



Pupil Discipline Committee – Terms of Reference

The Governing Board must act as a corporate board. They must act with integrity, objectivity and honesty and in the best interests of the school. They must be open about, and be prepared to explain, their decisions and actions.

The Governing Board shall act as “critical friend” to the Executive Headteacher/Headteacher, that is to say, they shall support them in the performance of their functions and give constructive criticism.

Membership **5**

To consist of at least 5 named governors, the Governing Board should appoint more to the committee to allow for illness/ unavailability/declaration of interests etc. when a hearing is required. The Committee should appoint a Chair. If the Chair or any panel members of the committee have prior knowledge of the case, any other Governing Board members can be included. The Department For Education (DfE) strongly recommends that no governor should sit on an exclusion panel without having undertaken training provided by the Local Authority. At any panel hearing it is recommended that either 3 or 5 members sit, to allow majority decisions to be possible.

The Chair of Governors, Executive Headteacher/Headteacher or staff governor **should not** be a member of this committee.

Chair

To be elected by the committee to be determined by the Full Governing Board). The Governing Board can remove the chair at any time.

Clerk to the Committee

To be elected by the committee (to be determined by the Full Governing Board). The Governing Board can remove the clerk at any time.

Quorum

To consist of 3 members or more.

Meetings

As required and held within any statutory timescales.

Agendas/Papers

A Clerk to the Committee should be appointed. Agendas and relevant papers to be circulated only to committee members

who are to attend a hearing (not all members of the governing Board) 5 working days before the meeting (or less if agreed by all parties), or as arranged by the appointed clerk and within any statutory timescales. Accompanying papers to be circulated only to members of the committee attending the hearing.

The parents, Local Authority Representative and the person presenting the case for the school – usually the Headteacher – also receive a full set of papers from both parties.

Minutes/confidential minutes To be circulated to those in attendance at the panel hearing, as soon as possible after the date of the meeting, and in appropriate accordance with the adopted complaints procedures. Minutes to include a brief summary of items discussed, and a record of any proposals/recommendations for the Governing Board to consider. Only the general issues and recommendations should be reported to the Governing Board from a hearing, and this should be done at the earliest opportunity. All efforts should be made to keep the names of the parties involved confidential. Only the Clerk to the Committee will keep a set of minutes from a hearing.

The Pupil Discipline Committee is responsible for reviewing the Headteacher's decision to permanently exclude or exclude a pupil for any period in excess of 15 days in any one term. Governors must review fixed period exclusions that would result in a pupil being excluded for between 6 and 15 days, in total, in any one term(via the Pupil Welfare Committee meeting), and the Pupil Discipline Committee will only need to call a hearing between 6 and 15 days if parents wish to make representations.

Specifically, the terms of reference of the Pupil Discipline Committee are:

- To appoint a Chairperson to the Committee
- To appoint a Clerk to the Committee
- To review the working practices of the Committee, and application of associated school policies, annually, via termly reports presented at Pupil Welfare Committee meetings.
- To review and consider, the evidence leading to the decision to exclude for any fixed term of more than 15 days, any permanent exclusion, or at the request of a parent if for fixed term exclusion between 6 and 15 days, in any one term.
- To convene pupil disciplinary meetings in accordance with, and reference to, guidance and advice published by the DFE, to either support or overturn the Headteacher's decision regarding any fixed term, or permanent exclusion.
- To contribute to the school improvement plan where appropriate.

Associated Legislation/Policies

In coming to its decision the Committee should give due regard to the following:

- DfE Statutory Guidance for School Exclusions (2012)
- SEN Code of Practice 2014
- Equalities Act 2010

