

# Hasland Junior School

## Policy on school exclusions

### Rationale

Our policy on behaviour clearly states that as a school, we aim to encourage good behaviour from our pupils rather than punish unacceptable behaviour.

Children who continually exhibit disruptive behaviour or whose behaviour contravenes any school policy, would however be dealt with in accordance with agreed sanctions (see behaviour policy)

Exclusion would only be considered in cases of serious or persistent misconduct or where the welfare or safety of other members of school were threatened.

**When exclusions are implemented, the following procedures for exclusions which are in line with regulations laid down by DfES circular – Improving Behaviour and Attendance : Guidance on Exclusion from Schools and Pupil Referral Units – Published 01 / 03 and revised 03 / 04 will apply.**

Lunchtime only exclusions will also be carried out in accordance with these regulations / guidance.

### Timetable for processes following Fixed period Exclusions.

<b>Immediately</b>
The parent/carer must be immediately notified by the Headteacher of an exclusion (ranging from ½ day to 45 days in an academic year)
<b>Within 1 school day</b>
The parent/carer must be notified by letter within 1 school day. The letter must outline the reason and length of the exclusion (including return date), advise them of their right to make representations to the clerk to governors, and give contact details of a named person that can provide advice.
It is good practice for all schools to inform the LEA and Governing body within 1 school day of the exclusion (including lunchtime, and fixed period exclusions from ½ day upwards).
<b>NB.</b> 1 session is the equivalent of ½ a school day or 1 lunchtime exclusion.

**Timetable for Governors' Disciplinary Committee meeting.**

<b>What is the length of the Fixed Period Exclusion?</b>		
Fixed period Exclusions of no more than 5 days/10 sessions	Fixed period Exclusions (single or cumulative) of more than 5 days but not more than 15 days/30 sessions	Fixed period Exclusions (single or cumulative) over 15 school days/30 sessions or missing a public examination
If parents / carers send in representations then the Governors' Disciplinary Committee must consider them.  No statutory time limit applies.	If Parents/ carers request a Governors' Disciplinary committee meeting them it must be held between 6th – 50th school days of receiving notification of exclusion.	Must automatically hold a Governors' Disciplinary Committee meeting between 6th – 15th school days after receiving notification of exclusion.

Processes for reviewing the Headteacher's decision to exclusion are dependent on whether a pupil attends a school or Support Centre.

- For **schools**, this role would be taken on by the **governing body**. NB. The revised guidance states that the governing body can delegate some or all of its functions in respect of exclusions to a committee. The Discipline Committee must consist of either 3 or 5 governors (three are needed for the meeting to be considered quorate). The previous guidance prescribed the formation of a Disciplinary Committee but this guidance is more flexible. In practice the Authority recommend that the 3 or 5 governors model, of Disciplinary Committee is the most appropriate way of reviewing exclusion.
- For **Support Centres**, this is addressed by the formation of a Multi Agency Support Team Disciplinary Committee meeting.

For **schools** the processes for **permanent exclusion** have not changed since Circular 10/99 with regard to holding a Governors' Disciplinary Committee Meeting **and** providing parents/carers an opportunity to present views to an Independent Appeal Panel. However, there are slight differences in procedures for **permanent exclusion from Support Centres**. For pupils permanently excluded from Support Centres, parents now have the right to appeal to an Independent Appeals Panel (without going through a Governors' Disciplinary Committee meeting).

When the Headteacher informs the LEA of a permanent exclusion the Authority will track each stage of the exclusion process, in line with DfES guidance. Please note that for permanent exclusions the LEA requires that both Student Services (local Area Office) and the Multi Agency Support Team (MAST) within Behaviour Support Service should be made aware of the exclusion as soon as the head teacher's decision to exclude has been made.

The attached flow charts (Appendix 1) show the processes for pupils within Key Stages 1 - 4.

