



Review Date: April 2022

**Exclusion from Maintained Schools,
Academies and Pupil Referral Units in
England**

Exclusion Protocol

for Headteachers and School Governors

Inclusion Service

Children and Young People

Updated September 2020

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Contents

Exclusion Protocol 2020-2022	1
Brent Protocol	1
Exclusion extension or conversions	2
Contributing Factors	2
Continued education	2
Reporting exclusions to the Local Authority	3
Governors Discipline Committee (GDC)	4
Independent Review Panels	5
Registration and off rolling permanently excluded pupils	5
Ofsted Framework	6
Timpson Review of School Exclusion 2019	7
Model letters	7
Notification forms	7
Permanent exclusions- funding adjustments	8
Key contacts	8
Links to further guidance	8
Annex 1 - Model Letter 1	10
Annex 2 - Model Letter 2	12
Annex 3 - Model Letter 3	14
Annex 4 - Model Letter 4	16
Annex 5 - Model Letter 5	18
Annex 6 - Parent's Guide to Permanent Exclusion Procedure	19
Annex 7 - School's Guide - Timescales for exclusions - summarised from the guidance	20
Annex 8 - Exclusion FAQs	22
Annex 9 - Headteacher Checklist	25
Guidance for Governors	28
Introduction	28
Governing Board Committee	28
Fixed period exclusions	28
Permanent exclusions	28
Procedures	29
'Exclusion from maintained schools, academies and pupil referral units in England 2017' statutory guidance	29
Key Points:	29
The role of the Clerk	30
Responsibility	30
The role of the Chair	31
Before the hearing	31
Conduct of the hearing	31
Taking the decision	32
The role of the School Representative	32
Before the hearing	32
The role of the LA Representative	32
Procedure at the hearing	32
The role of the Governing Board Committee Member	33
Before the hearing	33
During the hearing	33

Taking the decision	34
Procedures	34
The decision of the Governing Board Committee	34
The standard of proof	34
Reasons for the decision	34
Communicating the decision	35
Exclusion checklist for governors and head teachers	35
Governing Board Exclusion Procedure	37
Governing Board Sample Procedure for an Exclusion Hearing	39
Governing Board Sample Proforma for use at Exclusion Hearing	41
Disability discrimination decisions checklist	43
Review of exclusions by governing boards	44
Brent council terms of reference for the pupil discipline committee of school Governing Board	48

Exclusion Protocol 2020-2022

The principal legislation to which this guidance relates is:

- The Education Act 2002, as amended by the Education Act 2011.
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.
- The Education and Inspections Act 2006.
- The Education (Provision of Full-Time Education for Excluded Pupils, England) Regulations 2007 as amended.
- Exclusion from maintained schools, Academies and pupil referral units in England 2017

Following the 2017 update the legal framework and overall structure of the exclusions process remains mostly unchanged. There has been a fundamental shift in focus, emphasising the important role of governing boards. Schools should ensure that their governing boards receive appropriate training on the framework so that they feel confident when reviewing exclusion decisions, particularly given that it is their decision which may come under scrutiny by an independent panel.

The DfE requires all those involved in exclusion decisions (including head teachers, governing bodies, local authorities, academy trusts, Independent Review Panel (IRP) members, clerks and special educational needs experts) to have regard to the 2017 guidance and to follow it unless they have a good reason not to. These procedures apply to all pupils who attend Maintained schools, Academies and Pupil Referral Units, including any who are below or above compulsory school age (but not 16-19 Academies). See DfE 2017 guidance: [Exclusion from maintained schools, academies and pupil referral units in England](#).

Brent Protocol

Good discipline and attendance in schools are essential to ensure that all pupils can benefit from the opportunities provided by Brent Schools. Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. Schools should also make every effort to ascertain whether poor behaviour could be a result of unmet Special Educational Needs and/or Disabilities (SEND) and take appropriate steps to both identify and meet these needs as part of a graduated response.

Any pupil at risk of exclusion should have a Pastoral Support Plan. The Headteacher should also consider referral to the Inclusion Support Team and use a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour. Such assessments may pick up unmet need and prevent a permanent exclusion or multiple fixed term exclusions.

The decision to permanently exclude a child from school should only be taken in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the child to remain in school would seriously harm the education or welfare of the pupil or others in the school. The decision on whether to exclude is for the Headteacher to make, however, where practical, Headteachers should give pupils an opportunity to present their case before taking the decision to exclude. Whilst exclusion may still be an appropriate sanction, Headteachers should take account of any contributing factors that are identified such as social, emotional, mental health or family problems. All Headteachers are expected to have due regard of the SEND Code of Practice and the Equality Act 2010 when issuing exclusions.

The decision to exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of their sex, race, disability, religion or belief, sexual orientation, because of a pregnancy/maternity or because of gender reassignment. All schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion. In Brent there is still a disproportionate number of exclusions for young people from a black ethnic background, especially those of black Caribbean heritage. Headteachers should avoid excluding permanently any pupil with an Education, Health and Care Plan (EHCP) or a looked after child. Consideration should always be given to a change of placement and in the case of a pupil with an EHCP an emergency review of the EHC plan.

There are a number of alternatives to permanent exclusion. Maintained schools have the power to direct a pupil for off-site education to improve his or her behaviour. This legislation does not apply to Academies. They can arrange off-site provision for similar purposes under their general powers, set out in the Academy Trust's Articles of Association. Though the regulations and guidance do not apply, they can provide Academies with an example of good practice.

Part of good practice within Brent has been the successful use of "managed moves". School's Inclusion Support Officers can be a strong source of support and advice in relation to this process. The threat of exclusion must never be used to influence parents to remove their child from schools.

"Informal" or "unofficial" exclusions, such as sending pupils home to "cool off" or getting parents to collect their child, are unlawful, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded.

Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.

Exclusion extension or conversions

The DfE statutory guidance 'Exclusion from maintained schools, academies and pupil referral units in England' clarifies that fixed-period exclusions cannot be extended or 'converted' to a permanent exclusion. It may sometimes be appropriate to issue a further fixed-period exclusion or issue a permanent exclusion (both immediately after the original exclusion), though this is limited to exceptional circumstances, usually where new information or evidence has come to light. ¹ Please see the Exclusions FAQs (APPENDIX 8).

Contributing Factors

Whilst an exclusion may still be an appropriate sanction, the Headteacher should take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that the pupil has suffered bereavement, has mental health issues or has been subject to bullying.

Continued education

Headteachers will need to be particularly aware of the statutory requirement in the 2017 guidance 'Exclusion from maintained schools, academies and pupil referral units in England'

¹ See DfE guidance Exclusion from maintained schools, Academies and pupil referral units in England 2017
pg. 8, section 3.3

to provide full-time education for any pupil who is excluded for a fixed period of more than 5 school days. Work for the first five days following the exclusion should be organised and sent home for the pupil to complete and return to school for marking.

If a permanently excluded pupil is not reinstated, arrangements will be made for their continued education at Brent River College or a suitable alternative provision. The Inclusion Support Officers and Alternative Provision and School Engagement Coordinator will support parents/carers, pupils and the school through the exclusion process.

Reporting exclusions to the Local Authority

Please note that any exclusion must be reported in line with the DfE categories, as below, to the Local Authority and on your MIS/SIMS.

Code	Reason
BU	Bullying
DB	Persistent or general disruptive behaviour
DM	Damage to property
DS	Abuse relating to disability
LG	Abuse against sexual orientation and gender identity
MT	Inappropriate use of social media or online technology
OW	Use or threat of use of an offensive weapon or prohibited item
PA	Physical assault against adult
PP	Physical assault against pupil
RA	Racist abuse
SA	Drug and alcohol related
SM	Sexual misconduct
TH	Theft
VA	Verbal abuse / threatening behaviour against adult
VP	Verbal abuse / threatening behaviour against pupil

Fixed Term Exclusions

All schools should make a monthly return of fixed term exclusions and managed moves by completing an EX1 Fixed Term Exclusion Form to schoolexclusions@brent.gov.uk on the 1st day of every month.

Permanent Exclusions

All permanent exclusions should be reported to the Local Authority when the Headteacher has taken the decision. A copy of the exclusion letter should be emailed to schoolexclusions@brent.gov.uk together with a completed [EX2 - Permanent Exclusion Notification Form](#)

School Governors should be informed of the exclusion and they should arrange a meeting to consider reinstatement of the pupil within 15 school days. (See guidance for Governors).

By the sixth day: Inclusion Support Officers will provide parents/carers with support and Brent River College will arrange for an interview and appropriate full time education provision will be provided by the 6th day of permanent exclusion. If Brent River College is not a suitable

placement, the Alternative Provision and School Engagement Coordinator will arrange an interview and provide a placement in a suitable alternative provision.

The excluded pupil will transfer to the roll of Brent River College or alternative provision, if the parent/carer does not request an independent review.

