Ormiston Academies Trust

Exclusions and suspensions policy

Policy version control

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1. Introduction

1.1. When a child is suspended or excluded, the academy must follow the DfE Exclusions Guidance - https://www.gov.uk/government/publications/school-exclusion. There is additional guidance for parents here: https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

1.2. This policy outlines the process that should be followed for a suspension or exclusion. There is an FAQ section for parents in appendix 1.

2. Considering a suspension or exclusion

2.1. In considering a suspension or exclusion, staff and governors will also take into account their statutory duties in relation to special educational needs and disabilities (SEND) including having regard to the SEND Code of Practice.

2.2. A decision to suspend a student for a fixed term may be used to provide a clear signal of what is unacceptable behaviour as part of the academy's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, headteachers and schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

2.3. A decision to permanently exclude a pupil/student will only be taken:

- In response to serious or persistent breaches of the academy's behaviour policy; and
- Where allowing the pupil/student to remain in the academy would seriously harm the learning or welfare of the pupil/student, other pupils/students, or staff in the academy.

2.4. In the event of a serious incident a member of staff must endeavour to clarify the facts of the incident; this must so far as is reasonable include talking to the pupil/student in question, in a manner appropriate to their age. A written record of this meeting must be made. If the nature of the incident is extremely serious the academy should aim to have at least two staff members present to conduct the meeting. Pupils/students should be appropriately questioned and given an opportunity to explain their behaviour/actions. Where possible, pupils/students should be encouraged to provide a written statement of what happened and offered the opportunity to sign and date this as an authoritative record of events. At this stage the report will help to enable the academy to decide what further action should be undertaken. If the decision is taken to suspend or exclude a pupil, a member of SLT will meet with the child and speak to the family to discuss the suspension/exclusion.

2.5. Whilst a suspension/exclusion may still be an appropriate sanction, the principal will also take into consideration any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it is revealed a pupil/student has suffered bereavement, has mental health issues or has been the subject of bullying. In cases involving SEND and Looked After Children (LAC) pupils/students, the principal should also consider whether the appropriate provision is in place, with multi-agency involvement to support their needs. For any child considered vulnerable, the vulnerable students' checklist should be completed before the decision to permanently exclude is taken.

2.6. In most cases a range of alternative strategies will have been tried before excluding a child. Where a one-off incident of sufficient gravity has taken place, this may not apply. Exclusion should be a last resort after all other reasonable options have been explored.

2.7. Where it is deemed a suspension or exclusion is not appropriate or suitable, an academy may arrange a governor warning meeting for the pupil with a member of the Local Governing Body (LGB). A governor should then meet with a pupil and parents to remind them of the academy's behaviour policies and academy expectations and ascertain whether they feel they have any unmet needs in order of supporting the student to ensure they have the best possible chance of succeeding in the academy. If the pupil, then has further suspensions or is excluded the governor that attended this meeting would not be eligible to sit on any further panels for that child.

3. The decision to suspend/exclude

3.1. The principal alone (or the acting principal[1], if the principal is absent) has the power to suspend or exclude pupils/students.

3.2. Before deciding to suspend or exclude a pupil/student permanently the principal will first try a range of strategies as outlined in the academy Behaviour Policies. Only when other strategies have been tried without success will the principal consider permanent exclusion. Except, or notwithstanding where a one-off incident of sufficient gravity has taken place

3.3. The principal may suspend a pupil/student for up to 45 academy days in any academic year. Any exclusion beyond 45 academy days will be permanent. However, before that point is reached the principal will have held discussions with the Local Authority (LA) with a view to arranging an appropriate placement in another academy or Pupil Referral Unit (PRU). From Day 6 of a permanent exclusion the local authority assumes full responsibility for the full-time education of the child.

3.4. Any looked after child (LAC) will receive alternative provision from day 1. A 'looked after child' is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions.

3.5. The principal will aim for the shortest possible period of suspension but however brief a suspension a plan will be made to:

- enable the pupil/student to continue their education;
- use the time to address the pupil's/student's problems;
- examine the process of reintegration.

3.6. All incidents where a child is sent home due to behaviour will be noted as a suspension, even if pre-agreed with a parent, e.g. pupils being sent home during lunch times. If a suspension is for part of the day (including lunchtime), it must be noted as a half day suspension.