### **Pupils at 'Particular Risk' of Exclusion**

Circular 10/99 and subsequent amendments (January 2003 & March 2004) draw attention to those pupils that are at particular risk of exclusion, and highlights special action that schools should take to support them. Full details are outlined in Circular 10/99 (01/03 & 03/04 amendments).

### **Pupils with Special Educational Needs**

Permanent exclusion should be considered only in the most exceptional of circumstances. Particular notice should be taken of the Disability Discrimination Act (1995) since all schools have a legal duty not to discriminate against disabled pupils by excluding them from school because of behaviour caused by their disability. Further information can be gained from the Disability Rights Commission's Code of Practice for Schools which can be found on their website (**[www.drc-gb.org](http://www.drc-gb.org)**).

Pupils at School Action, School Action Plus and with a Statement of SEN, are over represented in both local and national exclusion figures. One service that is available to support parents/carers of pupils at the School Action, School Action Plus, Assessment and Statement stages of the Code of Practice, is the **Derbyshire Parent Partnership Service (Tel no. – 01246 273154)**. It is envisaged that schools and professional agencies will make parents aware of this organisation, however parents/carers need to make self-referrals.

The following actions should be taken when a pupil is at risk of permanent exclusion:

#### **Action Prior to Permanent Exclusion**

Stage of SEN Code of Practice	Action
School Action Plus.	Contact the Local Inclusion Officer for professional advice and support. If appropriate, ask the LEA to consider carrying out a Statutory Assessment.
Statement.	Call an interim annual review in order to reassess the pupil's needs and the appropriateness of the current provision.

The LEA is committed to preventing exclusions, particularly for vulnerable groups and will therefore prioritise reviews and will work with schools in considering possible alternatives to permanent exclusion. The LEA Advice & Guidance, **Procedures for the Avoidance of Permanent Exclusions in Special Schools (Issued July 2002)** is of particular relevance here.

Student Services need to be informed of **each** fixed period and permanent exclusion, as they happen. Student Services will contact the SEN Section on behalf of the school in order to keep them fully informed. Please note that the Multi Agency Support Team (MAST) should be informed of all permanent exclusion as soon as the decision to exclude is made. The flow chart in Appendix 2 highlights the processes and procedures associated with permanent exclusion of pupils with Statement of SEN in Key Stages 1 - 4.

### **Looked After Children**

As with pupils with SEN, permanent exclusion should be considered only in the most exceptional circumstances if a pupil is a looked after child. Prior to considering a permanent exclusion a Personal Education Plan (PEP) meeting should be arranged. This meeting should be arranged in line with procedures outlined in **Supporting the Education of Looked After Children and Young People Information pack (Issued 2003)**. The PEP is additional to the Statutory Review, and focuses on any potential educational difficulties and identifies the support necessary to improve achievement. If a looked after child is at risk of exclusion, the designated teacher for looked after children within the school should raise their concerns with the allocated social worker, which in turn will trigger a PEP meeting.

In cases where a looked after child is excluded, anyone with parental responsibility will have the right to make representations and to appeal. The definition of a parent includes any person who has parental responsibility:

- The Local Authority where they have a care order in respect of the child
- A person with whom the child lives (e.g. foster carer)
- Birth parents

This means that there could be a number of people whom the school has to notify about exclusion and who will have the right to make representations and appeal. However, where a child is a subject of a care order, the local authority that has parental responsibility for the child is entitled to determine to what extent that parents exercise their parental responsibility.

**NB.** Where interim annual reviews and PEP meetings have been held they should be integrated within the Pastoral Support Programme.

### **Advice on Criminal proceedings**

Detailed guidance is available at the following website:

**<http://www.teachernet.gov.uk/wholeschool/behaviour/exclusion/>**

Please note this restores **the balance of probabilities standard of proof**. The key principles are:

- On reaching a decision to exclude the Headteacher has to determine if it is **more probable than not** that the pupil did what s/he is alleged to have done.

- However the more serious the allegation, the more convincing the evidence substantiating the allegation needs to be.
- If you are in any doubt as to whether a pupil's behaviour has amounted to a crime please contact Legal Services at County Hall, Matlock.