Governors Discipline Committee (GDC)

Headteacher excludes pupil	
Fixed term exclusion	Permanent exclusion
<p>Clerk/Chair of Committee receive copy of exclusion letter from Headteacher</p> <p>Clerk arranges a meeting of the Governing Board Committee if appropriate and contacts all involved</p> <ul style="list-style-type: none"> • 1-5 days – Governing Board is not required to arrange a meeting. • 6-15 school days’ exclusion in one term - meeting no later than 50 school days – meeting only in event of parental request. • 16-45 school days’ exclusion in one term - meeting no later than 15 school days <p>Clerk sends</p> <ul style="list-style-type: none"> • Letter inviting parents to the Governing Board Committee meeting • Order of proceedings • Any evidence to be considered at the meeting <p>Clerk takes notes of meeting and records the decision of the Governing Board Committee. None of the parties, with the exception of the Clerk, should be alone with the Governing Board Committee at any time.</p> <p>At the conclusion of the meeting, Clerk sends a letter (without delay) informing parents of the decision with copy to schoolexclusions@brent.gov.uk</p>	<p>Clerk/Chair of Committee receives copy of exclusion letter from Headteacher.</p> <p>Clerk contacts all involved and arranges a suitable date for a meeting of the Governing Board (the meeting must take place no later than 15 school days of notice of the exclusion)</p> <p>Clerk sends</p> <ul style="list-style-type: none"> • Letter inviting parents to the Governing Board Committee meeting • Order of proceedings • Any evidence to be considered at the meeting <p>Clerk takes notes of meeting and records the decision of the Governing Board Committee. None of the parties, with the exception of the Clerk, should be alone with the Governing Board Committee at any time.</p> <p>At the conclusion of the meeting, Clerk sends without delay a letter informing parents of the decision, with copy to schoolexclusions@brent.gov.uk</p>

Full exclusion guidance for Governors can be requested by mailing schoolexclusions@brent.gov.uk

Independent Review Panels

Parents have a right to appeal to an Independent Review Panel (IRP) following a permanent exclusion even if they did not make representations to the Governors' Discipline Committee. The Local Authority can coordinate the IRP, this service is free to community schools. Details can be found on [BestBrent](#) or email committee@brent.gov.uk.

It will be the role of the IRP to review the decision of the Governing Board, rather than the initial decision of the Headteacher. IRPs must always make one of three fundamental decisions:

- Uphold the governor's decision
- Recommend that the governors reconsider reinstatement or
- Quash the decision and direct that the governors reconsider reinstatement

All Brent schools and academies are expected to inform the Local Authority of the outcome of an IRP and this should be a copy of the IRP letter which should be sent to schoolexclusions@brent.gov.uk

The 'Exclusion from maintained schools, Academies and pupil referral units in England 2017' guidance states that the IRP's decision must not be influenced by any stated intention of the parents or pupil not to return to the school.

An IRP does not have the power to direct a Governing Board to reinstate an excluded pupil. However, where a panel decides that a Governing Board's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a Governing Board to reconsider its decision. If the Governing Board does not subsequently offer to reinstate a pupil, the panel will be expected to order that the school makes an additional payment of £4,000. This payment will go to the Local Authority towards the costs of providing alternative provision.

Registration and off rolling permanently excluded pupils

The Headteacher must remove a pupil's name from the school admissions register if:

- 15 school days have passed since the parents were notified of the governing Board's decision to uphold a permanent exclusion and no application has been made for an independent review panel; or
- The parents have stated in writing that they will not be applying for an IRP

Where an application for an IRP has been made within 15 school days, the Headteacher must wait until the review has been determined, or abandoned, before removing a pupil's name from the register.

Where a pupil's name is removed from the school register and a discrimination claim is subsequently made, the First-tier Tribunal or County Court has the power to direct that the pupil should be reinstated.

Whilst an excluded pupil's name remains on a school's admissions register the pupil should be marked using the appropriate attendance code. Where alternative provision has been made that meets the requirements of the pupil registration regulations, and the pupil attends it, an appropriate attendance code, such as Code B (Education Off-site) or Code D (Dual Registration), should be used. Where pupils are not attending alternative provision they should be marked absent using Code E.

When children are placed at Brent River College or other alternative provision following the 6th day of exclusion they should be dual registered until taken off roll in line with the guidance above. Note that until a pupil is taken off roll and a dual registration is in place, the school will be the substantive and Brent River College / alternative provision the subsidiary.

Stage	Excluding school	BRC/AP
PEX → Governors Appeal	On roll	
6 th day of PEX	Dual registration (Main)	Dual registration (Subsidiary)
Governors Appeal Independent Review	Dual registration (Main)	Dual registration (Subsidiary)
PEX confirmed place at BRC	Off Roll	On roll
Attending BRC		On roll

Ofsted Framework

[The OFTSED framework](#) from September 2019 has a clear expectation on school leaders to ensure that each educational provider, under the new framework, has high and equal expectations for their pupils. There is a focus on staff training rather than performance management. Staff are protected accordingly and that there are high levels of safeguarding.

The framework has a focus on a high-quality curriculum and *‘designed to give all learners, particularly the most disadvantaged and those with special educational needs and/or disabilities (SEND) or high needs, the knowledge and cultural capital they need to succeed in life’*.

In addition to this in the Behaviour and attitudes section ‘the provider has high expectations for learners’ behaviour and conduct and applies these expectations consistently and fairly. This is reflected in learners’ behaviour and conduct’.

Personal Development section states:

‘the curriculum extends beyond the academic, technical or vocational. It provides for learners’ broader development, enabling them to develop and discover their interests and talents’

Leadership and management section states:

‘the provider has a culture of safeguarding that supports effective arrangements to:

- *identify learners who may need early help or who are at risk of neglect, abuse, grooming or exploitation*
- *help learners reduce their risk of harm by securing the support they need, or referring in a timely way to those who have the expertise to help*
- *manage safe recruitment and allegations about adults who may be a risk to learners and vulnerable adults.'*

Brent advises that all schools and academies are familiar with the OFSTED framework to support best practice.

Timpson Review of School Exclusion 2019

A [review](#) undertaken in May 2019 by former Children's Minister Edward Timpson found there was room for improvement in the way that all schools and academies exclude pupils. Timpson found that there was a minority of schools that were 'off-rolling' students which posed a significant safeguarding risk. The majority of pupils that were excluded were vulnerable including those with SEN or free school meals. It also includes a high number of looked after children and children in need. The review made 30 recommendations to Government to ensure that exclusions are a last resort. The Government has responded and created an action plan from these recommendations which include:

- Clearer guidelines on managed moves and in-school units
- Make schools accountable for excluded pupils
- Reduce the amount of days a pupil can be excluded for in a single year
- Ensure there is effective partnership working between the local authorities and schools
- Teachers to be shown how to manage behaviour effectively
- Promote diversity in the workforce
- Better support for SENCOs; including induction packs and Masters level qualifications
- More funding for alternative provision
- Introduce more mental health teams
- Better support for Governors and their role in exclusions
- Ensure the Youth Endowment Fund has a high profile and additional funding
- Better signposting for parents

Brent advises that all schools and academies are familiar with the Timpson Review 2019 to support best practice.

Model letters

Brent advises Headteachers to use the model letters provided for exclusions. Model letters for schools can be found at the end of this document.

Notification forms

The Local Authority provides the necessary forms to complete upon excluding a pupil. These forms are as follows:

- Form [EX1 – Monthly Notification](#) to LA of all fixed term exclusions and managed moves (incl. a nil return).
- Form [EX2 – Notification](#) to LA of a permanent exclusion.

Schools are also expected to update the local authority of the outcome of an IRP.

Please note that failure of schools to return these forms can lead to safeguarding and census implications therefore it is the responsibility of the school to ensure this information is sent.

Permanent exclusions- funding adjustments

The Local Authority has a statutory duty to recoup the pro rata balance of an Age Weighted Pupil Unit (AWPU) and Pupil Premium (PP) from schools and academies in relation to pupils who are permanently excluded. This funding is reclaimed from the sixth school day following the date on which the pupil has been permanently excluded and is calculated for the remaining number of weeks in the financial year. The Local Authority has the statutory duty to make education provision for permanently excluded pupils from the Day 6 of a permanent exclusion the funding is used to support this.

The principle is that the money will follow the pupil, so if the excluded pupil is subsequently admitted to a new school, the remaining balance of the funding should be passed to the admitting school.

An example of how the funding might be calculated is below but each case will be different.

A Y8 pupil excluded in Financial Year 2016/17, 6th Day following exclusion: 01/11/2016 = 21 weeks from 6th school day following exclusion until end of Financial Year (31/03/2017). KS3 AWPU rate for 2016/17 = £4891.56.

Therefore: $(21/52) \times 4891.56 = £1975.44$.

If this pupil also qualified for Pupil Premium: Y8 PP rate = £935

Therefore: $(21/52) \times 935 = £377.60$

Key contacts

Brent Exclusions Email		
schoolexclusions@brent.gov.uk		
Inclusion Support Officers		
Muna Benhamou	muna.benhamou@brent.gov.uk	020 8937 4579
Natalie Phillips	natalie.phillips@brent.gov.uk	020 8937 3679
Robert Reid	robert.reid@brent.gov.uk	020 8937 3181
Elaine Yianni	elaine.yianni@brent.gov.uk	020 8937 4903
Alternative Education and School Engagement Co-ordinator		
Valerie Brooks	valerie.brooks@brent.gov.uk	
Interim Inclusion Support Manager		
Sheila Mulvenney	sheila.mulvenney@brent.gov.uk	
Inclusion Team	pupil.referrals@brent.gov.uk	
Governing Board services manager		
Helen Tulloch	helen.tulloch@brent.gov.uk	

Links to further guidance

Please note that Brent Council cannot be held responsible for the content of external websites:

- [Statutory Guidance for Exclusions from September 2017](#)
- [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)

- [Behaviour and discipline in schools - Guidance for governing bodies](#)
[Behaviour and discipline in schools – Jan 2016 - A guide for Headteachers and school staff](#)
- [Use of reasonable force - Advice for Headteachers, staff and governing bodies](#)
- [Dealing with Allegations of Abuse against Teachers and Staff - Guidance for Local Authorities, Headteachers, School Staff, Governing Bodies and Proprietors of Independent Schools](#)
- [Searching, screening and confiscation - Advice for Headteachers, staff and governing bodies](#)
- [Preventing and tackling bullying - Advice for Headteachers, staff and governing bodies](#)
- [Timpson Review May 2019](#)
- [Government response to the Timpson Review](#)
- [Ofsted Framework 2019](#)
- [Creating a Culture: How school leaders can optimise behaviour 2017](#)
- [Actions for schools during the coronavirus outbreak](#)
- [actions-for-schools-guidance-for-full-opening-schools](#)

Annex 1 - Model Letter 1

From Headteacher (or Teacher in Charge of a PRU) notifying parent of a fixed period exclusion of 5 days or fewer in one term, and where a public examination is not missed.