[1] An acting Principal is someone appointed to carry out the functions of the Principal in the Principal's absence or pending the appointment of a Principal. This will not necessarily be the deputy: it will depend who is appointed to the role of acting Principal. (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf)

3.7. The principal must take account of their legal duty of care when sending a pupil home following a suspension or exclusion.

3.8. During the first five academy days of a suspension/exclusion the academy will take all reasonable steps to set and mark pupil/student work in line with its marking and feedback policy.

4. Duty to inform

4.1. Whenever a principal suspends or permanently excludes a child they must, without delay, notify relevant parties of the period of the suspension or permanent exclusion and the reason(s) for it. This should include parents/carers (including all parents/carers even where at different addresses), the local authority, the child's home authority if it is different to the school's local authority, social worker and/or virtual school head (VSH) where applicable.

4.2. They must also, without delay, after their decision, provide parties with the following information in writing.

- the reason(s) for the suspension or permanent exclusion.
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent.
- parents' right to make representations about the suspension or permanent exclusion to the LGB and how the child may be involved in this.
- how any representations should be made.
- where there is a legal requirement for the LGB to consider the suspension or permanent exclusion, that parents or the child (if aged 18 years or older) have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.
- Social workers and virtual school heads right to make representations about the suspension or permanent exclusion to the LGB

4.3. Written notification of the information above can be provided by delivering it directly to the party, leaving it at their usual or last known home address, or posting it to that address. Notices can be given electronically if the parties have given written agreement for this kind of notice to be sent in this way.

4.4. Where a suspended or permanently excluded child is of compulsory school age, the principal must also notify the child's parents of the days on which they must ensure that the child is not present in a public place at any time during school hours.

4.5. These days are the first five school days of a suspension or permanent exclusion (or until the start date of any full-time alternative provision or the end of the suspension where this is earlier). Any parent who fails to comply with this duty without reasonable justification, commits an offence and may be given a fixed penalty notice or be prosecuted. The principal must notify the parents of the days on which their duty applies without delay and, at the latest, by the end of the afternoon session on the first day of the suspension or permanent exclusion.

4.6. For a suspension of more than five school days, the academy must arrange suitable full-time education for any child of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension. Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the child for the full period or multiple decisions to suspend the child for several periods in a row.

4.7. For permanent exclusions, the local authority must arrange suitable full-time education for the child to begin from the sixth school day after the first day the permanent exclusion took place. This will be the child's 'home authority' in cases where the academy is in a different local authority area. The academy should collaborate with the local authority when the child might be eligible for free home to school travel, arranged by the local authority, to the place where they will be receiving education.

4.8. In addition, where a child has an EHCP, the local authority may need to review the plan or reassess the child's needs, in consultation with parents, with a view to identifying a new placement.

4.9. The local authority must have regard to the relevant statutory guidance when carrying out its duties in relation to the education of looked-after children, which can be found here: Promoting the education of looked-after children and previously looked-after children (publishing.service.gov.uk). Where a looked-after child is excluded, academy should document the provision of immediate suitable education in the child's personal education plan (PEP).

4.10. Provision does not have to be arranged by either the academy or the local authority for a child in the final year of compulsory education who does not have any further public examinations to sit.

4.11. If alternative provision is being arranged, then the following information must be included with this notice where it can reasonably be found out within the timescale:

- the start date for any provision of full-time education that has been arranged for the child during the suspension or permanent exclusion.
- the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant.
- the address at which the provision will take place.
- any information required by the child to identify the person they should report to on the first day.

4.12. Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session on the first day of the suspension or permanent exclusion, it may be provided in a subsequent notice, but it must be provided without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

4.13. The virtual school head (VSH) must be invited to attend the LGB meeting to share information where the child is a looked-after child. This should include helping the LGB to understand the child's background and circumstances. They should also be able to advise the LGB on the possible contribution that the child's circumstances could have made to the suspension or permanent exclusion.

4.14. Where applicable, social workers must be invited to attend the LGB meeting to share information. This should include helping to identify how the child's circumstances may have influenced the circumstances of the child's suspension or permanent exclusion and ensuring that safeguarding needs and risks and the child's welfare are taken into account.

4.15. For a permanent exclusion, if the child lives outside the local authority area in which the academy is located, the principal must also notify the child's 'home authority' of the permanent exclusion and the reason(s) for it without delay. The principal must also inform the LGB once per term of any other suspensions or exclusions of which they have not previously been notified.