### **Drug- related incidents**

The Headteacher should have regard to the school's published policy on drugs and should consult the school's Drugs Co-ordinator. The decision on whether to exclude for a fixed period, or permanently, should be made against the criteria set out in the school's policy.

Drugs policies need to take account of both illegal and legal drugs/volatile substances.

Guidance has previously been circulated to schools by Derbyshire Advisory & Inspection Service (DAIS) which advises schools on how to devise and develop a drug education policy, and gives examples of good practice (**Developing a Drug Education Policy – a Step by Step Guide for Secondary Schools to write or update a Drug Education**

**Policy (DCC, 2001)**). This guidance is underpinned by, **Circular 4/95 Drug Prevention and Schools. Protecting Young People: Good Practice in Drug Education in Schools and Youth Service (1998)**. This has been further supported by DAIS/Health Promoting Schools Scheme in the form of ongoing training for school staff and governors.

Further information can be obtained from **Drug consultant, DAIS – ( 07919 112 368)** or the Health Promoting Schools Co-ordinators covering North and South Derbyshire Health respectively who can be contacted on: **01246 231255 (north) or 01773 528099 (south)**.

The DfES has also produced revised guidance on drugs which can be accessed on: **[www.teachernet/wholeschool/behaviour/drugs](http://www.teachernet/wholeschool/behaviour/drugs)**

### **Governors' Disciplinary Committee (DC) meetings**

The LEA's views will be presented at the Governors' Disciplinary Committee and a representative may choose to attend the meeting wherever practical. Within the Governors' Disciplinary Committee meeting the LEA representative's role focuses on the following core principles:

- providing information on strategies that other schools/LEA have tried in similar incidents
- clarifying and advising on DfES procedure and guidance that needs to be followed
- summarising that alternative education will be provided if the exclusion is upheld and that Multi Agency Support Team (MAST) will discuss fully the options available with the parent/carers and pupil.

It is therefore imperative that schools and Support Centres notify Student Services of the details and date of the Governors' Disciplinary Committee (DC) within the prescribed time scales.

## **Purpose**

Only the Headteacher (or their nominated representative whilst out of school) can decide to exclude. The purpose of the Governors' Disciplinary Committee meeting is to consider **whether** to uphold the Headteacher's decision to exclude the pupil **or** direct reinstatement.

However the Governors' Disciplinary Committee meeting must decide in **each individual case** whether or not to uphold the decision. A Governors' Disciplinary Committee meeting **does not** have the capacity to increase the severity of the exclusion i.e. to extend the length of a fixed period exclusion or impose a permanent exclusion in substitution of a fixed.

Where the governing body has established a Disciplinary Committee they should appoint a clerk to the Committee. The independent clerk of governors duties include circulation of Governors' Disciplinary Committee Meeting papers prior to the meeting, minute-taking and written feedback to parent/carer of the meeting's outcome. The DC must consist of either 3 or 5 governors (three are needed for the meeting to be considered quorate). Where there are differing views expressed amongst the governors the Chair has the casting vote.

It is important to note that the pupil **remains on roll** and the responsibility of the school (including the setting and marking of work) until:

- any Independent Appeal Panel (IAP) is determined
- OR until the time limit for parents/carers to lodge an appeal has expired without an appeal being brought
- OR that the LEA has received in writing a letter from parent/carer informing them that no appeal is to be brought.

## **Preparation and organisation**

Prior to the Governors' Disciplinary Committee meeting, parents/carers will have been informed verbally and in writing to advise them of the reason and length of the exclusion (standard letters have been included for ease of reference). Please refer to section on Looked After Children (Page 8) to establish definitions of 'parent'. Where the parents/carers of an excluded pupil do not have a good understanding of English, correspondence and documentation relating to exclusion should be translated, interpreters

should be present at any meetings with the parent/carer about the exclusion. Where parents/carers or Committee members have a disability, appropriate adjustments must be made to ensure compliance of the Disability Discrimination Act. The guidance states that Governors/Disciplinary Committee meetings need to be arranged for all pupils: who would miss a public examination who are being presented for permanent exclusions

who have fixed period exclusions totalling **over 15 days (or 30 sessions)** within one school term.