Dear **[parent's name]**

I am writing to inform you of my decision to exclude **[child's name]** for a fixed period of **[number of days]**. This means that he/she will not be allowed in school for this period. The exclusion will start on **[date]** until the **[date]**. Your child should return to school on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[child's name]** has not been taken lightly. **[Child's name]** has been excluded for this fixed period because **[reason for exclusion]**.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]**. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates unless there is reasonable justification.

We will set work for **[child's name]** to be completed on the days specified in the previous paragraph. **[Detail the arrangements for this]**. Please ensure that work set by the School is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the Governing Board. If you wish to make representations please contact **[Name of contact]** on/at **[contact details – address, phone number, email]** as soon as possible. Whilst the Governing Board has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) or the County Court (for other forms of discrimination).

Making a claim would not affect your right to make representations to the Governing Board.

You **[and your child]** are requested to attend a reintegration meeting with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how your child's return to school can be managed in the best possible way. Failure to attend a reintegration meeting will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see a copy of **[child's name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[child's name]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact The Coram Children's Legal Centre on www.childrenslegalcentre.com or Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. www.ace-ed.org.uk

The schools allocated Inclusion Officer (**insert name and contact details**) can provide further advice if required or by emailing schoolexclusions@brent.gov.uk

[Child's name]'s exclusion expires on **[date]** and we expect **[child's name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]

Headteacher

cc. schoolexclusions@brent.gov.uk

Annex 2 - Model Letter 2

From Headteacher (or Teacher in Charge of a PRU) notifying parent of a fixed period exclusion of more than 5 days (up to and including 15 school days) in a term.

Dear **[Parent's name]**

I am writing to inform you of my decision to exclude **[child's name]** for a fixed period of **[number of days]**. This means that he/she will not be allowed in school for this period. The exclusion will start on **[date]** until the **[date]**. Your child should return to school on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[child's name]** has not been taken lightly. **[Child's name]** has been excluded for this fixed period because **[reason for exclusion]**.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]**. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates unless there is reasonable justification.

We will set work for **[child's name]** during the **[first 5 or specify other number as appropriate]** school days of his/her exclusion **[specify the arrangements for this]**. Please ensure that any work set by the School is completed and returned to us promptly for marking.

From the 6th school day of the pupil's exclusion **[specify date]** until the expiry of his/her exclusion we will provide suitable full-time education. **[Set out alternative provision arrangements; if not ascertainable, it must be provided in a subsequent notice no later than 48 hours before the provision is due to start]**

On **[date]** he/she should attend **[give name and address of alternative provider]** at **[specify the time]** and report to **[staff members name]**.

As the period of exclusion is more than 5 school days in a term, you have the right make representations to the School's Governing Board and request that my decision to be reviewed. The latest date by which the Governing Board must meet is **[specify date – no later than the 50th school day after the date on which the Governing Board were notified of this exclusion]**. If you wish to make representations please contact **[Name of contact]** on/at **[contact details – address, phone number, email]** as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter at the meeting.

The Governing Board must consider reinstatement where possible. If the pupil has returned to school before the Governing Board meet, they must still place a copy of their findings on the pupil's school record.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) or the County Court (for other forms of discrimination).

Making a claim would not affect your right to make representations to the School's Governing Board.

You may find it useful to contact The Coram Children's Legal Centre on www.childrenslegalcentre.com or Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. www.ace-ed.org.uk

You and **[child's name]** are requested to attend a reintegration meeting with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the School to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration meeting will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see a copy of **[child's name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[child's name]** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

The schools allocated Inclusion Support Officer (**insert name and contact details**) can provide further advice if required or by emailing schoolexclusions@brent.gov.uk

[Child's name]'s exclusion expires on **[date]** and we expect **[Child's name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name] - Headteacher

cc. schoolexclusions@brent.gov.uk

Annex 3 - Model Letter 3

From Headteacher (or Teacher in Charge of a PRU) notifying parent of a fixed period exclusion of more than 15 school days in one term.

Dear **[Parent's name]**

I am writing to inform you of my decision to exclude **[child's name]** for a fixed period of **[number of days]**. This means that he/she will not be allowed in school for this period. The exclusion will start on **[date]** until the **[date]**. Your child should return to school on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[child's name]** has not been taken lightly. **[Child's name]** has been excluded for this fixed period because **[reason for exclusion]**.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]**. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates unless there is reasonable justification.

We will set work for **[child's name]** during the **[first 5 or specify other number as appropriate]** school days of his/her exclusion **[specify the arrangements for this]**. Please ensure that any work set by the School is completed and returned to us promptly for marking.

From the 6th school day of the pupil's exclusion **[specify date]** until the expiry of his/her exclusion we will provide suitable full-time education. **[Set out alternative provision arrangements; if not ascertainable, it must be provided in a subsequent notice no later than 48 hours before the provision is due to start]**

On **[date]** he/she should attend **[give name and address of alternative provider]** at **[specify the time]** and report to **[staff members name]**.

As the period of this exclusion is more than 15 school days in one term the School's Governing Board must meet to consider the exclusion. At the hearing you may make representations to the Governing Board if you wish. The latest date by which the Governing Board must meet is **[specify date – no later than the 15 school days from the date which the Governing Board were notified of this exclusion]**. If you wish to make representations and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details – address, phone number, email]** as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the Governing Board of the time, date and location of this meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the School. Also, please inform **[contact]** if it would be helpful for you to have an interpreter at the meeting.

The Governing Board must consider reinstatement where possible. If the pupil has returned to school before the Governing Board meet, they must still place a copy of their findings on the pupil's school record.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) or the County Court (for other forms of discrimination).

Making a claim would not affect your right to make representations to the Governing Board.

You and **[child's name]** are requested to attend a reintegration meeting with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the School to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration meeting will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see a copy of **[child's name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[child's name]** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact The Coram Children's Legal Centre on www.childrenslegalcentre.com or Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. www.ace-ed.org.uk

The schools allocated Inclusion Support Officer (**insert name and contact details**) can provide further advice if required or by emailing schoolexclusions@brent.gov.uk

[Child's Name]'s exclusion expires on **[date]** and we expect **[Child's Name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name] - Headteacher

cc. schoolexclusions@brent.gov.uk

Annex 4 - Model Letter 4

From Headteacher (or Teacher in Charge of a PRU) notifying parent of that pupil's permanent exclusion.

Dear **[Parent's name]**

I am writing to inform you of my decision to permanently exclude **[child's name]** with effect from **[specify date]**. This means that he/she will not be allowed in this school/PRU unless he/she is reinstated by the School's Governing Board.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's name]** has not been taken lightly. **[Child's name]** has been excluded because of a serious breach or persistent breaches of the school's behaviour policy; and allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

Alternative arrangements for **[child's name]** education to continue will be made. For the first five school days of the exclusion we will set work for **[child's name]** and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards – i.e. from **[specify date]** the Local Authority, will provide suitable full-time education.

[Where the pupil lives in a local authority other than the excluding school's local authority you must notify the home authority of the child]

I have also today informed the Inclusion Support Officer and Brent Council of your child's exclusion and they will be in touch with you about arrangements for **[his/her]** education from the sixth school day of exclusion. You can contact them at schoolexclusions@brent.gov.uk.

As this is a permanent exclusion the School's Governing Board must meet to consider the exclusion. At the hearing you may make representations to the Governing Board. The Governing Board can either reinstate your child immediately or on a particular date, or decline reinstatement. If the reinstatement is declined, you have the right to request an Independent Review. The latest date by which the Governing Board must meet is **[specify date – no later than the 15 school days from the date which the Governing Board were notified of this exclusion]**. If you do wish to make representations and wish to be accompanied by a friend or representative please contact **[Name of contact]** on/at **[contact details – address, phone number, email]** as soon as possible.

You will be notified by the Clerk to the Governing Board of the time, date and location of this meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the School. Also, please inform **[contact]** if it would be helpful for you to have an interpreter at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) or the County Court (for other forms of discrimination).

Making a claim would not affect your right to make representations to the Governing Board.

You also have the right to see a copy of **[child's name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[child's name]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact The Coram Children's Legal Centre on www.childrenslegalcentre.com or Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. www.ace-ed.org.uk

The schools allocated Inclusion Support Officer (**insert name and contact details**) can also provide further advice if required or by emailing schoolexclusions@brent.gov.uk

Yours sincerely

[Name] - Headteacher

cc. schoolexclusions@brent.gov.uk

Annex 5 - Model Letter 5

From the clerk to the Governing Board to the parent upholding the permanent exclusion.

Dear **[parent's name]**

The meeting of the Governing Board at **[school]** on **[date]** considered the decision by **[Headteacher]** to permanently exclude your son/daughter. The Governing Board, after carefully considering the representations made and all the available evidence, has decided not to reinstate you child.

The reasons for the Governing Board's decision are as follows: **[give reasons in as much detail as possible, explaining how they were arrived at]**

If you wish for this decision to be reviewed by an Independent Review Panel, please notify **[name of clerk to the review panel at the school]** of your request. You must set out the reasons for your review in writing, and, if appropriate this may also include reference to any disability discrimination claim you may wish to make. Please send this notice to by no later than **[specify the latest date – the 15th school day after the parents would receive this letter – weekends, bank holidays, school holidays and non-pupil days do not count]**

The Review Panel will rehear all facts of the case. If you have fresh evidence to present to the panel you may do so. The panel must meet no later than the 15th school day after the date on which your request for a review is lodged. In exceptional circumstances panels may adjourn the hearing until a later date.