4.16. The failure of a principal to give notice of the information outlined above in writing by the required time does not relieve the principal of the duty to serve the notice. A notice is not made invalid solely because it has not been given by the required time.

4.17. If a child is suspended again following their original suspension, or is subsequently permanently excluded, the principal must inform all parties without delay and issue a new exclusion notice to parents and the social worker.

5. Informing parents

5.1. For notifications of any suspension or exclusion, although this must not delay notification, notification should be in person or by telephone in the first instance as this allows parents to ask any initial questions or raise concerns directly with the principal. Principals should consider the following:

- Has the academy spoken to the parents (and when appropriate, the child's social worker/virtual school head) to ensure they fully understand the type/scale of the incident?
- Has the academy considered how to communicate accessibly and clearly, including whether parents may have particular communication needs relating to a disability or having English as an additional language (EAL)?
- Has the academy provided sufficient details in the suspension or permanent exclusion notice letter on the reasons for the suspension or permanent exclusion?
- Has the academy informed parents and local authority (and when appropriate, the child's social worker, virtual school head,) whether their child will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension or permanent exclusion?
- Outlining the next steps in the process including the option to make representations and what a panel meeting may entail.

5.2. When notifying parents about a suspension or permanent exclusion, the principal should set out what arrangements have been made to enable the child to continue their education prior to the start of any alternative provision or the child's return to the academy, in line with legal requirements and guidance in Part 6 of the DfE guidance.

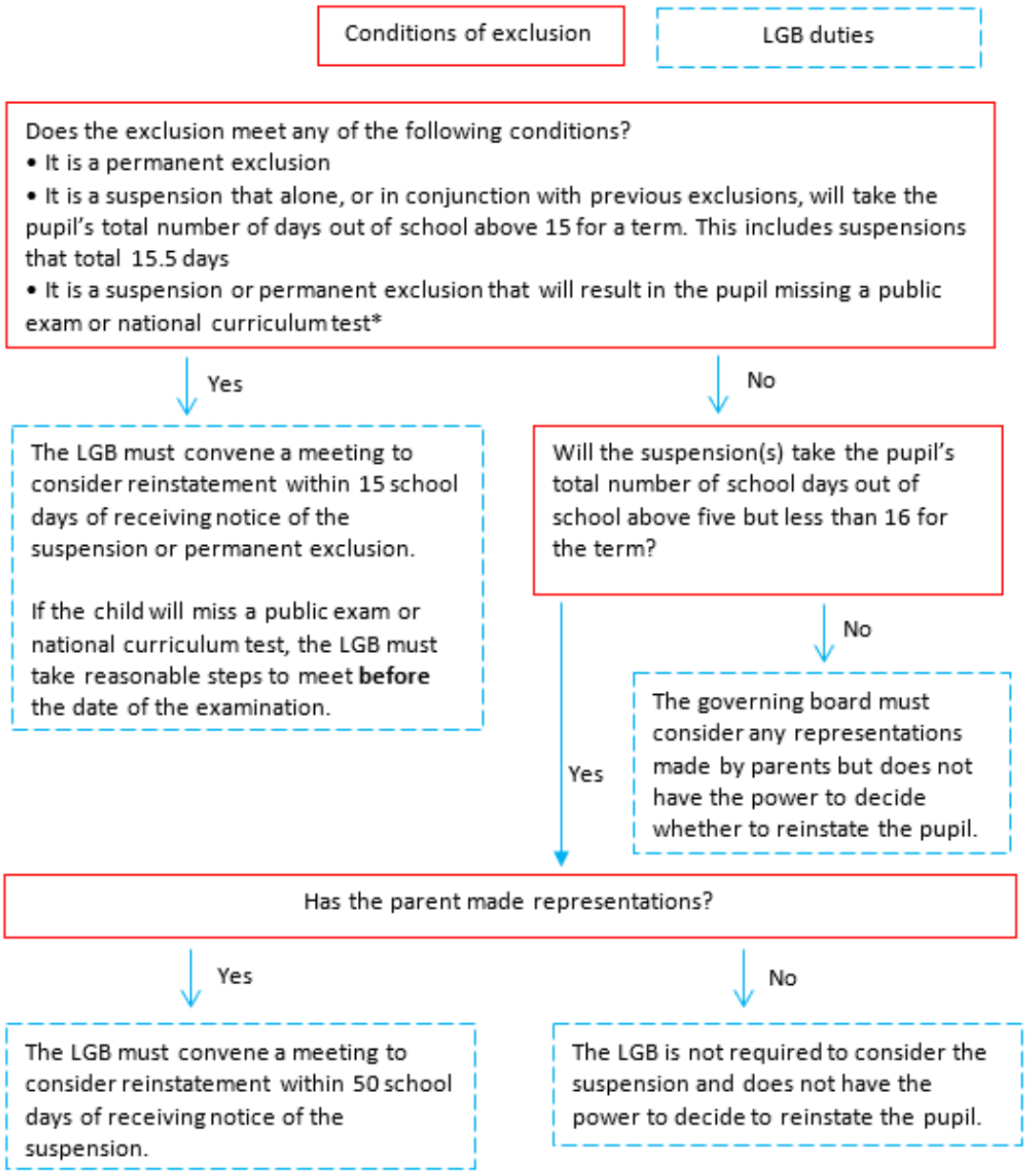
5.3. When notifying parents about a suspension or permanent exclusion, the principal must draw attention to relevant sources of free and impartial information. This information must include:

- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service.
- Coram's Child Law Advice service can be accessed through their website or contacted on 0300 330 5485 from Monday to Friday, 8.00am – 6.00pm.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10.00am to 1.00pm during term time.
- Independent Provider of Special Education Advice (known as IPSEA) is a registered charity. It offers free and independent information, advice, and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

6. Informing the LGB

6.1. Where the appropriate criteria are met, a governor disciplinary committee must be convened to hear the relevant case. OAT central governance team will support with sourcing committee governors if suitable local governors cannot be found within the required timelines.

6.2. The principal must, without delay, notify the clerk to the governor disciplinary committee who will in turn convene a committee of three governors to consider a suspension or exclusion. To ascertain whether the convening of a panel is required, please refer to the DfE's flowchart below:



6.3. Where the LGB 'must convene a meeting' a governor disciplinary committee should be formed, and all parties invited. Any meeting, where parents are entitled to attend, must be convened by at least 3 governors.

6.4. For suspensions of 5 days or fewer, where the LGB must consider any written representations made by parents, at least two governors must convene to consider those written representations and write to the parents with their decision.

6.5. Where the governors are considering a suspension of over 15 days, the committee should consider only the 'trigger' exclusion that took the child over 15 days.

6.6. Where a child is due for a panel meeting to consider a suspension and in the time between the suspension being issued and the date of the meeting, the child is permanently excluded, both suspension and exclusion can be considered by the same panel subject to the consent of the parent. The panel should make two separate decisions.

6.7. Where permanently excluded, the child should only be taken off-roll when the deadline for an IRP has passed, or the IRP process has been concluded.

7. Independent review panels

7.1. Following a permanent exclusion, parents will be given the opportunity to request an independent review panel (IRP) who will consider the governor disciplinary committee decision to decline reinstatement. The request must include the parents' grounds for the appeal.

7.2. If applied for by parents within the legal time frame (15 academy days), the academy is responsible for securing an independent external clerking service/clerk who will arrange for an IRP to review the decision of a governing body not to reinstate a permanently excluded pupil/student.

7.3. Any application made outside the legal time frame will be rejected by the academy

7.4. Parents may request an IRP even if they did not make representations against the exclusion or attend the meeting at which the governors made their decision.

7.5. The IRP will be comprised of people completely independent of the academy.

7.6. The role of the IRP is to review the governing body's decision not to reinstate a permanently excluded pupil/student. In reviewing the decision, the IRP must consider the interests and circumstances of the excluded pupil/student, including the circumstances in which the pupil/student was excluded and have regard to the interests of other pupils/students and people working at the academy. The IRP l must also apply the civil standard of proof "on the balance of probabilities" rather than the criminal standard of "beyond reasonable doubt".

7.7. Following its review, the IRP can decide to:

- Uphold the exclusion decision
- Recommend that the governing body reconsiders their decision or,
- Quash the decision and direct the governing body to consider the exclusion again

7.8. The IRP cannot direct the academy to reinstate a child.

7.9. The decision of the IRP is binding on the: pupil/student, parents, governing body, LA, and OAT.

7.10. New supporting evidence may be presented to the IRP, but the academy may not introduce new reasons for the exclusion and the IRP will disregard any new reasons that are introduced.

7.11. Where present the IRP must seek and have regard to the SEND expert's view of how SEND might be relevant to the pupil's/student's exclusion.