Please note that the although Derbyshire LEA are using a 6 term academic year the 15 day/30 session ruling applies to a 3 term academic year (Autumn, Spring and Summer).

For example, a Governors' Disciplinary Committee meeting would need to be held if, within a Spring Term, a student was excluded on 3 occasions for 3 days, 5 days and 8 days (totalling 16 school days). **Importantly**, if a pupil's total number of days of fixed period exclusion exceeds 15 school days in one term, **any subsequent** fixed period exclusion(s) in the same term would **again** trigger the Governors' Disciplinary Committee's duty to consider the circumstances of the exclusion. Any exclusions for **15 days (30 sessions) and under** would result in a Governors' Disciplinary Committee meeting **only** if parents It is important that everyone who attends the Governors' Disciplinary Committee meeting has access to the same documentation. In line with the *DfES* guidance and good practice this should include:

- School Behaviour Policy
- Headteacher report.
- Pastoral Support Programme (and where appropriate PEPs and IEPs etc)
- External agency reports (where appropriate)
- amended exclusion guidance (03/04).

By including a copy of the school behaviour policy, all parties will be able to establish whether the alleged behaviour was against the school behaviour policy, and consider whether exclusion was an appropriate sanction. The LEA has devised, in consultation with LEA services and Headteachers, a standardised Headteacher's report and Pastoral Support Programmes (PSP). The LEA strongly endorses the use of PSPs since they help clarify the support and strategies developed by the school and outside agencies, and involve an in-built review process. The *DfES* state that PSPs should identify **precise realistic** behavioural **outcomes** for the pupil to work towards. It is especially useful for pupils who have had several fixed period exclusions that may lead to permanent exclusion, or who has otherwise been identified as being 'at risk' through disaffection.

The standardised PSP that is attached was devised by the Behaviour Support Service (BSS). The BSS can give further assistance and advice in the use of PSPs. By using these models schools can be assured that their exclusion policies are in line with *DfES* guidance. By completing the exclusion pro-forma and standardised Headteacher's report the need to fill in a PIF for Key Stage 4 excludees is negated. All information required by BSS for planning for the pupil's further education is contained in these documents, therefore, avoiding unnecessary repetition.

By including the *DfES* guidance as standard, all parties are aware of their rights and responsibilities from the outset. The LEA recommends circulating the above documents 7 calendar days prior to the Governors' Disciplinary Committee meeting. Student Services will assist by sending out exclusion guidance information to all parents/carers of young people who have been permanently excluded. By providing this information to the Governors' Disciplinary Committee meeting, parents/carers and LEA, the process and reasons associated with exclusion are transparent to all and will aid decision making.

### **Legal considerations**

The rules of natural justice must remain at the core of the Governors' Disciplinary Committee Meeting proceedings. Adhering to the following principles will provide a useful framework to ensure natural justice:

### **1. Independence and impartiality**

It is important that proceedings are conducted in such a way that any party would not consider there was unfairness or bias on the part of the decision makers (i.e. school governors). The following examples could be used as indicators of good practice:

- A Headteacher should not discuss the case with the governors prior to the meeting.
- At the Governors' Disciplinary Committee Meeting the school representatives should avoid, discussion of the case with governors/ LEA representatives without the parent/carer and pupil being present.
- All school, parent/carer and LEA representations (whether verbal or written), should be carefully considered before a decision is reached and feedback given to parent.
- Appointment of an independent clerk of governors whose duties include circulation of Governors' Disciplinary Committee Meeting papers prior to the meeting, minute-taking and written feedback to parent/carer of the meeting's outcome.
- To avoid a possible conflict of interest it is preferable that the clerk should not be a member of the school staff.