In determining your review the panel can make one of three decisions: they may uphold the Governing Board's decision; recommend that the Governing Board reconsiders reinstatement; or quash the decision and direct that the Governing Board reconsiders reinstatement.

If you have not submitted your request for an Independent Review by **[repeat latest date]**, you will lose your right to do so. Please advise if you have a disability or special needs which would affect your ability to attend the hearing. Also please inform **[name of clerk to the review panel]** if it would be helpful for you to have an interpreter present at the hearing.

You may find it useful to contact The Coram Children's Legal Centre on www.childrenslegalcentre.com or Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. www.ace-ed.org.uk

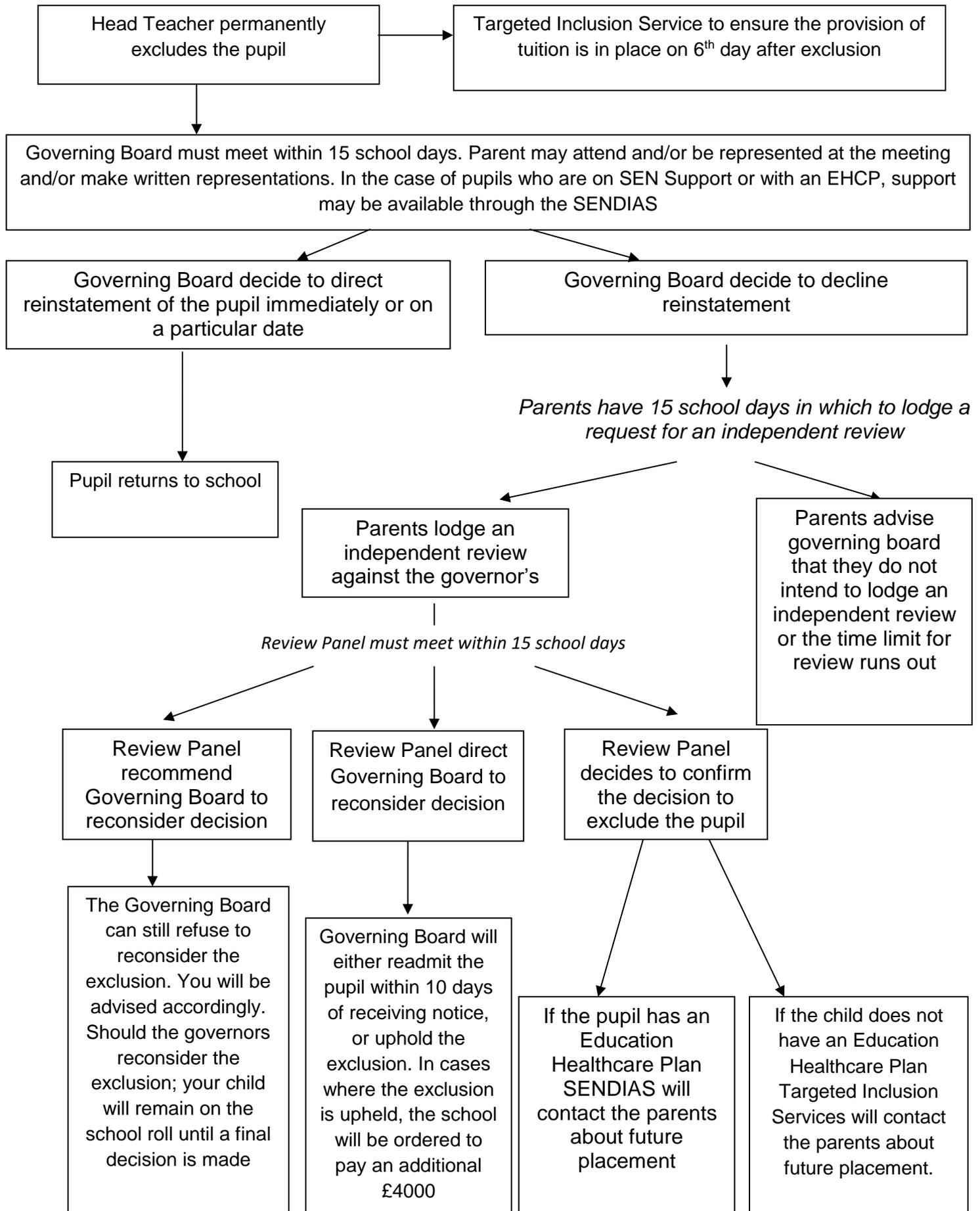
The arrangements currently being made for **[child's name]** education will continue.

Yours sincerely

[name] - Clerk to Governors

cc. schoolexclusions@brent.gov.uk

Annex 6 - Parent's Guide to Permanent Exclusion Procedure



Annex 7 - School's Guide - Timescales for exclusions - summarised from the guidance

Number	Action Taken	Number of school days
1	The Headteacher should, as far as possible, establish the facts of the behaviour in question	On the day of the incident or as soon as possible afterwards
2	Notify the parent and send letter inviting them to the GDC. There must be no sooner than 5 days prior to receiving paperwork for the hearing.	Same day as decision to exclude
3	If exclusion is for more than 5 days, or permanent, Headteacher notifies the discipline committee and Brent using the appropriate form (EX1 and EX2)	Immediately
4	Parents should indicate whether or not they intend to make representations to the discipline committee	Written statements from parents/carers, as well as school's paperwork/evidence, must be made available to all parties at least 5 days before the hearing. Parents can make verbal representation only.
5	Response by the Headteacher to the parent's request to access the child's curricular or education records	As soon as possible but within 15 school days, before the hearing takes place.
6	The clerk to the discipline committee convenes a meeting to consider whether or not to uphold the Headteacher's decision for all exclusions over 15 days and at parents request for 15 days or under. As far as possible this should be at a time and place convenient to all parties. Written statements should be circulated in advance of the meeting.	For a fixed term exclusion of between 1 and 15 days the committee must meet between the 6 th and 50 th day (only if the parent requests a meeting) For an exclusion over 15 days, or permanent exclusion the committee must meet between the 6 th and 15 th day.
7	The discipline committee should notify the parent and the LA of their decision and their reason in writing	Within one school day
8	Parent's notification of the appeal against the disciplinary committee's decision to uphold a permanent exclusion	Within 15 days of the clerk's notification of the decision

9	Independent Review Panel meets to consider the parent's appeal	Within 15 days from the parent's receipt of the notice. (In exceptional circumstances the LA has the discretion to extend the period)
10	Clerk to the Independent Review Panel sends out notification of the decision to all parties	By the end of the second school day after the appeal hearing.

Annex 8 - Exclusion FAQs

1. Can a Headteacher exclude a pupil for non-disciplinary reasons?

It is unlawful to exclude for non-disciplinary reasons. For example, it would be unlawful to exclude a pupil simply because they have additional needs or a disability that the school feels it is unable to meet, or for a failure of the pupil to meet specific conditions before they are reinstated following a fixed term exclusion, such as not attending a reintegration meeting. Likewise it is unlawful to exclude a pupil because of a breakdown in the relationship with their parents.

2. Can Headteacher's convert and/or extend a fixed period exclusion (incl. pending) into a permanent exclusion?

In exceptional circumstances Headteachers may need to change the sanction originally given but this should only be if new information has come to light. The new information needs to be substantial enough to warrant a more severe sanction and that new sanction would have to be issued as a new sanction – not as a conversion or an extension. It may begin immediately after the first sanction ends. Continuing an investigation, gathering more accounts in and of itself does not give merit to a conversion from a fixed term or permanent. If evidence of more serious misconduct were to emerge in the course of an investigation than that which the pupil was originally accused of this may constitute grounds for issuing a new sanction. However where possible Headteachers should refrain from making any decision until all facts about the incident have been established as a change of decision can be very stressful for children and families and reasons for a conversion would be under scrutiny in an IRP should an appeal be made. In addition, a process such as this can lead to lack of stability for the young person's education and could also pose safeguarding risks.

3. Can Headteacher's issue a fixed period exclusion pending (in the first instance) further investigation?

This would suggest that a Headteacher is considering or likely to convert a fixed period into a permanent exclusion and the guidance from question 1 applies.

4. At what point can Headteacher's withdraw a permanent exclusion if a managed move has been agreed (before the governor's hearing)?

A permanent exclusion can be withdrawn at any point within the 15 day period from when the pupil receives written notice of their exclusion and the governors' hearing. The withdrawal notice/letter must be made available to the local authority, parents/carers and clerk to the governors' discipline committee before the hearing begins. In some instances it may be that the governors meet to agree an adjournment if it is known that a withdrawal is imminent or parents/carers have agreed to a managed move instead.

5. What happens if a managed move is unsuccessful (without a PEx having been issued)?

A managed move is the opportunity for a child to make a fresh start in a new school setting. If no permanent exclusion has previously been issued but discussions concerning the managed move placement break down it will be up to the original school to agree to transition arrangements for the pupil – likely a return to the original setting. Headteachers should not issue a permanent exclusion straight away because a managed move has failed.

6. If a managed move fails after a school has withdrawn a permanent exclusion can the permanent exclusion be reinstated?

A failed managed move is not grounds for a reinstatement of a permanent exclusion.

7. If a parent/carer refuses a managed move what options are available for schools?

Every effort should be made to explain to parents/carers the reason for a managed move and how this would be a better outcome than a permanent exclusion. Headteachers should not apply undue pressure on families to accept a managed move and should acknowledge the stress and emotions of the situation faced by the family. If parents reject the offer of a managed move the Headteacher will need to consult the school's behaviour policy, the DfE Exclusion guidance and have regard for the SEND Code of Practice in deciding what sanction is applicable.