7.12. A member of the governor disciplinary committee and the principal will be invited to attend the hearing to present their case to the IRP.

7.13. As with the governing body exclusion hearing, parents will be invited to attend and may bring a friend, if they are not present the case will be heard in their absence.

7.14. Following the review, the IRP must issue written notification to all parties without delay. This notification must include:

- The IRP's decision and the reason for it
- Where relevant, details of any financial payment to be made if the governing body subsequently decides not to offer to reinstate a pupil/student
- Any information that must be recorded on the pupil's/student's educational record to reflect the decision

7.15. If the IRP upholds the decision, the clerk to the IRP will immediately notify the LA and if the pupil/student lives out of the LA of the academy, the pupil's/student's 'home local authority' as well.

7.16. If the IRP quashes or recommends the reconsideration of the governor disciplinary committee's decision, the governor disciplinary committee must reconvene within ten school days of being given notice of the IRP's decision.

8. Responsibility of the academy and the LGB

8.1. Where the IRP directs or recommends that the LGB reconsider whether a child should be reinstated, the governor disciplinary committee must reconvene to do so, within 10 school days of being given notice of the IRP's decision. Notice is deemed to have been given on the day of delivery if it is delivered directly, or on the second working day after posting if it is sent by first class mail.

8.2. The reconvened governor disciplinary committee should consist of 3 governors. Where directed to reconsider, ideally the reconvened committee should consist of a majority (i.e. 2) of governors who are new to the matter. Where recommended to reconsider either the original disciplinary committee may do so, or the majority of the reconvened disciplinary committee can be from the original committee.

8.3. It is important that the governor disciplinary committee conscientiously reconsiders whether the child should be reinstated, whether the IRP has directed or merely recommended it to do so. Whilst the governor disciplinary committee may still reach the same conclusion as it first did, it may face challenge in the courts if it refuses to reinstate the child, without strong justification.

8.4. Following a direction to reconsider, unless within 10 school days of receiving notice of the IRP's decision the governor disciplinary committee decides to reinstate the child, the academy trust may be required to make a payment of £4,000 directly to the local authority in whose area the academy is located. This payment will be in addition to any funding that would normally follow a permanently excluded child.

8.5. If the governor disciplinary committee offers to reinstate the child within the specified timescale, but this is declined by the parents, no budget adjustment or payment can be made. The governor disciplinary committee must comply with any direction of the IRP to place a note on the child's educational record.

8.6. The clerk must also note, where a child is reinstated following a direction or recommendation to reconsider, or would have been reinstated if it had been practical to do so, the permanent exclusion does not count towards the rule that an admission authority may refuse to admit a child who has been permanently excluded twice; nor, in the case of a community or voluntary controlled school, does it count for the purposes of the rule that the governor disciplinary committee may appeal against the decision of the local authority as the admission authority to admit the child.

8.7. In the case of either a recommended or directed reconsideration, the governor disciplinary committee must notify the following people of their reconsidered decision, and the reasons for it, in writing and without delay:

- the parents;
- the principal;
- the local authority; and, where relevant, the 'home authority'
- social worker (where relevant)
- virtual school head (where relevant)

8.8. The reconsideration provides an opportunity for the governor disciplinary committee to look afresh at the question of reinstating the child, in light of the findings of the IRP. There is no requirement to seek further representations from other parties or to invite them to the reconsideration meeting. The governor disciplinary committee is not prevented from taking into account other matters that it considers relevant. It should, however, take care to ensure that any additional information does not make the decision unlawful. This could be the case, for example, where new evidence is presented, or information is considered that is irrelevant to the decision at hand.

8.9. The governor disciplinary committee should ensure that clear minutes are taken of the meeting as a record of the evidence that was considered by the governor disciplinary committee. These minutes should be made available to all parties on request.

8.10. The governor disciplinary committee should ask any parties in attendance to withdraw before making a decision. Where present, the clerk should stay to help the governor disciplinary committee by reference to their notes of the meeting and with the wording of the decision letter.

8.11. The governor disciplinary committee should note the outcome of its consideration on the child's educational record, and copies of relevant papers should be kept with the educational record.

8.12. The governor disciplinary committee should base its reconsideration on the presumption that a child will return to the academy if reinstated, regardless of any stated intentions by the parents or child. Any decision of the governor disciplinary committee to offer reinstatement, which is subsequently turned down by the parents, should be recorded on the child's educational record. The decision should demonstrate how the governor disciplinary committee has addressed the concerns raised by the IRP.

