

Governors Meeting Procedure
Fixed Term Exclusions

Days Excluded per term	Right to make representations
Up to 5 days in a term	Parents can make representations and governors must consider the information however they do not have to meet with parents. The governors do not have the power to reinstate the pupil and it is likely that the pupil will be back in school anyway. As the exclusion will have happened, it cannot be deleted from the school record. However if the governors agree the exclusion was not justified, they may put a note on the school record.
Between 5 ½ and 15 days in a term	The governors must meet to consider the exclusion if the parent requests it. The meeting must take place within 50 school days. The governors can reinstate a pupil either immediately or on a specified date
More than 15 days in a term	The governors will automatically meet to consider the exclusion. This must be within 15 school days. The governors can reinstate a pupil either immediately or on a specified date.

Who will be there?

There must be at least three governors and none of them should have any involvement in the case that might lead them to favour one side above another. A clerk to take notes and advise on procedure is normal practice but is not a legal requirement.

The following people must be invited to the meeting:

- Head teacher - to explain the school's case for excluding your child



- Parents – to make the case for the child. They have the right to be accompanied by a representative
- The local authority must be invited and may make representations. They may not always attend, particularly for shorter exclusions.

If the school is an Academy parents may ask for a local authority representative to be invited to the meeting however they can only act as an observer. A SLA can be agreed if the school wish to invite the LA

The pupil has the right to attend if so wished.

Exclusion Papers & Evidence

Paperwork should be sent to governors, parents and LA (if applicable) 5 days prior to the meeting.

We recommend including:

- Headteacher statement
- Behaviour log
- FTE letters
- Support strategies for pupil to remain in school

Natural justice - a fair hearing

The governors should not discuss the exclusion outside the meeting. That means that they shouldn't have a private meeting with the head teacher about it without parents there.

If the parent has a disability, the governors must take steps to make sure they are not put at a disadvantage because of this. All parties should be supported to participate and have their views heard.

What will happen at the hearing?

The order of the hearing is not set out in guidance. A typical order of proceedings might be:

- the chair introduces everyone and explains what will happen
- the head gives the school's case for excluding the child
- the parent puts their case
- opportunities for all parties to ask questions (including LA if present)
- summing up by the head and the parents

The parents and the head will then leave, as the governors must make the decision on their own. A clerk may stay with them to help by referring to notes of the meeting.

The governors' decision

When making their decision, the governors must:

- consider the interests and circumstances of the excluded pupil
- have regard to the interests of other pupils and people working at the school

They will look at the facts on balance of probabilities and consider whether the head's decision was lawful, reasonable and procedurally fair. The possible outcomes vary according to the length of the exclusion. For exclusions of less than 5 school days the Governors can uphold the exclusion or note their findings on the child's school record - they cannot reinstate. For exclusions over 5 school days they can uphold the exclusion or reinstate the pupil.



Minutes should be taken of the meeting as a record of the evidence that was taken into account.

After the meeting

The governors must let parents know the outcome and the reasons for their decision in writing without delay. If the pupil has a disability which affected the exclusion parents may make a disability discrimination claim to the First Tier Tribunal SEND