8. How should schools inform the Inclusion Team about a managed move or a withdrawn permanent exclusion?

A copy of the managed move letter should be sent to the local authority mailbox: schoolexclusions@brent.gov.uk and schools are expected to also include managed moves on their monthly EX1 return to Brent. The letter should make it clear that the permanent exclusion has been withdrawn, name the new provision and its start date.

9. How can I access more support from the Inclusion Team and at what point in the process?

The Inclusion Support Team are best placed to provide early support and intervention for pupils that are at risk of exclusion. All schools have an allocated Inclusion Support Officer and this officer is the first point of contact in all matter relating to behaviour support, pupil support and advice and guidance in relation to exclusion and intervention strategies. Ideally schools should have regular discussion with their Inclusion Support Officer to review the 'at risk' of exclusion pupil list.

All schools are also able to make referrals directly to the Inclusion Team, this is known as an Inclusion Assessment and Referral Form that can be completed and sent to the team: pupil.referrals@brent.gov.uk. The service available by the team is documented in the Inclusion Support Team Brochure which can be found on Brent's website or requested from Inclusion Support Officers.

10. Who can set up an IRP?

Brent can coordinate the IRP, this service is free to community schools. Details can be found on [BestBrent](#) or email committee@brent.gov.uk. Brent's Democratic Services can be contacted to set up an IRP for both maintained schools and academies. An Academy can however also source alternatives from the private sector.

11. Who should a school inform about the outcome of an IRP?

All schools are expected to inform Brent council of an IRP and the subsequent outcome. Brent will hold these records and is required to report to the DfE. The date of the IRP and the outcome should be emailed to: schoolexclusions@brent.gov.uk

Annex 9 - Headteacher Checklist

Consideration should be given to the following checklist to exclude for any period of time

	Yes	No
Has the pupil committed the offence?		
Has there been serious breach/es of the school behaviour policy?		
Is the pupil's presence in school detrimental to the education or welfare of the pupil or others in the school?		
Is this as a last resort following a wide range of other strategies that have been unsuccessful? Or Is this a serious first or 'one off 'offence?		
Is exclusion the appropriate response? Factors to Consider <ul style="list-style-type: none"> • Decision to exclude not taken in the heat of the moment • A thorough investigation has been carried out • Evidence has been considered in the light of policies and discrimination • The pupil's views have been encouraged, heard and recorded • Mitigating circumstances and provocation (bullying etc.) have been considered • Appropriate wider consultation has been considered 		
Has there been involvement from Specialist Behaviour Support / SEND teams or an Educational Psychologist (EP)?		
Has a Behaviour Plan/IEP been implemented?		
Is it appropriate to make a referral to Children and Family Practices via the Multi Agency Safeguarding Hub (MASH)?		
Have alternatives to exclusion been considered (e.g. restorative work, mediation, internal exclusion, managed move, proactive alternative education placement)?		
On the balance of probabilities, did the pupil do it? For more serious allegations the evidence must be more substantiating		
<i>Special Considerations</i>		
Does this pupil have a statement of Special Educational Needs (SEN) or an EHC Plan? Have you contacted the SEN officer? Has an emergency Annual Review/Interim Review been called? See separate check list for considerations around the exclusion of children with SEN/disability		
Is this pupil currently a child in the care of the Local Authority? Have you contacted the Head of the Virtual School and Social Worker?		
Is this pupil subject to Child Protection procedures or a Child In Need? Have you spoken to the Social Worker?		
Is there a TAF for this child/family? Have you liaised with your Children & Families Practice?		
Have issues of SEN, disability, race and care been fully considered? See separate checklist for considerations around the exclusion of children with SEN/disability		
Has the appropriate length of exclusion been considered? Is this for the shortest possible time?		
Has the pupil been excluded previously?		

Headteacher's checklist for Pupils with a SEN/disability

Headteachers should give consideration to the following checklist before deciding to exclude a pupil with SEN/disability for any period of time.

	Yes	No
<p>Does the pupil have a Statement of Special Educational Needs or EHC Plan?</p> <ul style="list-style-type: none"> • Has the SEN Caseworker been contacted? • Has an emergency Annual Review/Interim Review been called? <p>Not all pupils with statements of Special Educational Needs will have a disability but there is a significant overlap.</p>		
<p>Is this pupil on the SEN register?</p> <ul style="list-style-type: none"> • Has extra assistance from the local authority been explored (have Specialist SEND teams/EP had recent involvement)? 		
<p>Does the pupil have a disability?</p> <p>For example, do they have a mental or physical impairment which has a substantial, adverse effect on their ability to carry out normal day to day activities? In law "substantial" means more than minor or trivial In law "long term" means at least a year Not all pupils with a disability will have a statement of Special Educational Needs, or EHC plan but many will. "Disability" includes physical disabilities, speech and language needs, memory and ability to concentrate, perception of the risk of danger when these are adverse, long term and substantial</p>		
<p>Has the pupil been treated less favourably? Would a pupil without a disability have been dealt with in the same way?</p> <p>You will need to consider</p> <ul style="list-style-type: none"> • What is less favourable treatment? • What is the reason for less favourable treatment? • Is the reason directly related to their disability? • Can less favourable treatment be justified? • Is the justification material and substantial? 		
<p>Have reasonable adjustments been made for this pupil?</p> <p>You will need to consider:</p> <ul style="list-style-type: none"> • Would failure to make reasonable adjustments place the pupil at a substantial disadvantage? • Could the need to make reasonable adjustments have been anticipated? • Has the school reviewed policies, practices and procedures (continuing responsibility)? • Does reasonable adjustment involve removal/alteration of physical features? • Does reasonable adjustment involve provision of auxiliary aids/services (SEN framework)? • Have relevant factors been explored and balanced? • Need to maintain standards? • Financial resources available? • Cost of taking particular step? • Extent to which it is practical to take particular step? • Extent to which auxiliary aid/services will be provided under 		

<ul style="list-style-type: none">• SEN framework?• Health and safety requirements?• Interests of other pupils/prospective pupils?• Could the school have been reasonably expected to know about the disability (confidentiality; lack of knowledge)?• Can actions or omissions be materially and substantially justified?		
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Guidance for Governors

Introduction

Exclusions are always difficult matters for everyone concerned. Governors should first make themselves aware of the Department for Education guidance on the exclusion process. [Exclusion from maintained schools, academies and pupil referral units in England](#).

Governing Board Committee

The Governing Board must establish a committee for the purpose of reviewing exclusions and to hear representations from parents. The Governing Board can establish a pool of governors from which the Committee is to be drawn as required; the quorum for the Committee is at least three, and a clerk should be appointed to this committee. It is very important that the governors on this panel receive appropriate training to equip them to discharge their duties properly.

Exclusions are subject to slightly differing procedures, dependent on the extent and nature of the exclusion.

Fixed period exclusions

In the case of one or more fixed period exclusions totaling five days or less in any one term, the Governing Board Committee is required to consider representations made by a parent. Governors have no power to direct reinstatement in cases where the number of days the pupil has been excluded in a single term is five days or less. Where parents make no representations the committee is not convened.

In cases of one or more fixed period exclusions totaling 5 but not more than 15 days in any one term, a Governing Board Committee meeting must be held within 50 school days after receiving the notice of exclusion, to consider the exclusion, if the parent requests this. Where the governors consider it appropriate they can direct reinstatement. If the governors cannot direct reinstatement because the period of exclusion has expired and the pupil has returned to school, they can place a copy of their findings on his or her school record.

Permanent exclusions

In the case of a permanent exclusion, or one or more fixed period exclusions totaling more than 15 school days in any one term, or where a student would miss a public examination, the committee must convene a meeting within 15 school days after the date of receipt of the notification to consider the exclusion.

There are no restrictions on the number of exclusions that can be considered at any one meeting provided that the timescales for hearing representations are adhered to. Pupils who are excluded, who may miss an examination as a result of the exclusion, should have their exclusion considered by the committee wherever possible before the examination date. Exceptionally, where it is not practical for the committee to meet before the date of the public examination, the Chair of Governors, using their power to act in an emergency, may consider the exclusion and determine whether to reinstate.

Procedures

When the Committee is required to meet to consider an exclusion, there are two questions that the Committee should be seeking to answer. Firstly, have the school's procedures relating to discipline been carried out fairly and fully? Secondly, was the action of the Head in excluding the pupil appropriate, in the light of the circumstances?

Where the procedures have been carried out fully, the investigation should have determined an appropriate course of action. Consequently, in the majority of instances, the action of the Head in excluding a pupil is unlikely to cause concern and should receive the support of the Committee, notwithstanding any representations made by parents and other education specialists. In a minority of cases the procedures that lead up to the exclusion and the subsequent action by the Head may not be entirely appropriate. In these instances the Committee should be prepared to overturn an exclusion, where they are entitled to do so. The Committee's function is not merely to 'rubber stamp' the action of the Headteacher, but rather to consider objectively whether the action was appropriate.

Overturing a decision should be taken where the Committee believes the process and thus the decision could be judged unfair because the action of the Headteacher was not appropriate and/or procedures were not followed.

The Committee is, in fact, fulfilling the function for which it was put in place, and the majority of Headteachers will recognise this. It is also a reminder to all staff to ensure that their actions are appropriate and school policy and procedures are followed carefully and diligently. The appeals procedure is thereby seen to be properly employed.

'Exclusion from maintained schools, academies and pupil referral units in England 2017' statutory guidance

Key Points:

- Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports Headteachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to serious or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
- The decision to exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion.
- Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. In this situation schools should give consideration to a multi-agency assessment that goes beyond the pupil's educational needs.
- Schools should have a strategy for reintegrating pupils that return to school following a fixed period exclusion, and for managing their future behaviour.
- All children have a right to an education. Schools should take reasonable steps to set and mark work for pupils during the first five school days of an exclusion, and alternative

provision must be arranged from the sixth day. There are obvious benefits in arranging alternative provision to begin as soon as possible after an exclusion.