8.13. Where an application for an IRP has been made within 15 school days, the academy must wait until the review has been determined, or abandoned, and until the governing board has completed any reconsideration that the IRP has recommended or directed it to carry out, before removing a pupil's name from the register. Where a pupil's name is to be deleted from the admissions register because of a permanent exclusion the academy must make a return to the local authority.

Appendix 1 - Guidance for parents and carers

When a child is suspended or excluded, the academy must follow the DfE Exclusions Guidance - **https://www.gov.uk/government/publications/school-exclusion.** There is additional guidance for parents here: **https://www.gov.uk/government/publications/school-exclusions-guide-for-parents**

Q: My child has been suspended. What does this mean?

A: principals or acting principals have the right to suspend a student who has broken the academy's rules (this is sometimes referred to as a breach of the behaviour policy). A student can be suspended for a specified length of time or permanently excluded which means that they will not be able to return to school, unless the governor disciplinary panel directs their reinstatement. The suspension or exclusion issues will depend on the seriousness of the breaking of the academy's rules.

Q: I disagree with the decision. What can I do?

A: The letter you have received from the academy principal explains how you can challenge the decision (this is referred to as "making representations"). How you do this will depend on the total number of days of suspension your child has received this term.

- If your child has been suspended for 5 days or fewer in total this term, you can make representations to the governing body, but the governing body has no power to change the decision – they cannot reinstate your child. The governing body does not need to meet but may decide to put a note on your child's file about the decision.
- If your child has been suspended for more than 5 days and up to 15 days in total this term, you can make representations to the governing body. If you do this, then the governing body must meet to consider your representations within 50 academy days, and the decision can be overturned – this would be termed 'reinstatement'.
- If your child has been suspended for more than 15 days in total this term, the governing body must meet to consider this decision within 15 academy days, regardless of whether you ask for a meeting to happen. The Governing body has the power to overturn the principal's decision.

Q: My child has been permanently excluded. What does this mean?

A: A principal can permanently exclude a student from the academy if they have broken one of the more serious rules in the academy's behaviour policy. This is referred to as a **serious one-off incident**.

A student can also be permanently excluded if they repeatedly break some of the general rules of the policy over a period of time. This is referred to as **persistent disruptive behaviour**.

It also means that the principal has concluded that allowing the student to remain in the academy would seriously harm the education or welfare of the student or others within the academy community.

Q: Why does my child have to be permanently excluded? Why can't they be disciplined in another way and remain at the academy?

A: A principal's duty is to ensure that students and staff are safe. If they believe that the actions of student breaking the rules – whether this is a serious one-off incident or persistent disruptive behaviour – would potentially cause harm to the education or welfare of the student or of other students or staff, then they can permanently exclude a student.

The word "harm" does not only mean physical harm. It is possible for a student to harm other students' education or welfare if they continually disrupt learning, or if students are scared or worried about coming to school because of what another student has done.

Q: What happens about my child's education now?

A: The letter from the principal explains the arrangements for your child's education.

If your child has been suspended, the academy will provide work during that time. This may be a hard copy pack, or it might be via online education.

If your child has been permanently excluded, then the academy will provide work to your child for the first 5 school days. From the 6th school day, your local authority is responsible for providing your child with education. This can be in another school or another education environment, or it can be online education. Information is included in the principal's decision letter of who will provide education for your child from the 6th school day.

Q: What is the purpose of the governor disciplinary meeting?

A: The meeting is to consider the principal's decision to suspend or permanently exclude your child. Three Governors – known as the governor disciplinary committee – will review all the information about the decision to consider if it was made in accordance with the Department for Education's guidance on suspensions and exclusions. This panel will meet for suspensions over 15 days in a term and for permanent exclusions. A panel may also be convened where parents want to make representations about a suspension over 5 days in a term. Once a governor has been involved in a panel for a child, they cannot be involved in a future panel for that child (unless selected to sit on or attend a reconsideration hearing following an Independent Review Panel Hearing).

Q: What will the governor disciplinary committee look at?

The governor disciplinary committee will meet to consider the decision of the principal to suspend or permanently exclude your child. If they are meeting to consider a suspension, they will focus on the most recent suspension. This means the suspension that took the total number of days- suspended for the term to over 5 days or over 15 days – the governor disciplinary committee will not make a decision about the other suspensions, though they will receive information about them as part of their discussions.

Q: Who else attends the meeting?

