

TSAT Training for GDC

Every young person in our community deserves to have the best opportunities at life regardless of their individual circumstances.

Education is the key to accessing these opportunities and we support and develop every member of our community to:

- Think about their Thinking
- Be their Best self
- Shape their Success

In this way Thinking Schools Academy Trust transforms life chances.



TRANSFORMING LIFE CHANCES

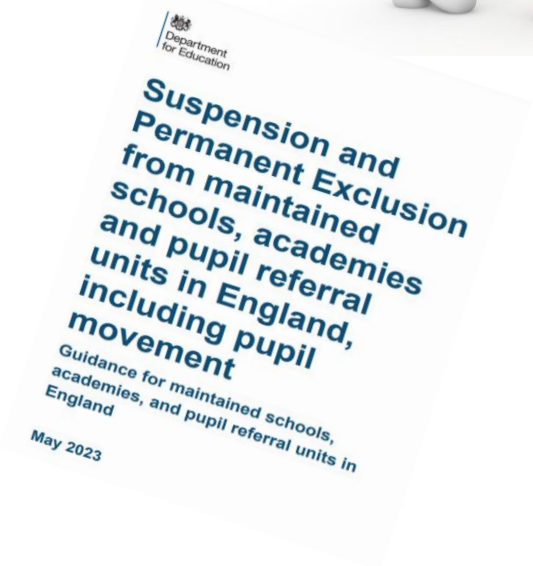


What is the **purpose** of a GDC?

The Governors' Discipline Committee will consider:

- *Parents' representations about a suspension or permanent exclusion*
- *Reinstatement of a suspended or permanently excluded pupil*

The panel's review will consider a number of factors. See page 38 of [the guidance on school suspensions and permanent exclusions](#)]



Was the decision to suspend or permanently exclude the pupil **lawful**, **reasonable**, and **procedurally fair**.



The Equality Act 2010 should be taken into account at all times.

Who attends Governor Discipline Committee

- 3 Panel members
- 1 Clerk
- Headteacher + may also be SENDCo, DH.
- Parents/Carers
- Support for parent e.g other family member/friend
- Student
- LA representative if requested by Governors or parents
- For Permanent Exclusion it is best practice to have LA in attendance
- Social Worker / Family Early Help Worker / Youth Probation Officer
- If Looked After Child by court order LA is 'parent' and must be in attendance
- If in voluntary care both parent and LA must be invited

Before the GDC meeting

- Incident **in** or **outside** of school that triggers a GDC
- Clerk will notify Governors of the date, time and venue of GDC
- Governors will receive the GDC paperwork at least 5 days before GDC meeting
- Governors should then allow themselves adequate time to review the documentation received



Lawful

1. 'On the balance of probabilities' more likely than not that a fact is true in relation to the breach of discipline
2. No illegal suspensions such as sending home to 'cool off' whilst pending a suspension or exclusion decision
3. Point 10 "The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion".

Statutory Responsibilities Governor Discipline Committee

Reasonable

1. Following a suspension (schools) should support pupils to reintegrate.....
2. Reasonable adjustments/interventions made by school to improve the students behaviour
3. Reasonable adjustments/interventions made by school to improve the students learning
4. Involvement of parent's enabling school and home to work together
5. Any EHCP, diagnosed or suspected SEND needs of the pupil, the school should evidence how these have been addressed and communicated to the pupil , their parents and staff, including precise adjustments required for the pupil,

Statutory Responsibilities Governor Discipline Committee

Procedurally fair

1. Parents informed 'without delay'
2. Has a full and proper investigation been undertaken?
3. Reasonable adjustments/interventions made by school to improve the students learning
4. Involvement of parent's enabling school and home to work together
5. Any EHCP, diagnosed or suspected SEND needs of the pupil, the school should evidence how these have been addressed and communicated to the pupil , their parents and staff, including precise adjustments required for the pupil,

Suspension or Permanent Exclusion

Only the Headteacher of a school can suspend

Fixed term – parent has to know the length of the suspension and exactly when the child is expected back at school;

Can be up to 45 days in an academic year.

A lunch time suspension counts as a half day



OR

Permanent exclusion. Accumulative or serious one off

Type of exclusion/suspension	Period of exclusion/suspension	Requirements	Timeframe
Permanent		Must consider reinstatement. Must invite parents or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the Virtual School Headteacher for a Looked After Child and in the case	Within 15 school days of receiving notice of the exclusion

Permanent Exclusion

Susp

Suspension that brings the total in that term to **more than 15 days**

Susp

Suspension total between 5 and 15 days in a term at **parental request** (meeting required)

Susp

Suspension total less than 5 days in term at parental request (no meeting require and Governors cannot reinstate)

Susp

Use of Permanent Exclusion

Permanent exclusion should only be used as a last resort, in response to a serious breach, or persistent breaches, of the school's behaviour policy; and where allowing the pupil to remain in school **would seriously harm the education or welfare of the pupil or others in the school.**



- The Discipline Committee appoint a Chair
- There should not be a private meeting beforehand
- The parent should be present for all discussions
- The governors will make their decision in private
- Clear minutes should be taken as a record of the evidence that was considered by the governors and made available to all parties on request (**Clerk**)



Typical Agenda Governor Discipline Committee

1. Welcome & Introductions
2. School presents its case
3. Cross questioning of school by Parents and panel
4. Parents present their case
5. Cross questioning by school and panel
6. Any presentations by Local Authority or Social Workers or other professionals at meeting
7. School summarises
8. Parent summarises
9. All parties leave the room simultaneously leaving just panel and clerk
10. Clerk Records your deliberations as Panel
11. Panel agree the wording of the letter top the parent and the school informing them of the decision.



- In case of a permanent exclusion parent can appeal against the decision to an Independent Review Panel within 15 days of the outcome.
- Parents may also submit a claim of discrimination under the 2010 Equality act.
- Governors will be challenged why they did not reinstate the pupil
- An Independent Appeals Panel (**IRP**) makes decision on
 - Illegality
 - Irrationality
 - Procedural impropriety



- ❖ Before the meeting establish with the Clerk the Student & Parent name pronunciation and how to address i.e. him, her, they, them.
- ❖ Read pack thoroughly in advance and discuss the areas you want to address in the pre meeting with other governors
- ❖ Remember the decision you need to make (**Lawful, procedurally Fair, Reasonable**) and before final questions think if you have enough information to inform that decision
- ❖ Only a Head Teacher can suspend or Permanently Exclude
- ❖ Balance of probabilities