- Where parents (or excluded pupil, if aged 18 or over) dispute the decision of a Governing Board not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent exclusion, parents can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination).
- An independent review panel does not have the power to direct a Governing Board to reinstate an excluded pupil. However, where a panel decides that a Governing Board's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a Governing Board to reconsider its decision. If the Governing Board does not subsequently offer to reinstate a pupil, the panel will be expected to order that the school makes an additional payment of £4000. This payment will go to the local authority towards the costs of providing alternative provision.
- Whether or not a school recognises that a pupil has special educational needs (SEN), all parents (or pupils if aged 18 or over) have the right to request the presence of a SEN expert at an independent review panel. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion; for example, whether the school acted reasonably in relation to its legal duties when excluding the pupil.
- Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.

The role of the Clerk

The clerk has an important part to play in making sure the Governing Board's work is well organised. It is helpful if the clerk is able to offer information and advice to the Governing Board, particularly on matters involving the law and procedures to be followed at meetings. Governing bodies should consider what level of help they will need from their clerk when selecting him or her. It is good practice for the clerk to have received training.

Responsibility

The Clerk is more than just a minute-taker, although full and accurate minutes of an appeal hearing are important. The notes of the clerk to the Governing Board Committee may be used as evidence in an independent review panel. It is also the job of the Clerk to make sure that the Governing Board Committee keeps within the law and make sure that the correct procedure is followed. They should be clear about the decisions that are taken and the reasons for them.

Clerks are appointed by the Governing Board. Some local authorities (LAs) offer a clerking service to governing bodies if they pay a subscription.

Before the hearing of the Governing Board committee, the Clerk will:

1. Convene the Governing Board meeting within 15 school days;

2. Invite the parent(s), Head and LA officer to the meeting in the case of a maintained school or pupil referral unit consulting about a time and place convenient to all parties;
3. Ask for any written statements (including witness statements) from all parties involved in advance of the meeting;
4. Circulate within 5 school days any written statements and a list of those attending to all parties.

At the hearing, the Clerk should make sure that the Governing Board follows the correct procedure.

The Clerk may stay with the committee to help them when they make their decision by referring to the notes and with the wording of the decision. When the committee takes the decision the Clerk must be clear about their reasons.

After the hearing, the Clerk should write to all parties concerned with the result of the decision, including the reasons, without delay. Model letters are available in Brent Exclusions Protocol

The role of the Chair

The Chair's role is very important. It sets the tone, which should be informal but clearly structured. The Chair is responsible for ensuring that the hearing conforms to the law and good practice.

Before the hearing

The Chair should be well-informed about the details of the case and the procedures to be followed, should make sure that all the facts needed are available and that other members of the panel are well-briefed.

Conduct of the hearing

The Chair should ensure there is time for everyone involved to have the opportunity to put their case, and ask and answer questions. This helps to ensure consistency and fairness. If changes are to be made to the order, all parties must be asked for their agreement.

1. After welcoming and introducing everyone the chair should explain the procedure and that the clerk is there as note taker and adviser, but will not be involved in taking the decision.
2. The chair should explain the procedure, including the way in which decisions will be taken and that the decision is binding on the parties.
3. All those taking part should be encouraged to speak freely and ask questions but the chair should ensure they keep to the point.
4. An even-handed approach to all parties is essential. Parents in particular must be given the opportunity to question evidence from the school or LA.
5. The Chair should sum up regularly through the hearing so that everyone understands what is being said.
6. Before concluding the hearing the Chair should ask the appellants if they have had a chance to say all they wanted to say.
7. If appellants appear to think they have not had a fair hearing, it is important to establish their reasons and to give them an opportunity to make further points.

8. The Chair should explain how and when the parties will be notified of the decision.

Taking the decision

After the parents, the school and LA representative have left, the Chair should sum up the case. It is preferable if the other panel members are asked for their opinion before the Chair's is made known. The Chair should make sure that the reasons for the decision taken by the panel are clear and conform to the law and good practice.

The role of the School Representative

The Headteacher can defend his/her decision to exclude. They may make written representations to the panel and have the right to attend the hearing in order to explain further why the pupil was permanently excluded. A designated officer from the LA may send written representations and may attend and make oral representations in the case of a maintained school or pupil referral unit.

Before the hearing

The school's representatives should be fully aware of all the materials showing why the child was excluded. This should include a copy of the school rules and behaviour policy.

They should be able to explain what has been done to help the pupil before the exclusion took place, unless this was the result of one serious incident.

The role of the LA Representative

An LA officer may be present at the hearing of the Governing Board in the case of a maintained school or a pupil referral unit. (In the case of Academies, the parent can invite an LA representative to attend the meeting as an observer; that representative may only make representations with the Governing Board's consent.) Their role is not to give a view on the merits of a particular exclusion. A statement can be made in general terms:

- draw attention to:
 - Any lack of clarity
 - Need for more information
 - Points where DfE guidance may not have been taken into account
- make statement to Governing Board on how other schools have dealt with similar incidents
- advise on alternative arrangements for the pupil to continue his or her education if exclusion is upheld
- advise on support available for pupil if reinstatement is directed

Procedure at the hearing

The school and LA representative should enter the room along with the parents and be introduced to the committee and the parents

They should be prepared to answer detailed questions about the evidence presented to the hearing.

The Committee will consider a number of factors, such as the school's rules and sanctions, the history of the pupil and the school, and any representations from the parents.

The Committee will require detailed information about any Pastoral Support Programme for the pupil.

The school and LA representatives leave the room with the parents. On no account should the parents be given the impression that the school or LA representatives take any subsequent part in the decision-making process.

The role of the Governing Board Committee Member

Members of Governing Board Committee must take care to act impartially and ensure that the hearing is fair and their decisions consistent with the evidence presented to them.

Before the hearing

The members should:

- inform the Clerk immediately if they find they have some connection with the appellant
- be familiar with relevant law and DfE guidance
- set aside enough time to read the papers, marking areas needing clarification, and thinking up possible questions
- ask the Clerk to obtain further documentation if needed.

During the hearing

Members should always act courteously towards all parties.

They should respect the Chair and accept the Chair's authority.

They must consider very carefully any advice given by the Clerk.

They should allow the parent to bring a friend or adviser with them if they wish to do so.

Excluded pupils should be encouraged to attend the meeting and speak on their own behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil's age and understanding, or how the excluded pupil may feed in their views by other means if attending the exclusion meeting is not possible.

They should always bear in mind that permanent exclusion is a very serious matter and that parents and pupils set great store by their opportunity to put their case.

They should be careful about their language and behaviour and should try not to give any indication of how they feel about a particular case.

They should test out all the evidence presented to them as far as possible asking questions which probe the statements already made.

In considering an exclusion, the Committee should decide, on the balance of probabilities, whether the pupil did what he or she is alleged to have done. However, the more serious the allegation, the more convincing the evidence substantiating the allegation needs to be. This is not the same as requiring the criminal standard to be applied but it does mean that when investigating more serious allegations, Headteachers will need to gather and take account of a wider range of evidence (extending in some instances to evidence of the pupil's past behaviour), in determining whether it is more probable than not that the pupil has committed the offence. If more than one incident of misconduct is alleged, the panel should decide in relation to each one.

Taking the decision

A Governing Board Committee must do their best to take fair and consistent decisions, objectively, on the evidence, not on preconceptions about the school or the appellant.

They should be clear about the reasons for the decisions they take, and be prepared to support them with evidence gained during the hearing, not on hearsay or assumptions about what has been said.

Procedures

The Committee makes its decision when the appellant and the school and LA representatives have left the room. The Clerk remains with the panel to take notes, to remind the panel, where necessary, of the evidence and to advise on the procedure.

Chairs should sum up the evidence impartially, and then ask the other panel members for their views. Unanimous decisions are preferable but a simple majority is sufficient. The Chair has a casting vote in event of a tie.

The decision of the Governing Board Committee

Where the exclusion is for more than five school days in total in any one term and reinstatement is practical the Governing Board Committee must decide whether to reinstate the pupil. They must consider any representations made by the parent, pupil and LA and whether the Headteacher has followed the exclusion procedure and DfE guidelines.

Where reinstatement is not practical the Governing Board Committee must consider whether the Headteacher's decision to exclude was justified based on evidence. The decision should be put on the child's school record.

The Committee can either decide to uphold the exclusion or direct reinstatement. They cannot decide that a pupil should not have been excluded but that relations have broken down and he should not therefore return to the school.

The standard of proof

The standard of proof to be applied is the balance of probabilities, i.e. if it is more probable than not that the pupil did what he or she is alleged to have done, the Headteacher may exclude the pupil. However, the more serious the allegation, the more convincing the evidence substantiating the allegation needs to be. This is not the same as requiring the criminal standard to be applied but it does mean that when investigating more serious allegations, headteachers will need to gather and take account of a wider range of evidence (extending in some instances to evidence of the pupil's past behaviour), in determining whether it is more probable than not that the pupil has committed the offence.

Governors can either uphold the decision of the Headteacher or overturn the decision of the Headteacher. They cannot upgrade a fixed term exclusion to a permanent exclusion, or extend or reduce the number of days. If they overturn the Headteacher's decision to exclude a pupil for a fixed term, then the exclusion will not be removed from the pupil's record but a note will be placed on the student's file outlining the Governors' decision.

Reasons for the decision

The Clerk should make sure that the reasons for the decision the committee has taken are clear, and based on the evidence.

The Clerk's notes will be an important source of information.

The decision should not be based on assumptions about the case or about what was said. They should be supported by the evidence presented and tested by the committee.