A: The principal will attend the meeting, and will sometimes bring another member of the senior team or the SENCO if appropriate.

You are invited to the meeting to put forward your views. Your child is encouraged to attend so that they can offer their own view about the decision. You can choose not to attend the meeting, but it will still go ahead.

You can bring with you a friend or relative for support. The local authority will be informed about the decision and the meeting. You should confirm with them directly if you want them to attend.

The clerk to the governor disciplinary committee will attend the meeting. The clerk is there to provide advice to the governor disciplinary committee about the Department for Education guidance to help the governor disciplinary committee make its decision. The clerk is also there to take notes of the meeting. They will usually be the person who will be in touch with you to organise the meeting and to inform you of the decision after the meeting.

If your child has a social worker or virtual school head, they must also be invited to attend.

Q: I would like to attend but am not available on the date given - what can I do?

The Department for Education guidance states that the Governing Body must review the decision of the principal within 15 school days of the exclusion. However, in exceptional circumstances, it is possible for a meeting to happen after this deadline (but still within a reasonable timescale) if that ensures people are available. If you cannot make the suggested date, please contact the clerk as soon as possible.

Q: I do not want to attend the meeting. Does this matter?

The governor disciplinary committee would always prefer parents and students to attend the meeting as it is important to ensure they have the chance to put forward their views. However, there is no obligation for you or your child to attend, nor is non-attendance considered in a negative light.

The key duty of the governor disciplinary committee, as stated by the DfE Guidance, is to review and challenge the decision of the principal. It is possible (but not preferable) to do this without the parent attending the meeting.

Q: Will I receive any information about the reasons for the decision in advance of the meeting?

A: The letter from the principal confirming the suspensions or permanent exclusion contains some information about the reasons. However, you will also receive the disciplinary committee pack (or PEX pack for permanent exclusions) no less than 5 school days before the meeting. This Pack will include a statement from the principal, along with other information such as accounts from witnesses, a statement or statements from your child, and notes of any meetings. The Pack will explain why the principal believes your child broke the behaviour policy and should be suspended or permanently excluded.

Q: Can I provide any information to the governor disciplinary committee before the meeting?

A: Yes, if you want to send information to the governor disciplinary committee you can. The clerk will explain how to do this, but any information from you should be available no later than 5 school days before the meeting. Any information you send will be shared with the governor disciplinary committee and the principal. You do not have to send further information if you do not have anything further to add.

Q: What happens at the meeting?

Firstly, the principal will explain why they made their decision, and describe the incidents and behaviour that led to it. You will be able to ask questions. The governor disciplinary committee will also ask questions.

You will then be able to explain your views about the decision and if you think it was wrong explain why. The principal and the governor disciplinary committee can ask you questions about this.

Following your explanation, where present, the local authority representative/social worker/virtual school head will be invited to present their views. Please note that the participation of the local authority representative is at the discretion of the chair, but participation is encouraged in line with the expectations of meeting behaviours.

After everyone has put forward views and answered questions, you will both be asked to make a short summary, to remind the governor disciplinary committee of the key points of your argument. The principal will go first, so that you are able to have the last word.

After this has happened, everyone except the governor disciplinary committee and the clerk will leave the meeting. The governor disciplinary committee will then consider what they have heard and read and come to a decision.

Q: What can the governor disciplinary committee decide?

The governor disciplinary committee can direct the reinstatement of the child which means that the governor disciplinary committee disagrees with the principal's decision to suspend or exclude. Alternatively, the governor disciplinary committee can decline reinstatement and uphold the principal's decision to suspend or exclude the child.

Q: What happens after the governor disciplinary committee has made its decision?

A: The clerk will confirm the governor disciplinary committee's decision to you no more than 5 school days after the meeting. If the governor disciplinary committee has agreed with the decision of the principal to suspend your child, this will remain on your child's educational record.

If the governor disciplinary committee disagrees with the principal's decision to suspend or permanently exclude, this will be noted on the educational record. If the governor disciplinary committee decides your child should be reinstated following a decision to permanently exclude the academy will contact you to arrange a meeting to organise the reintegration of your child.

If the governor disciplinary committee has agreed with the decision to permanently exclude your child, then it means they can no longer attend the academy and your local authority will provide you with information about how to find another school for your child.

The letter from the clerk will explain how you can ask for the governor disciplinary committee decision to be reviewed via an independent review panel if you do not agree with their decision.