

**THOMAS MORE 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**

- 2.1 The College Code of Conduct, as amended from time to time, is set out in the *Students' code of conduct, General Information and House Rules* and the *Thomas More College High School Disciplinary Code*. In the case of a contravention of a rule that is listed in the *Thomas More College High School Disciplinary Code* the expulsion or suspension of the offender is an appropriate sanction.

2.2 The offences set out in the *Students' code of conduct, General Information and House Rules and the Thomas More College High School Disciplinary Code* are not intended to be exhaustive and may be departed from in appropriate circumstances.

### **3. Common Offences**

3.1 Common offences must be dealt with by members of academic staff and senior management in accordance with the practice from time to time. Appropriate sanctions may include detention, and community service. All sanctions will be recorded by the disciplining staff member in a manner deemed suitable by the Head of the College.

### **4. More Serious Offences**

4.1 If a pupil is alleged to have committed a more serious offence 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.

4.2 If the investigator believes that expulsion or suspension may potentially be appropriate, a disciplinary enquiry to hear the matter may be convened.

4.3 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:

5.1 the time and date of the enquiry;

- 5.2 the details of the offences which the pupil is alleged to have committed;
- 5.3 the possibility of expulsion or suspension;
- 5.4 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. This nominee can be independent from the school.
- 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.

Without distracting from the above, the chairman of the enquiry will be entitled to stipulate the procedure to be followed in the enquiry.

## **7 Appeal to the Executive Head of the College**

- 7.1 A pupil may appeal to the Executive Head of the College 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 Executive Head of the College or his nominee who will be a member of the board of trustees.
- 7.4 After having considered the abbreviated minute of the disciplinary enquiry and the grounds of appeal, the Executive Head of the College or his nominee, must determine the appeal.