There is a risk of injustice to the appellant unless proper reasons for the decision are given, which show why the governing Board committee have taken the view that they did.

Communicating the decision

After the meeting, the Clerk should inform the Headteacher of the Governors' decision.

The next day, the Clerk should write to parents, informing them of the decision of the Governors' Committee. This letter should be copied to the Headteacher and the Inclusion Support Team via the exclusions mail box schoolexclusions@brent.gov.uk.

The letter includes reference to the right of parents to appeal to an Independent Review Panel against the decision in the case of a permanent exclusion. Parents have 15 school days to appeal from the receipt of the letter.

If applied for by parents within the legal time frame, the local authority or (in the case of an Academy) the Academy Trust must, at their own expense, arrange for an independent review panel hearing to review the decision of a governing Board not to reinstate a permanently excluded pupil. A copy of the Governing Board Committee minutes will be required for the Independent Review Panel packs.

There is no right of appeal concerning a fixed term exclusion. If Governors overturn the decision of the Headteacher concerning a fixed term exclusion, then as already mentioned, a note is placed on the pupil's file accordingly. The exclusion is not removed from their record.

Parents can also make a claim to the First Tier Tribunal – Special Educational Needs & Disability in the case of disability discrimination and the County Court in cases of other types of discrimination.

Confidential minutes for Pupil Discipline Committees are not usually circulated to Committee Members. A copy is agreed by the Chairman of the Committee and signed at the earliest opportunity. Minutes should be available to all parties on request.

Paperwork should be retained for 5 years / until the pupil / student concerned reaches the age of 25 years.

Exclusion checklist for governors and head teachers

<p>Has there been a serious breach or persistent breaches of the school's behaviour policy?</p> <p>and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school?</p>	
<p>Standard of proof - Apply civil standard of proof - balance of probabilities</p>	

<p>Has the school exhausted all available strategies; exclusion normally as a last resort?</p> <p>Or is this a serious first or 'one off' offence?</p>	
<p>Does the pupil have special educational needs?</p> <p>Have you consulted the SEN Officer and/or Educational Psychologist?</p> <p>Has there been an emergency annual review?</p>	
<p>Factors to consider before making decision to exclude:</p>	
<ul style="list-style-type: none"> • Exclusion should not be imposed in the heat of the moment 	<ul style="list-style-type: none"> •
<ul style="list-style-type: none"> • Ensure thorough investigation is carried out 	
<ul style="list-style-type: none"> • Consider evidence (school policies) 	
<ul style="list-style-type: none"> • Pupil's version of events heard and recorded? 	
<ul style="list-style-type: none"> • Consider provocation – bullying/racial/sexual harassment? 	
<ul style="list-style-type: none"> • Consider Multi Agency Assessment 	
<ul style="list-style-type: none"> • Keep written record of all actions taken (witness statements dated and signed) 	
<p>Are there exceptional circumstances:</p>	
<ul style="list-style-type: none"> • Are there any contributing factors? 	
<ul style="list-style-type: none"> • For disabled children, have all reasonable adjustments been made? 	

<ul style="list-style-type: none"> • Is the pupil a child in care to the Local Authority? 	
Have issues of discrimination been considered under the Equality Act 2010?	
Alternatives to exclusions considered:	
<ul style="list-style-type: none"> • Restorative justice/Mediation/Internal Exclusion 	
<ul style="list-style-type: none"> • Managed Move 	
<ul style="list-style-type: none"> • Discussion with Pupil Referral Unit 	
<ul style="list-style-type: none"> • Discussion with Exclusion & Reintegration Team 	
Has the appropriate length of exclusion been considered (permanent/fixed term/lunchtime)?	

Governing Board Exclusion Procedure

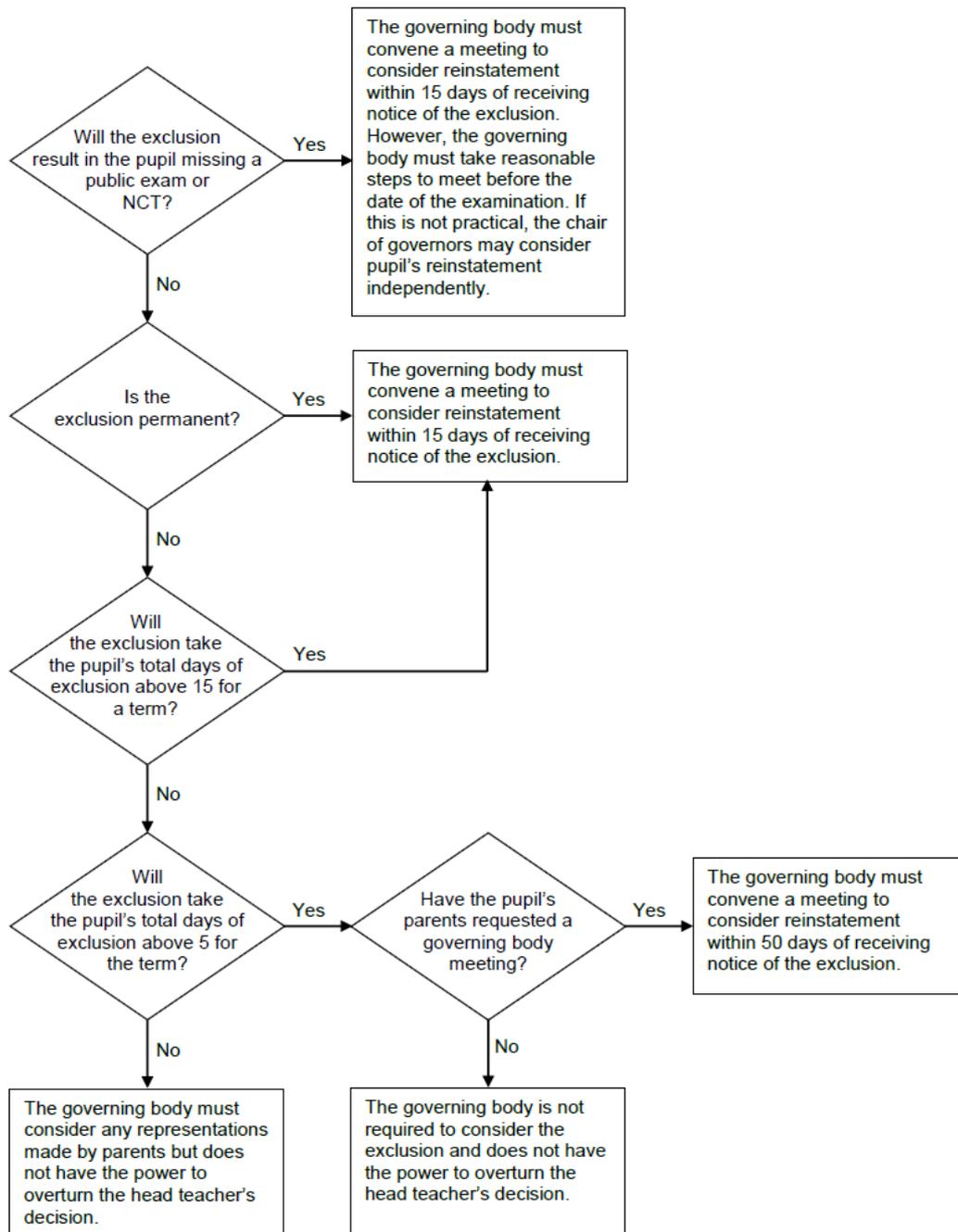
Please note that for any exclusion, which would result in a pupil missing a public examination, the Governing Board must be informed.

Head teacher excludes pupil	
Fixed term exclusion	Permanent exclusion
<p>Clerk/Chair of Committee receive copy of exclusion letter from Head teacher</p> <p>Clerk arranges a meeting of the Governing Board Committee if appropriate and contacts all involved</p>	<p>Clerk/Chair of Committee receives copy of exclusion letter from Head teacher.</p> <p>Clerk contacts all involved and arranges a suitable date for a meeting of the Governing</p>

<ul style="list-style-type: none"> • 1-5 days – Governing Board is not required to arrange a meeting. • 6-15 school days’ exclusion in one term - meeting no later than 50 school days – meeting only in event of parental request. • 16-45 school days’ exclusion in one term - meeting no later than 15 school days <p>Clerk sends</p> <ul style="list-style-type: none"> • Letter inviting parents to the Governing Board Committee meeting • Order of proceedings • Any evidence to be considered at the meeting <p>Clerk takes notes of meeting and records the decision of the Governing Board Committee. None of the parties, with the exception of the Clerk, should be alone with the Governing Board Committee at any time.</p> <p>At the conclusion of the meeting, Clerk sends a letter (without delay) informing parents of the decision with copy to schoolexclusions@brent.gov.uk</p>	<p>Board (the meeting must take place no later than 15 school days of notice of the exclusion)</p> <p>Clerk sends</p> <ul style="list-style-type: none"> • Letter inviting parents to the Governing Board Committee meeting • Order of proceedings • Any evidence to be considered at the meeting <p>Clerk takes notes of meeting and records the decision of the Governing Board Committee. None of the parties, with the exception of the Clerk, should be alone with the Governing Board Committee at any time.</p> <p>At the conclusion of the meeting, Clerk sends without delay a letter informing parents of the decision, with copy to schoolexclusions@brent.gov.uk</p>
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A summary of the governing board’s duties to review the head teacher’s exclusion decision

The Governing Board may delegate its functions to consider an exclusion to a designated sub-committee. References to days mean “school days”.



Governing Board Sample Procedure for an Exclusion Hearing

This section should be reproduced separately for parents and sent with the Clerk's letter giving details of the Governing Board Committee Meeting.

