

Investigation Procedure for a Complaint about Student Conduct

1. *Complaints:* Investigation of a complaint or an allegation of serious misconduct will normally be co-ordinated by a Head of Tier and/or a Deputy Head, and its outcome will be reported to the Head.
2. *Suspension:* A pupil may be suspended and required to live at home or with his/her education guardian while a complaint is being investigated.
3. *Search:* In order to investigate the complaint, the investigating officer or member of staff may require to search a pupil's space and belongings and ask the pupils to turn out the contents of pockets or a bag, if the member of staff or investigating officer considers there is reasonable cause to do so (all actions will be consistent with the School policy on Searching a Pupil). 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, the police would be called (as stated in the School policy on Searching a Pupil).
4. *Interview:* If a pupil is to be interviewed formally about a complaint the pupil's parents will be informed as soon as practicable. During interviews the pupil may have a neutral observer for support who will normally be the Tutor, Head of Year, Housemaster/mistress, Head of Tier or Deputy Head (Pastoral). 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 (in order to contact their parents or other relative) and adequate food and drink. Mobile telephones may be temporarily removed from the pupil's possession.
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 or legal representation.

Disciplinary Meeting

6. *Preparation:* The Chairman of Governors may be informed of the investigation. Documents available at the disciplinary meeting before the Head may 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 Head of Tier or Deputy Head's Investigation Report.
 - The pupil's school file and conduct record.
 - The relevant school policies and procedures.
7. *Attendance:* The pupil and their parents (if available) will be asked to attend the disciplinary meeting with the Head at which the Head of Tier or Deputy Head will explain the circumstances of the complaint and the investigation. The pupil and their 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 pupil witnesses will be preserved.
8. *Proceedings:* There are potentially three distinct stages of a disciplinary meeting:
 - *The complaints* – the Head will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless the Head considers that further investigation is needed, a decision will be made as to whether or not the complaint has been sufficiently upheld. The burden of evidence shall 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.
 - *The sanction* – if the substance of the complaint is demonstrated to warrant action on behalf of the College, the Head will outline the range of disciplinary sanctions which are open to the Head. This will take into account any further statement which the pupil, or others present on the pupil's behalf, wish to make. The pupil's disciplinary record will be taken into account. Within a timescale of not more than 24 hours, the Head will give a decision on sanctions, along with the reasons for the course of action taken.
 - *Leaving status* – if the Head decides that the pupil must leave the College, there will be a consultation with parents before deciding on the pupil's leaving status.