

Appendix 8 - Summary of the DfE's statutory guidance entitled 'Changes to the school exclusion process during the coronavirus (COVID-19) outbreak' - Published 29th May 2020

Intention of guidance - To provide greater flexibility linked to holding statutory Governor's Disciplinary Committee meetings during the pandemic.

Timespan of this guidance: 1/6/20-24/9/20

These arrangements also cover:

- all pre - 1st June exclusions requiring a governors meeting where governors have not yet met;
- all pre 1st June Permanent Exclusions where governors have met but the appeal time has not yet elapsed;
- all pre 1st June Permanent Exclusions where parents have requested a n Independent Review and this has not yet happened.

Any exclusion covered by this arrangement will remain subject to them after 24th September until its conclusion.

All usual Exclusion procedures remain as per our policy other than the following:

1) Types of meetings - face to face and video conferencing options

If not practicable to hold face to face meetings within the timescales, due to COVID-19, the meeting may be conducted remotely providing:

- i. all participants agree;
- ii. all participants have access to the necessary technology to be seen and heard and to see and hear the other participants;
- iii. the meeting remains fair and transparent;
- iv. all participants can give their views and can fulfil their function.

Governors are responsible for ensuring this prior to the meeting. They must assess the needs of the participants and follow public health guidance when deciding if a face to face meeting is reasonable and practicable.

Governors are responsible for ensuring all participants, particularly parents, understand how to use remote access and that they know they can say no. They should also be informed that by refusing to meet in this way, the meeting may well be delayed.

While all participants need to agree to remote access meetings, if parents want this, governors should try to accommodate their request.

Governors must be sure not to breach equality legislation; remote access must not discriminate against anyone.

The Chair of the Panel must ensure fairness throughout any remote meeting; if this is in question at any time during a remote meeting, the Chair should adjourn.

Parents are still entitled to an SEN representative and a friend to be in the meeting on their behalf.

The meeting should not be solely paper-based. Details need to be presented to the panel verbally.

It would be acceptable for part of the participants to be present face to face and others to be remotely connected but all should be able to see and hear each other at all times.

2) Timescales

If COVID-19 impacts on statutory timescales, time limits can be extended. This does not include the right to appeal decisions where the deadline to appeal was prior to 1st June 2020.

Where meetings are overdue, these should be scheduled as soon as it is safe and practicable to do so, either via remote access or face to face. If the time limit needs to be extended further, Governors should reassess regularly and have the meeting as soon as it is safe and practicable to do so.

Meetings for Permanent Exclusion/16+ days of exclusion in a term

Governors should try meet within 15 school days.

If due to COVID 19 or remote access issues this is not possible, this can be **extended to 25 school days**. If for COVID-19 reasons, the extension can be as long as is reasonably necessary.

Meetings for Fixed Term Exclusions resulting in 6-15 days exclusion in a term

If parents request a meeting Governors should try meet within 50 school days.

If due to COVID 19 or remote access issues this is not possible, this can be **extended to 60 school days**. If for COVID-19 reasons, the extension can be as long as is reasonably necessary.

Requests for an Independent Review Panel (IRP)

If parents request an IRP meeting, the deadline by which they should make that request is **extended from 15 to 25 school days** from the date when they receive the written decision from governors of their intention to uphold the exclusion. Schools must wait for the full 25 days to pass without application before removing a student from roll.

Meetings of Independent Review Panels

If parents request an IRP meeting, the Panel members should try meet within 15 school days.

If due to COVID 19 or remote access issues this is not possible, this can be **extended to 25 school days**. If for COVID-19 reasons, the extension can be as long as is reasonably necessary.