

PUPIL DISCIPLINARY PROCEDURE



ST ANDREW'S COLLEGE

PUPIL DISCIPLINARY PROCEDURE

1. Introduction

- 1.1 This procedure is only a guideline and may be departed from in circumstances deemed appropriate.
- 1.2 Subject to 1.1, this procedure, as amended from time to time, will be applied when pupils need to be disciplined.

2. Code of Conduct

- 21 The College Code of Conduct, as amended from time to time, is set out in the Andrean Handbook under the headings of "The School Rule" and "Rules and Regulations". Contraventions of the Rules constitute either major or minor offences. In the case of a contravention of a rule listed as a "Headmaster's offence" an appropriate sanction includes expulsion or suspension of the offender.
- 22 The offences set out in the Rules of the Code of Conduct are not intended to be exhaustive and may be departed from in appropriate circumstances.
- 23 The College reserves to itself the right to take disciplinary action against pupils in appropriate circumstances, even if an offence is committed off the school property and/or outside school time or when a pupil is not officially representing the College.

3. Minor Offences

- 31 Minor offences must be dealt with by members of academic staff and housemasters in accordance with the practice from time to time. Appropriate sanctions may include detention, social restriction and community service. All sanctions will be recorded by the disciplining staff member in a manner deemed suitable by the Headmaster of the College.

4. Major Offences

- 41 If a pupil is alleged to have committed a major offence including those listed as "Headmaster offences", or an unacceptable number of minor offences or a further offence while on a final warning, a senior member of staff ("the investigator") will be appointed to investigate the circumstances and to recommend whether he/she believes that the offence was committed and whether he/she believes expulsion or suspension might possibly be appropriate.
- 42 If the investigator believes that expulsion or suspension may potentially be appropriate, a disciplinary enquiry to hear the matter may be convened.
- 43 A disciplinary enquiry will not be convened where the possible sanction is anything less serious than expulsion or suspension.

5. Notice

The affected pupil and his parents/guardian must be given reasonable written notice that a disciplinary enquiry has been convened setting out further:

- 51 the time and date of the enquiry;
- 52 the details of the offences which the pupil is alleged to have committed;
- 53 the possibility of expulsion or suspension;
- 54 the rights to which the affected pupil is entitled i.e that he may be represented or assisted by his parents/guardian or a willing member of staff.

6. Disciplinary Enquiry

- 6.1 Must be chaired by the Headmaster, a Deputy Headmaster or a nominee of the Headmaster.
- 6.2 In the event of the enquiry being chaired by the nominee of the Headmaster, he/she shall make a finding on the guilt of the pupil and make a recommendation to the Headmaster in regard to an appropriate sanction.
 - 6.2.1 After considering the minute of the enquiry and recommendation, the headmaster shall decide on the guilt of the pupil and an appropriate sanction.
- 6.3 A senior member of staff, designated by the Headmaster will present the case against the pupil.
- 6.4 The pupil may be represented or assisted by his parents/guardian or a willing member of staff. No legal representation will be allowed.
- 6.5 The disciplinary enquiry will be conducted informally in an inquisitorial manner and it is not intended that the enquiry will be conducted like a Court case.
- 6.6 There will be no verbatim record or transcript of the enquiry. The chairman may keep his own personal notes of the enquiry or may have notes kept for him, from which he will prepare an abbreviated minute.
- 6.7 Upon conclusion of the evidence and argument on the merits of the case, the chairman will decide whether the pupil is guilty of all or any of the alleged offences.
- 6.8 If the chairman finds the pupil guilty of all or any of the offences, he must invite evidence and argument in mitigation or aggravation of sentence, before deciding upon an appropriate sanction or a recommended sanction, as the case may be .\

Notwithstanding the above, the chairman of the enquiry will be entitled to stipulate the procedure to be followed in the enquiry.

7 Appeal to the Chairman of the College Council

- 7.1 A pupil may appeal to the Chairman of the College council ("Chairman of Council") or his nominee, against the finding of a disciplinary enquiry by serving a written notice of appeal on the Headmaster within three (3) days of being informed of the decision of the disciplinary enquiry. In the event of expulsion or suspension, the pupil concerned will be suspended from the school pending the outcome of the appeal.
- 7.2 The notice of appeal must set out precisely what is being appealed against and what the grounds of appeal are.
- 7.3 There will be no oral representations to the chairman of council or his nominee who will be a member of council.
- 7.4 After having considered the abbreviated minute of the disciplinary enquiry and the grounds of appeal, the chairman of the board or his nominee, must determine the appeal.

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