



THAMES LEARNING TRUST

Name of Policy	Exclusion Panel Terms of Reference
Scope of Policy	This policy relates to all academies across TLT.
Approved by	CEO
Date of Approval	April 2026
Review period	Annually
Review Date	April 2027

GROWING STRONGER TOGETHER



THAMES LEARNING TRUST

1. Purpose

The exclusions panel exists to review the Principal's decision to suspend or permanently exclude a pupil from a school within The Thames Learning Trust.

The panel will:

- Consider parents' representations about a suspension or permanent exclusion
- Decide whether to reinstate a suspended or permanently excluded pupil
- Ensure that exclusion decisions are lawful, reasonable, and procedurally fair

The specific purpose and timescales for the panel will depend on the circumstances of the exclusion, as outlined in section 5 below and Appendix 1.

2. Membership and Quorum

Membership

The exclusions panel will comprise three Trustees from The Thames Learning Trust Board.

Eligibility

Panel members must not:

- Have any involvement in the circumstances leading to the exclusion
- Have any previous knowledge of the pupil's behaviour that could affect their impartiality
- Have been involved in the exclusion decision
- Have any conflict of interest in relation to the pupil, their family, or the circumstances of the exclusion

All panel members must declare any potential conflicts of interest at the start of the meeting. Where a conflict exists, the member must withdraw from the panel and be replaced.

Chair

A chair will be appointed for each panel meeting. The chair is responsible for:

- Ensuring the meeting is conducted fairly and in accordance with statutory guidance
- Managing the order of proceedings
- Ensuring all parties have the opportunity to present their case
- Communicating the panel's decision

Quorum

The quorum for an exclusions panel is three Trustees. If the quorum is not met, the meeting must be rescheduled.

3. The Role of the Clerk

A clerk will be appointed to support each exclusion panel. The clerk:

- Must not be a member of the panel
- Must not be the Principal or a member of staff at the school from which the pupil has been excluded
- Should provide impartial advice on procedure and statutory guidance to the panel

Responsibilities of the Clerk

The clerk is responsible for:

- Arranging the date, time, and venue for the meeting
- Inviting all required parties (see section 4 below)
- Circulating relevant papers to all parties at least 5 school days before the meeting
- Taking minutes of the meeting
- Drafting the panel's decision letter
- Maintaining accurate records in accordance with GDPR and the trust's retention policy

4. Attendance at Panel Meetings

The following parties must be invited to attend the exclusions panel meeting and given the opportunity to make representations or share information:

Required Attendees

- **The pupil's parents** (and, where requested, a representative or friend)
- **The pupil** (if they are aged 18 or over, or if younger and they wish to attend)
- **The Principal** (or a senior leader representing the Principal)
- **The pupil's social worker** (if the pupil has one)
- **The Virtual School Head (VSH)** if the pupil is:
 - Currently looked after by a local authority, or
 - Previously looked after (i.e., adopted from care, subject to a special guardianship order, or subject to a child arrangements order)

Additional Attendees

- **A Special Educational Needs (SEN) expert** may be requested to attend if:
 - The pupil has identified SEND, or
 - The parents or panel believe the exclusion may be related to unidentified or unmet SEND
 - The SEN expert will provide impartial advice on how SEND might be relevant to the exclusion

Rights of Parents and Pupils

The panel must ensure that:

- Parents and the pupil (where appropriate) are aware of their right to attend and participate in the meeting
- Parents are informed that they may bring a representative or friend
- The pupil is enabled to make representations on their own behalf if they wish to do so
- All parties receive relevant information at least 5 school days before the meeting
- Reasonable adjustments are made to enable participation (e.g., translation services, accessible venues)

5. Meeting Timescales

The exclusions panel must meet within the following statutory timeframes:

Within 15 School Days

The panel must meet within 15 school days of receiving notice of a suspension or permanent exclusion in the following cases:

- A permanent exclusion
- A suspension that alone, or in conjunction with previous suspensions, will take the pupil's total number of days out of school to more than 15 for a term
- A suspension or permanent exclusion that will result in the pupil missing a public examination or national curriculum test
 - In this case, the trust board must take reasonable steps to meet before the date of the examination or test where possible

Within 50 School Days

The panel must meet within 50 school days of receiving notice of a suspension where:

- The suspension(s) will take the pupil's total number of days out of school to more than 5 but not more than 15 for a term, and
- The pupil's parents have requested a trust board meeting

No Requirement to Meet

The trust board is not required to meet if:

- The suspension(s) will take the pupil's total number of days out of school to 5 days or fewer for a term, or
- The suspension(s) will take the total to more than 5 but not more than 15 days, and the parents have not requested a meeting

However, parents may still make representations to the trust board in writing, and the board must consider these representations.

