

Governors' discipline committee meeting – a guide for school



The governors' committee which meets to review exclusions is known as the Governors' discipline committee and consists of at least three governors

The committee and its role

If the exclusion is between six and fifteen days in a term, and the parents request a meeting, then the governors' discipline committee must meet within 50 school days.

The governors' discipline committee must always meet to consider exclusions greater than fifteen school days in a term, and all permanent exclusions. The meeting must take place between the sixth and the fifteenth school day after the governing body has been notified of the exclusion.

The role of the governors' discipline committee is to act as another 'set of eyes' to review the head teacher's decision to exclude. Exclusions are very serious and the governors will review whether the exclusion has been carried out correctly and takes account of the needs of your child. They are not a rubber stamping body.

Before the meeting

The clerk to the committee will write to you confirming the date and time of the meeting and send you the paperwork which will be considered at the meeting. The paperwork will include your written representation if you have submitted one. Other paperwork that may be included is:

- witness statements and your child's version of events, if appropriate
- a behaviour diary and academic reports
- information on your child's special educational needs
- if there is an individual education plan this will include your child's difficulties, the school's strategies, support and reviews, and information on other services involved
- a pastoral support programme which may include the involvement of other agencies for pupils who have been, or are at risk of being, permanently excluded
- attendance records
- any other relevant documentation

Who attends the meeting?

The following people will attend the meeting:

- the governors, one of whom will act as Chair of the Committee. The committee must be quorate (this means there must be a minimum of 3 governors present)

- a Clerk to take notes and can advise on procedure
- a Local Authority representative will attend permanent exclusions and exclusions of 16 days or more
- the head teacher and/or a senior member of staff
- the parents or carers: think about taking a friend or advocate/adviser to the meeting with you if the support would be helpful: the Local Authority can put you in touch with Parent Partnership if you think this would be useful
- your child, unless they are very young or there are strong reasons against them attending, it is important that your child is given every opportunity to have their say
- witnesses may be called to give evidence but do not normally remain for the full meeting

Agenda and procedure

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- behaviour diary and academic reports
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- if there is an individual education plan this will include your child's difficulties, the school's strategies, support and reviews, and information on other services involved
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- any other relevant documentation
- What the committee will consider

The governors' discipline committee must consider, on a balance of probability:

- whether your child did what he/she is alleged to have done and what behaviour policies were not followed
- whether the correct procedures were used
- the seriousness of the incident, and the appropriateness of the length of the sanction
- the likelihood of the incident being repeated if your child was allowed to return
- the fairness of the exclusion in relation to any other pupils involved in the same incident
- any relevant previous misbehaviour

- the support provided by the school and for how long it was provided
- any special educational needs and disabilities your child may have
- any mitigating circumstances (for example, being bullied)

The committee decision

The discipline committee's decision will be to either:

1. Decline to reinstate the pupil; or
2. Direct reinstatement of the pupil immediately or on a particular date

DFE Guidance: A guide to the law

95. The governing board has a duty to consider parents' representations about a suspension or permanent exclusion. *The requirements on a governing board to consider the reinstatement of a suspended or permanently excluded pupil depend upon a number of factors (these requirements are illustrated by the diagram on page 38, A summary of the governing board's duties to review the headteacher's exclusion decision).*

96. In the case of a maintained school, *the governing board may delegate its functions with respect to the consideration of a suspension or permanent exclusion to a designated sub-committee consisting of at least three governors.*

97. In the case of an academy, *the governing board may delegate to a committee of the trust board, including a local governing body, if the trust's articles of association allow them to do so.*

Things to consider

- *Are underlying factors (for example SEND, family issues or bullying) or specific triggers (for example the time of day or specific lessons) affecting behaviour? Are staff working with the pupil aware of any behavioural trigger points, relevant issues and the ways in which they should be managed?*
- *Are staff aware of mechanisms for escalation and referral routes to access external support?*
- *Have I ensured that this pupil's parents are aware of their behaviour issues?*
- *Should I request a special educational needs (SEN) assessment, a multi-agency assessment or external support (e.g. counsellors or alternative provision)?*
- *Did I consider if the pupil was a looked after child? (E.g. did I engage with foster carers or children's home workers, the local authority that looks after the child and the local authority's virtual school head?)*
- *Is the use and effectiveness of any support and sanctions properly recorded and regularly reviewed?*

Full guidance: September 2022 statutory guidance: Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England.

[Suspension and Permanent Exclusion from maintained schools academies and pupil referral units in England including pupil movement.pdf](#)

A summary of the governing board's duties to review the headteacher's exclusion decision

Conditions of exclusion

Governing board duties

Does the exclusion meet any of the following conditions?

- It is a permanent exclusion
- It is a suspension that alone, or in conjunction with previous suspensions, will take the pupil's total number of days out of school above 15 for a term
- It is a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test*

↓ Yes

↓ No

The governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.⁴⁹

*If the pupil will miss a public exam or national curriculum test, the governing board must take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone.⁵⁰

Will the suspension(s) take the pupil's total number of school days out of school above five but less than 16 for the term?

↓ No

Yes

The governing board must consider any representations made by parents but does not have the power to decide whether to reinstate the pupil.

Have the pupil's parents requested a governing board meeting?

↓ Yes

↓ No

The governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

The governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.

⁴⁹ The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

⁵⁰ The ability for a chair to review in the case of public exams refers only to maintained schools.