This will ensure that decisions are made on the basis of evidence provided, and *after* full deliberations of all interested parties.

### **1. Equity and Fairness.**

- Parents/carers must be given full details of the school's case against their child and have it **in advance** of the meeting so that they know the case against them and have ample opportunity to formulate a response or obtain advice. With permanent exclusions, the LEA's view is that the paperwork should be with the parent/carer, governors and LEA a calendar week before the meeting, where ever practical.
- The parent/carer is invited to bring with them a representative (family friend, parent adviser, legal representative) if they feel that it would be useful to them in presenting their views or providing additional support.
- Where new evidence is submitted at the Governors' Disciplinary Committee Meeting, parents/carers must be asked whether they have had sufficient time to digest and respond to that information. If this evidence raises new issues, governors should consider whether to adjourn the meeting.
- Governors should never have access to information that the parent/carer does not.

### **1. Fair hearing.**

The amount of time for a hearing is naturally limited. However, a parent/carer should feel that s/he has been given sufficient time to present their case. This is particularly relevant if the school and parent/carer have different accounts of the incident. It is worth noting that with fixed period exclusions this is the one and only opportunity a parent/carer has to present their views, since there is no right of appeal.

### **Framework for Governors' Disciplinary Committee meeting.**

The meeting should be fairly formal because a serious matter is under discussion. At the same time however, everything possible should be done to make the parent/carer feel at ease. The advised sequence of the meeting is as follows:

- Introductions by the Chair and explanation of the purpose and conduct of the meeting.
- Report by Headteacher and other school staff on reasons for exclusion
- Questions to the Headteacher from parents/carers, governors and the LEA.
- Parent/carer's view (supported by friend or adviser where needed)
- Questions to parent/carer from governors, the Headteacher and the LEA.
- External agencies reports (where appropriate) that outline support given, interventions and outcomes.
- LEA representative's view (if attending).
- Chair asks for any final questions and the Headteacher and parent/carer are invited to sum up.
- Governors are left to consider their decision.
- Governors come to a decision on whether to uphold the exclusion or reinstate the pupil. They then invite the other parties to join them and inform them of the decision. NB. If the parent/carer has elected to return home prior to the decision, or the Chair feels that the Governors' Disciplinary Committee's deliberations will be lengthy, the Chair should contact them at the end of the meeting and verbally convey the decision.
- When giving the decision to the parents/carers on whether to uphold it is considered good practice to advise them of the reasons behind reaching this decision.
- This decision must be confirmed in writing within 1 school day. This remains the responsibility of the clerk of the Governors' Disciplinary Committee panel.
- Minutes of the Governors' Disciplinary Committee Meeting should be placed on the pupil's record with a copy of the Headteacher's exclusion letter.

### **Use of Standard letters.**

All letters sent to parents regarding exclusions will be in line with model letters produced by Area Office.

### **Reintegration of excluded pupils.**

The school will make every attempt to reintegrate pupils following any temporary exclusion.

This may involve working in conjunction with outside agencies or parents, temporary alterations to school arrangements (eg entry to / exit from the building via certain doors) , reporting to specified members of staff at certain times of the day or planned monitoring of the pupil by support staff.

### **School discipline policies**

Our school has a clear policy on discipline.

This has been produced following consultation with parents, children, staff and the Governing body.

This policy is reviewed every four years.

The Governing body is responsible for the periodic review of this policy.

### **Parents**

The Headteacher will publicise the school's discipline policies:

Behaviour Policy  
Anti-Bullying Policy  
Exclusion Policy

within the school and to parents of registered pupils.

### **Update to Policy Regarding Coronavirus**

The statutory guidance in this section describes the temporary changes the government have made to the school exclusion process due to coronavirus (COVID-19).

