names and roles of all those present, all written

documents considered, the oral evidence given, and the decision reached, including the reasons stated.

- 5.5.9 At the Continued Attendance Meeting, the Principal & CEO will set out how the meeting will be conducted and the role of those present.
- 5.5.10 The School, normally the investigating officer, will present its case.
- 5.5.11 Parents/the student will be able to ask questions and then present their case.
- 5.5.12 The Principal & CEO will have the opportunity to ask any further questions to ensure all the facts have been established as clearly as possible.
- 5.5.13 Following the Continued Attendance Meeting the Principal & CEO will consider his/her decision. Parents will be informed as to the timing of the decision and how they will be informed.
- 5.5.14 The decision will be confirmed in writing if the original decision is given verbally. The decision letter will normally be sent within one working day of the hearing and will state the following: the decision in relation to each/the charge. The sanction, when it takes effect, the reasons for the decision and to whom the parents may appeal and the deadline for doing so.

6 **ILLEGAL ACTIONS**

- 6.1 In the event that a report is made to the Police by any person concerning the subject of an investigation, the matter will be reported to the Chair of the Board and the Governance Committee, who shall decide, where possible in consultation with the rest of the Board, any further action required by the school (e.g., if the school needs to appoint formal legal representation).

7 **CONFIDENTIALITY**

- 7.1 Any investigation conducted by a member of staff and details of any findings shall be confidential in accordance with law.

8 **DATA PROTECTION**

- 8.1 In accordance with the Personal Data (Privacy) Ordinance (the "**PDPO**"), the School shall take all practical steps to ensure that the personal data obtained in the execution of this policy shall not be kept for longer than is necessary for the fulfilment of the purpose for which the data is used, except where there is a public interest to otherwise keep the data.

9 APPENDIX ONE: PERMANENT EXCLUSION OFFENCES

The following is a non-exhaustive list of the sorts of behaviour that could merit permanent exclusion includes the following, regardless of whether they took place within School or outside School premises or School time: ***[JG comment: need to ensure this is consistent with the school rules and cross refers to any other relevant policies that mention expulsion]***

- 9.1 Violence or aggression towards another person;
- 9.2 Verbal abuse/threatening offensive, insulting or abusive remarks or behaviour against students or adults;
- 9.3 Serious or repeated bullying;
- 9.4 Discrimination;
- 9.5 Sexual misconduct;
- 9.6 Involvement with or use of illegal and/or controlled substances;
- 9.7 Serious or repeated alcohol misuse/possession or use/possession of legal substances known to give a high;
- 9.8 Malicious damage to property;
- 9.9 Theft;
- 9.10 Persistent disruptive/antisocial behaviour;
- 9.11 Serious contravention of the School's ICT Acceptable Use policy;
- 9.12 Serious contravention of the School's Email Policy;
- 9.13 Serious contravention of the School's Discipline Policy;
- 9.14 Behaviour which puts or is likely to put the reputation of the School in jeopardy;
- 9.15 Behaviour which impacts or is likely to impact negatively on the School community;
- 9.16 Illegal actions.