



## **TERMS OF REFERENCE GOVERNING BODY - EXCLUSIONS COMMITTEE**

**The Governing Body must review the delegation of functions and the establishment, terms of reference and membership of committees annually.**

### **MEMBERSHIP**

- 3 members of the Governing Body – to be convened when required.
- If a governor has a connection with the student or the incident that could affect their ability to act impartially, they should not serve at the hearing.
- Disqualification from membership – the Headteacher and any governor with prior knowledge of the student or the incident. (It is suggested that staff governors, due to probable prior knowledge, should not be a member of this committee).

### **TERMS OF REFERENCE**

1. To carry out the Governing Body's responsibilities for reviewing all permanent exclusions and some fixed term exclusions.
2. In the discharge of its function to review exclusions, the panel must be aware of its statutory powers and keep in mind the guidance issued periodically by the Department for Education as well as all applicable legislation.
3. In the case of any of the following decisions by the Headteacher:
  - a) to exclude permanently;
  - b) that a fixed term exclusion should be made permanent;
  - c) where a fixed term exclusion would result in the pupil being excluded for more than 15 school days in a school term;
  - d) the exclusion would result in the loss of an opportunity to take a public examination;the Panel shall consider the circumstances of the exclusion by holding a meeting within 15 school days after it has received notice of the exclusion and must invite the parent and the student to the meeting.
4. The Panel will meet, within 50 school days, to review exclusions of 6-15 days in any one term, if parents make representations and request a review meeting of receiving notice of the exclusion.
5. The Panel will meet to consider exclusions for 1-5 school days in aggregate in a term, if parents make representations and request a review meeting of receiving notice of the exclusion. The Panel cannot direct reinstatement but can place a copy of their findings on the pupil's record.
6. The panel cannot increase the severity of exclusion by extending it or making a fixed term permanent. In cases falling within paragraphs 4 and 5 above (exclusion for more than 5 days) the panel can uphold the exclusion, or direct the student's reinstatement immediately or by a particular date. (If the exclusion has already expired, a copy of the panel's findings can be placed on the student's record).



7. The panel will be advised by its clerk as to its procedure in the conduct of any meeting to review an exclusion, and will bear in mind what is said in the Guidance about such procedure. In particular, the panel should apply the balance of probabilities standard of proof, i.e. whether it is more probable than not that the student has behaved as alleged.
8. The panel will reconvene where an Independent Review Panel (IRP) recommends or directs that the governing body reconsiders its decision. Such a meeting will be held within 10 school days of the governing body receiving notification of the IRP decision.

**Review frequency: Annual**

**Date of adoption: 21 September 2022**

**Date of next review: 21 September 2023**