The [new regulations](#) change some of the procedures that must be followed in relation to an exclusion, to give greater flexibility to schools, parents and local authorities during the coronavirus (COVID-19) outbreak. They apply to all maintained schools, academies (including alternative provision academies but excluding 16 to 19 academies) and pupil referral units (PRUs).

The normal arrangements and procedures that must follow a decision to exclude on disciplinary grounds are described in the 2017 [statutory guidance 'Exclusion from maintained schools, academies and pupil referral units in England'](#). They are unchanged except as noted below.

The term 'governing board' used throughout this guidance includes the governing body of a maintained school, the management committee of a PRU or an academy trust.

## **Important dates**

The arrangements come into force on 1 June 2020 and will apply to all exclusions occurring from then until 24 September 2020 (inclusive of those dates). The arrangements also apply to:

- permanent and fixed term exclusions occurring before 1 June which have not yet been considered by the governing board of the school
- permanent exclusions occurring before 1 June which have been considered by the governing board, if they have chosen not to reinstate the pupil and the time limit to apply for a review of this decision has not passed
- permanent exclusions occurring before 1 June where a parent (or pupil aged 18) has requested a review of a governing board's decision, but this has not yet happened

Any exclusions covered by the arrangements will continue to be subject to them after 24 September 2020, until the procedures for scrutiny of the exclusion have been exhausted.

An exclusion should be taken as having 'occurred' on the first day of the exclusion (not the date when the decision to exclude was made or communicated).

## **Remote access meetings**

When governing boards or independent review panels (IRPs) have to meet to consider an exclusion, they can do so via telephone or video-conference software ('remote access') as long as certain conditions are met.

The conditions are that it is not reasonably practicable for the meeting to take place in person, within the usual timescales, because of coronavirus (COVID-19), and that the governing board (or arranging authority, if the meeting is an IRP) is satisfied that:

- all the participants agree to the use of remote access
- all the participants have access to the technology which will allow them to hear and speak throughout the meeting, and to see and be seen, if a live video link is used
- all the participants will be able to put across their point of view or fulfil their function
- the meeting can be held fairly and transparently via remote access

It is the responsibility of the school governing board (or the arranging authority in the case of an IRP meeting) to make sure these conditions are met before a meeting takes place.

The governing board or arranging authority should assess the facts of the case, the circumstances in which a meeting in person could be expected to take place, the needs of the intended participants (as far as this is possible), and the latest public health guidance when determining whether it would be reasonably practicable to meet in person.

## **Arranging a remote access meeting**

The governing board or arranging authority should explain the technology they propose to use to participants and should make sure that the participants (particularly pupils and their

families) know that they do not have to agree to a meeting to be held via remote access if they do not want to. They should make families aware that if they do not consent to a remote access meeting then the meeting is likely to be delayed.

Though all participants must have agreed to the use of remote access, where a parent or pupil has given their agreement for a meeting to be held via remote access, the other participants should make reasonable efforts to accommodate that preference unless there is a clear reason not to.

The normal requirements for who must be invited to a governing board or IRP meeting remain in place. However, those who have no intention of taking part in the meeting should not be treated as ‘participants’ for the purposes of the conditions stated above.

Governing boards, arranging authorities and panel members must comply with relevant equalities legislation and recognise that some participants may find it difficult to participate in a remote access meeting (for example, if someone has a disability or if English is not their first language).

If a meeting is held via remote access, every effort should be made by the chair to check the participants understand the proceedings and can engage with them, to ensure the meeting is conducted fairly. If, once the meeting starts, the meeting cannot proceed fairly (for example, because a participant cannot access the meeting), the governing board or IRP should adjourn the meeting.

The use of remote access does not alter other procedural requirements that may apply to governing boards, arranging authorities or IRPs. For example, if a parent requests the appointment of a special educational needs (SEN) expert to advise a review panel, the local authority/academy trust must appoint one and cover the cost as normal. Parents may bring a friend or representative, as normal.

Though governing boards and IRPs must consider written representations if they are made, the law does not allow for solely paper-based ‘meetings’, conducted in writing.