6. Panel Responsibilities and Considerations

When reviewing an exclusion, the panel must:

Consider All Relevant Factors

- The interests and circumstances of the suspended or permanently excluded pupil
- The interests of other pupils, staff, and the wider school community
- The Principal's reasons for the exclusion
- Any representations made by the parents, pupil, social worker, or VSH
- Whether the exclusion was lawful, reasonable, and procedurally fair
- Whether the Principal followed the trust's behaviour and exclusions policies

Apply the Correct Standard of Proof

The panel must apply the civil standard of proof (i.e., 'on the balance of probabilities') rather than the criminal standard ('beyond reasonable doubt') when establishing the facts of the suspension or permanent exclusion.

Consider Special Educational Needs and Disabilities (SEND)

The panel must:

- Consider whether the exclusion was related to unidentified or unmet SEND
- Review any SEND information provided by parents, the school, or the SEN expert
- Consider whether the school had taken all reasonable steps to support the pupil's SEND prior to the exclusion
- Request that an SEN expert attends the meeting if appropriate

Consider the Equality Act 2010

The panel must consider whether the exclusion was discriminatory under the Equality Act 2010, particularly in relation to:

- Disability discrimination
- Race discrimination
- Any other protected characteristics

If the panel finds that discrimination has occurred, this may make the exclusion unlawful.

Consider Safeguarding

The panel must consider any safeguarding concerns related to the pupil or the circumstances of the exclusion.

7. Panel Decisions

After considering all the evidence and representations, the panel must decide whether to:

Option 1: Decline to Reinstate the Pupil

The panel may decide that the Principal's decision to exclude was appropriate and decline to reinstate the pupil.

Option 2: Direct Reinstatement

The panel may direct the reinstatement of the pupil either:

- Immediately, or
- On a particular date

If the panel directs reinstatement, the Principal must comply with this direction.

Decision-Making Process

- The panel will deliberate in private
- Decisions will be made by a simple majority vote
- If the vote is tied, the chair has the casting vote
- The panel must provide clear reasons for its decision

8. Communication of Decisions

Timescales

The panel must notify all parties of their decision in writing without delay, and by the end of the first school day after the meeting, wherever possible.

Content of Decision Letter

The decision letter must include:

- The panel's decision (reinstatement or decline to reinstate)
- The reasons for the decision
- The date by which reinstatement should occur (if applicable)
- Information about parents' right to request an independent review panel (IRP) for permanent exclusions (see section 9 below)
- Information about parents' right to request an IRP for certain suspensions that would result in a pupil missing a public examination
- The deadline for requesting an IRP (15 school days from receipt of the decision letter)
- Contact details for requesting an IRP

The decision letter will be sent to:

- The pupil's parents
- The Principal
- The local authority (for permanent exclusions and certain suspensions)
- The pupil's social worker (if applicable)
- The Virtual School Head (if applicable)

9. Independent Review Panels (IRPs)

Right to an IRP

If the exclusions panel declines to reinstate a permanently excluded pupil, parents have the right to request an independent review panel (IRP).

Parents may also request an IRP if the panel declines to reinstate a pupil following a suspension that would result in the pupil missing a public examination or national curriculum test.

Requesting an IRP

Parents must request an IRP within 15 school days of being notified of the exclusions panel's decision.

The IRP will be arranged by The Thames Learning Trust and must meet within 15 school days of the request being received.

IRP Outcomes

An IRP can:

- **Uphold** the exclusions panel's decision
- **Recommend** that the trust board reconsiders its decision
- **Quash** the decision and direct the trust board to reconsider

If the IRP quashes the decision, the trust board must reconsider the exclusion within 10 school days. The trust board may reach the same decision but must consider the IRP's findings.

SEN Expert at IRP

If requested by parents, or if the IRP considers it appropriate, an SEN expert must attend the IRP to provide impartial advice.

10. Record-Keeping and Minutes

Minutes

The clerk will take detailed minutes of the exclusions panel meeting, including:

- Who was present
- A summary of the representations made by each party
- The key points of discussion
- The panel's decision and the reasons for it

Minutes will be made available to all parties on request, subject to redaction of any confidential or sensitive information.

Record Retention

Records of exclusions panel meetings, including minutes, decision letters, and supporting documents, will be retained in accordance with:

- The trust's retention policy
- GDPR and data protection legislation
- Statutory guidance on school suspensions and permanent exclusions

Records relating to permanent exclusions must be kept on the pupil's educational record.

Access to Records

Access to records will be provided in accordance with GDPR and the trust's data protection policy. Parents have the right to request access to information held about their child.

11. Monitoring and Review

The exclusions panel is responsible for ensuring that:

- The latest statutory guidance is followed at all times
- Decisions are made fairly, lawfully, and in the best interests of all pupils
- Lessons are learned from each exclusion case to improve practice across the trust

Statutory Guidance

This policy is based on the statutory guidance: "Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement"

The trust will monitor updates to this guidance and ensure that the exclusions panel operates in accordance with any changes.

Annual Review

This Terms of Reference document will be reviewed **annually** by the Board of Trustees to ensure it remains compliant with statutory requirements and reflects best practice.

12. Appendix 1:

Reference Summary of the Trust Board's Duties to Review Exclusions

