

**THE SIR JOHN BRUNNER FOUNDATION  
ACADEMY EXCLUSION PANELS – TERMS OF REFERENCE**

**Membership**

- Either the Chair of Governors or a governor with delegated powers from the Chair of Governors, where possible
- 2 Governors taken from the Full Governing Body making 3 in total. (These will be governors who have not been involved in any disciplinary hearing involving the student.)
- The Headteacher is specifically excluded, as is any Teacher Governor who has been directly involved in the final (or any contributing incident) which has led to the pupil's exclusion or who has or has had pastoral oversight of the pupil
- The Clerk will attend and minute Exclusions panel meetings.
- The quorum is three members of the Governing Body

**Remit**

In line with the Statutory Guidance, the Exclusions Panel must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the Headteacher if:

- it is a permanent exclusion
- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term
- it would result in the pupil missing a public examination or national curriculum test

**Duties**

1. To be conversant with the statutory guidance relating to exclusions of pupils
2. To receive a report given either by the Headteacher or other appropriate member of staff in the Headteacher's presence.
3. To ask questions of the Headteacher and/or accompanying colleague(s) so that the committee has eliminated any perceived ambiguity/grey area.
4. To receive whatever representations the parents/carers may make.
5. To ask questions of the parents/carers and anyone accompanying them, so that the committee feels it is quite clear about the representations being made.
6. To decide in the absence of the Headteacher, colleagues and the parents/carers or their representatives:
  - a) Whether, on the balance of probabilities, the events leading up to the exclusion did happen.
  - b) Whether all reasonable steps have been taken in respect of pupil inclusion.

- c) In the case of a permanent exclusion, whether it was in response to a serious breach or persistent breaches of the School's behaviour policy and whether allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff and pupils in the school.
  - d) Whether the type of suspension (fixed term) is appropriate.
  - e) If temporary, whether the length of the suspension is appropriate
  - f) If temporary, whether the suspension does not bring the total time excluded in the term in excess of that allowed by law.
- 7. To make appropriate resolutions on matters 6(b)-6(f)
  - 8. To convey the decision of the panel to the Headteacher, and to those parents/carers who have made representations, as soon as possible afterwards and in any case within the legal period for notification. This letter will also set down clearly the right to appeal and the procedure which must be followed if this right is to be taken up.

### **Delegated Powers**

In reaching a decision on whether a pupil should be reinstated, the governing board should consider whether the decision to suspend or permanently exclude the pupil was lawful, reasonable, and procedurally fair. This should consider the welfare and safeguarding of the pupil and their peers, the headteacher's legal duties, and any evidence that was presented to the governing board in relation to the decision to exclude.