As long as the conditions for a remote access meeting are met, it is possible for some participants to be present in person and for others to join the meeting via remote access. All the participants must have access to technology which will allow them to hear and be heard by others throughout (and to see and be seen throughout, if a live video link is used).

## **Timescales for meetings of governing boards**

If it has not been reasonably practicable for governing boards to meet in person within the original time limit for a reason related to coronavirus (COVID-19) or remotely for a reason relating to the other conditions for a remote access meeting, the time limit for the meeting will be extended.

The time limit for a governing board meeting will not be extended if it has already passed before 1 June. The government appreciates that it may not have been possible to meet the normal time limits over recent months, due to the disruption caused by the coronavirus (COVID-19) outbreak and the health risks of holding meetings. Governing boards should

arrange for overdue meetings to take place via remote access, if the conditions for such a meeting are met, or in person as soon as it is safe and practicable to do so.

If a time limit for a meeting has been extended, the governing board should reassess at regular intervals whether it is reasonably practicable to meet in person and, if it is, should arrange to do so without delay, in light of the need to minimise uncertainty for pupils and their families as far as possible.

## **Meetings to consider permanent exclusions, and fixed period exclusions resulting in the pupil missing more than 15 school days in a term**

If a pupil is permanently excluded or receives a fixed period exclusion which results in them having been excluded for 16 or more school days in a term, then the governing board should try to meet to discuss reinstatement within 15 school days. If it has not been reasonably practicable for the governing board to meet face to face within 15 school days for reasons relating to coronavirus (COVID-19), and it has not been reasonably practicable to meet by way of remote access for a reason relating to the conditions for a remote access meeting, the limit will be extended to 25 school days, or as long as reasonably necessary for a reason related to coronavirus (COVID-19).

## **Meetings to consider fixed period exclusions resulting in the pupil missing between 6 and 15 school days in a term**

If a pupil receives a fixed period exclusion which results in them having been excluded for at least 6 school days in a term but not more than 15 school days in that term, and the parent (or pupil, if aged 18 or above) chooses to make representations about the exclusion, then the governing board should meet to discuss reinstatement within 50 school days. If it has not been reasonably practicable for the governing board to meet face to face within 50 school days for reasons relating to coronavirus (COVID-19), and it has not been reasonably practicable to meet by way of remote access for a reason relating to the conditions for a remote access meeting, the limit will be extended to 60 days, or as long as reasonably necessary for a reason related to coronavirus (COVID-19).

## **Timescales for application for independent reviews of exclusions**

Where a governing board declines to reinstate a pupil who has been permanently excluded, parents (or the excluded pupil, if they are 18 years old or above) can apply for a review of the governing board's decision.

For exclusions covered under these arrangements, the deadline for applications has increased to 25 school days from the date on which notice in writing of the governing board's decision is given to parents, or directly to the pupil if they are 18 or above.

Schools must wait for the extended period of 25 school days to pass without an application having been made before deleting the name of a permanently excluded pupil from their admissions register, in accordance with the Education (Pupil Registration) (England) Regulations 2006 as amended.

## **Timescales for meetings of independent review panels to consider permanent exclusions**

If it has not been reasonably practicable for a review panel to meet in person within the original time limit of 15 school days for reasons related to coronavirus (COVID-19), and it has not been reasonably practicable to meet by way of remote access for a reason relating to the other conditions for a remote access meeting, the timescale for the meeting will be extended to 25 school days, or as long as reasonably necessary for a reason related to coronavirus (COVID-19).

The time limit for an IRP meeting will not be extended if it has already passed before 1 June. The government appreciates that it may not have been possible to meet the normal time limits over recent months, due to the disruption caused by the coronavirus (COVID-19) outbreak and the health risks of holding meetings. Arranging authorities should arrange for overdue meetings to take place via remote access, if the conditions for such a meeting are met, or in person as soon as it is safe and practicable to do so.

Policy date : January 2017

Coronavirus update: June 2020