1. You will receive a letter from the Clerk to the Committee giving details of the time and place for the formal meeting to consider your child's exclusion.

2. You are advised in the letter notifying you of your child's exclusion that you may bring a legal representative or friend with you to the hearing.
3. It is important that you notify the school of your intention to attend the formal hearing and whether you will be bringing other people with you.
4. The formal hearing follows a set procedure:
 - a. Introduction and brief explanation of procedures by the Chair, who will lead the Committee in establishing the relevant factors. There will be an opportunity for questioning by the other parties after each presentation. Questions from the Committee will generally be taken at the end of each party's statement and following questioning by the other parties.
 - b. The Headteacher presents his/her reasons for the exclusion and calls such witnesses as he/she considers appropriate.
 - c. The Headteacher and his/her witnesses are questioned by the parents and/or their representatives, and the Governing Board Committee
 - d. Parents and/or their representative, state their case (the parent remains the appellant unless the pupil is over 18). Unless there are strong reasons to refuse, the Chair of the Committee should consider representations from the excluded pupil, if the parent and pupil ask for this. Any witnesses who are pupils at the school may only appear voluntarily and with their parents' consent. It is normally more appropriate for the Committee to rely on written statements.
 - e. Parents, their representatives, and any witnesses may be questioned by Headteacher and Governing Board Committee.
 - f. A representative of the Local Authority may make oral representations in the case of a maintained school or PRU. A parent may invite a representative of the Local Authority to attend a meeting of an Academy's Governing Board as an observer; that representative may only make representations with the Governing Board's consent.
 - g. Summing up by the Headteacher.
 - h. Summing up by the parents and/or their representatives.
5. After this, everyone except the Clerk must withdraw before the Governing Board Committee consider their decision. The Clerk may remain to help the Governing Board Committee by reference to the notes and with the wording of their decision letter.
6. The Committee should base its decision on oral evidence presented at the formal hearing and written evidence submitted beforehand. The Clerk to the Chair of the Governing Board Committee will notify the parents in writing of the decision and the reason for it, and send copies to the Headteacher and the Local Authority without delay.

Governing Board Sample Proforma for use at Exclusion Hearing

Name of pupil:		Reason for exclusion:
Date of Birth:	Year Group:	
Year Group:		
Permanent:	Fixed Term:	
Evidence:	Number of School Days:	
What facts are not disputed?		

What are the issues in dispute?

Has consideration been given to issues of special educational needs, race relations, disability discrimination or bullying?

What questions do we need to ask of whom?

Conclusion:

Disability discrimination decisions checklist

	Yes/No
Does the pupil fit into the definition of 'disabled'	
Do they have a mental or physical impairment	
Is impairment's effect	
<ul style="list-style-type: none"> • Adverse? • Substantial? • Long Term • Does it affect their ability to carry out normal day-to-day activities, such as mobility, manual dexterity, physical co-ordination, continence, ability to lift, carry or otherwise move everyday objects, speech, hearing or eyesight, memory or ability to concentrate, learn or understand, perception of the risk of physical danger? 	
Is it direct discrimination?	
What is the less favourable treatment?	
Would a pupil without protected characteristic of disability be treated the same?	
Is it discrimination arising from disability?	
What is the reason for unfavourable treatment?	
Is the reason connected with their disability?	
Can unfavourable treatment be justified?	
Is it a proportionate means of achieving a legitimate aim?	
Is it reasonable adjustment duty?	
Would failure to make reasonable adjustment place at substantial disadvantage?	
Could need to make reasonable adjustments have been anticipated?	
Has school reviewed policies, practices and procedures (continuing responsibility)?	
Does reasonable adjustment involve provision of auxiliary aids/services (=SEN framework)?	
<p>Have relevant factors been explored and balanced?</p> <ul style="list-style-type: none"> • Need to maintain standards (e.g. academic, music, sporting etc.)? • Financial resources available? • Cost of taking particular step? • Extent to which auxiliary aid/services will be provided under SEN framework? • Health and Safety requirements? • Interests of other pupils/prospective pupils? 	
Could school have been reasonably expected to know about the disability (confidentiality; lack of knowledge)?	
Can act/omission be materially and substantially justified?	

Review of exclusions by governing boards

Length of Exclusion	Will the GB automatically review the exclusion?	Can the parent make written representations to the GB?	Can the parent meet with the GB and make representations in person?	Time Limit	Outcome of the meeting	
					GB has power to:	GB DOES NOT have power to:
Total 5 school days or less in one term	NO. The GB will not automatically review the exclusion.	YES. The GB must consider any of the parent's written points about the exclusion.	MAYBE. The GB can agree to meet with the parent if the parent requests this, but they do not have to.	No time limit for the meeting but the GB should consider responding promptly.	<ul style="list-style-type: none"> Decide whether or not the Head was justified in excluding the pupil and note their views on the pupil's record. Include copies of other relevant papers on the pupil's record, e.g. the pupil's version of the incident or the parent's statement. 	<ul style="list-style-type: none"> Reinstate the pupil. Erase the exclusion from the pupil's record.
Total 5½ - 15 school days in one term	NO. The GB will not automatically review the exclusion. But they must meet, if the	YES. The GB must consider any of the parent's written points about the exclusion.	YES. But the parent has to request a meeting with the GB.	The GB must meet within 50 school days after they receive	<ul style="list-style-type: none"> Decide whether or not the Head was justified in excluding the pupil and note this on their school record. 	<ul style="list-style-type: none"> Erase the exclusion from the pupil's record.

	parent requests this, even if the parent does not attend.			information about the exclusion. This information may come from the parent's request or from the Head.	<ul style="list-style-type: none"> • Consider whether the Head followed the guidance. • Reinstate the pupil immediately or by a particular date. 	
Total 15½ school days or more in one term	YES. The GB will automatically review the exclusion.	YES. The GB must consider any of the parent's written points about the exclusion.	YES. The GB must invite the parent to their meeting.	The meeting must be within 15 school days after the GB receives information about the exclusion from the Head. The Head must inform the GB of the exclusion	<ul style="list-style-type: none"> • Decide whether or not the Head was justified in excluding the pupil and note this on their school record. • Consider whether the Head followed the guidance. • Reinstate the pupil immediately or by a particular date. 	<ul style="list-style-type: none"> • Erase the exclusion from the pupil's record.

				within one school day.		
Permanent exclusion	YES. The GB will automatically review the exclusion.	YES. The GB must consider any of the parent's written points about the exclusion.	YES. The GB must invite the parent to their meeting.	The meeting must be within 15 school days after the GB receives information about the exclusion from the Head. The Head must inform the GB of the exclusion within one school day.	<ul style="list-style-type: none"> Decide whether or not the Head was justified in excluding the pupil and note this on their school record. Consider whether the Head followed the guidance. Reinstate the pupil immediately or by a particular date. 	<ul style="list-style-type: none"> Erase the exclusion from the pupil's record.
Any exclusion which will result in the pupil missing a public exam	YES. The GB will automatically review the exclusion.	YES. The GB must consider any of the parent's written points about the exclusion.	YES. The GB or the Chair must invite the parent to their meeting/review.	The meeting should be before the date of the exam . If this is not possible,	<ul style="list-style-type: none"> Decide whether the Head was justified in excluding the pupil and note this on their school record. 	Erase the exclusion from the pupil's record.

(including SATS)				the Chair of the GB can review the exclusion alone.	<ul style="list-style-type: none"> • Consider whether the Head followed the guidance. • Reinstatement the pupil immediately or by a particular date. • Allow the pupil into school just to take the exam. 	
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Brent council terms of reference for the pupil discipline committee of school Governing Board

CONSTITUTION:

The Membership of the Committee will be as per the agreed membership grid. The Committee is required to appoint a Clerk, who, normally, should be independent of the school.

The Governing Board may nominate a pool of Governors from which to select at least three Governors to serve as the Pupil Discipline Committee. The quorum for a Pupil Discipline Committee meeting is three members. (NB. Associate Members do not count towards the quorum and do not have voting rights but may attend as observers with the permission of all concerned)

The Headteacher may not be a member of this committee but will attend the meeting to present a report and give evidence.

The Chairman of the Pupil Discipline Committee will be elected by *the whole governing Board / a quorum of the Committee members and will have a second or casting vote, where there is an equal division of votes. It is recommended that, where possible, an uneven number of Governors sit on this Committee in order to avoid an equal division of votes.

TERMS OF REFERENCE:

The role of the Pupil Discipline Committee is to review the use of exclusion within the school and consider any representations from parents about their child's exclusion

The Pupil Discipline Committee should consider whether the Headteacher has complied with the exclusion procedure and has had regard to the Secretary of State's guidance before deciding to exclude the pupil

The Pupil Discipline Committee must meet to consider:

- 1 All permanent exclusions
- 2 All fixed term exclusions (including lunch-time, half-day exclusions) that would lead to a pupil being excluded for over 15 school days in a school term or missing a public examination

This meeting must be convened between the 6th and the 15th school day after the date of receipt of the notification from the Headteacher. (Where a pupil might miss a public examination and the Committee is unable to meet before the date of the examination, the Chairman is empowered to take the decision about the exclusion)

- 3 All fixed term exclusions that would lead to a pupil being excluded for over 5 days but not over 15 days in a school term, where the parents have expressed a wish to make representations

This meeting must be convened between the 6th and the 50th school day after the date of receipt of the notification from the Headteacher

- 4 All fixed term exclusions that would lead to a pupil being excluded for 5 school days or less in a school term, where the parents have expressed a wish to make representations. (No time scale for this meeting, nor any requirement for parents to be invited to this meeting)
- 5 To ensure arrangements are in place to enable appropriate provision to be made for pupils excluded on a fixed-term basis for 6 days or more.
- 6 To monitor and review on a regular basis the exclusion processes that are in place