

Expulsion and Removal: Review Procedure Full School including EYFS

2026/2027



Ibstock Place

CO-EDUCATIONAL DAY SCHOOL

IBSTOCK PLACE SCHOOL

Expulsion and Removal: Review Procedure

Full School including EYFS

Scope

This policy applies to all pupils (age 4 (EYFS) - 18) and staff at Ibstock Place School (hereinafter 'Ibstock' or 'the School').

Roles and Responsibilities

The Governing Body delegates responsibility to the Head for developing and enacting any required "Good Practice" policies. These policies are non-statutory and do not require ratification by the Governing Body. As such, the Head has accountability and responsibility for the operationalisation of this policy and will ensure consistent application and implementation of this policy across the School. Staff should follow the expectations set out in this policy.

Policy

1. Introduction

- 1.1 **Scope of policy:** This policy contains guidelines explaining the procedure that will be followed when parents request a Review of the Head's decision to expel or remove a pupil, or to suspend them for longer than a duration of 11 days, or if a period of suspension precludes a pupil's ability to take a public examination. The policy applies to all pupils at the School but does not cover cases when a pupil has to leave because of ill health, non-payment of fees, or withdrawal by his or her parents.

1.2 **Interpretation:**

References to the "*Head*" are to the Headteacher of Ibstock Place School.

"*Parent*" includes one or both of the parents, a legal guardian or education guardian.

References to the "*Review*" and "*Review Hearing*" are to the review by the Panel of the Head's decision, in accordance with this policy.

References to the "*Panel*" are to the three-member panel selected by the Clerk to the Governors to undertake the Review.

References to "*working days*" mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.

- 1.3 **Availability of Policy:** Pupils, parents, prospective parents, staff and the Governors pupils (and, on request, to the Chief Inspector, Secretary of State or an independent inspector).

2. Policy Aims

2.1 The aims of this policy are:

- To support the School's rules and policies on behaviour and discipline
- To ensure procedural fairness and natural justice
- To promote co-operation between the School and parents when it is necessary for the School to require a pupil to leave earlier than expected

3. Review Procedure

3.1 A pupil or his or her parents may request a Review of the Head's decision to expel or remove a pupil.

3.2 How to request a review

- 3.2.1 A request for a Review must be put in writing to the Clerk to the School Governors within three working days of the date of the Head's letter confirming his/her decision, or longer by agreement.
- 3.2.2 The request should include:
- (a) a copy of all relevant documents and full contact details
 - (b) the grounds on which the parents are asking for a Review and the outcome which they seek
 - (c) a list of the documents which the parents believe to be in the School's possession and wish the Panel to consider; and
 - (d) whether the parents propose to be accompanied to the Review Hearing by someone who is legally qualified
- 3.2.3 For the avoidance of doubt, a mere disagreement with the decision of the Head will not of itself be grounds sufficient for a Review.
- 3.2.4 If assistance with the request is required, for example because of a disability, the Clerk to the Governors should be informed of this.
- 3.2.5 The Clerk to the Governors will acknowledge the request for a Review in writing within three working days of receipt.
- 3.2.6 Every effort will be made to enable the Review to take place within 15 working days of receipt of the request.

3.3 Planning the Review

- 3.3.1 The Clerk to the Governors will send written notification to each party of the date, time and place of the Review at least ten working days before the date of the Review.
- 3.3.2 If the Head considers it necessary in the interests of an individual or of the School that the identity of any person should be withheld, the Chairperson may require that the name of that person and the reasons for withholding it be written down and shown to the Panel Members. The Chairperson at their discretion may direct that the person be identified, or not as the case may be.
- 3.3.3 Copies of any documents additional to those specified in the Review request that the Parents wish the Panel to consider should be sent to the Clerk to the Governors to be received at least seven working days prior to the Review.

- 3.3.4 On receipt of new information not previously available to the Head before his or her decision was made, the Clerk to the Governors should contact the Chair of Governors who will decide whether to:
- (a) include the new information in the bundle; or
 - (b) omit the information if not relevant to the grounds for Review; or
 - (c) make further enquiries of the Parents or the pupil about the information; or
 - (d) refer the information to the Head for his or her consideration as to whether the decision should be revisited.
- 3.3.5 The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Review Panel to all parties at least three working days prior to the Review.
- 3.3.6 The Parents may be accompanied at the Review Hearing, for example by a relative or friend. The Review is an internal proceeding, not legal proceedings, and legal representation is unnecessary.
- 3.3.7 The Parents are required to notify the Clerk to the Governors if they wish to be accompanied by someone who is legally qualified in their initial request for a Review. The Parents should note that the Panel will wish to speak to them directly. The legally qualified person will not be permitted to act as an advocate or to address the Review unless invited to do so by the Chair of the Panel.
- 3.3.8 A person will be appointed to take a minute of the Review Hearing.

3.4 Composition of the Panel

- 3.4.1 The Review will be undertaken by a three-member sub-committee of the School Governing Body. The Panel members will have no detailed previous knowledge of the case or of the pupil or parents and will not normally include the Chair of Governors. Selection of the Review Panel will be made by the Clerk to the Governors. With the exception of the Chair of Governors and, in certain circumstances, the Safeguarding Governor, Governors not appointed to the Panel will not be provided with information about the case.
- 3.4.2 Parents will be notified in advance of the names of the panel members. Fair consideration will be given to any reasonable objection to a particular member of the Panel.
- 3.4.3 The Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings.

3.5 Role of the Panel

- 3.5.1 The role of the Panel is to consider:
- **Whether the decision-making followed a fair process:** whether an appropriate procedure was followed allowing the facts of the case to be sufficiently proved when the decision was taken to expel or remove the pupil. The civil standard of proof, namely, "*the balance of probability*" will apply. Observance of the School's relevant policies and rules will be taken into account but may not be determinative.
 - **Whether the sanction was proportionate:** whether it was warranted in respect of the breach of discipline or the other events that are found to have occurred and to the legitimate aims of the School's policy in that respect.

- 3.5.2 In addressing the matters above, the Panel will consider the documentation provided by the parties, representations made by the parties and any other factors which the Panel considers to be relevant.
- 3.5.3 Up to two members of the school staff may speak generally about the pupil's character, conduct and achievements at the School if they are willing to do so.
- 3.5.3 The Panel will determine whether to uphold the Head's decision or refer the decision back to the Head with recommendations so that he or she may consider the matter further.

3.6 Review Hearing

- 3.6.1 The Review will be conducted in an informal manner observing the principles of natural justice.
- 3.6.2 During the Review, the parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Review is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.
- 3.6.3 All statements made at the Review will be unsworn. The parties will be entitled to write their own notes for reference purposes.
- 3.6.4 All those present during the Review are expected to show courtesy, restraint and good manners or, after due warning, the Review may be adjourned or terminated at the discretion of the Chair of the Panel. Any person who is dissatisfied with any aspect of the way the Review is being conducted must inform the Chair of the Review Panel before the proceedings go any further and his or her comment will be minuted.
- 3.6.5 The Chair of the Panel may, at his or her discretion, adjourn the Review if he or she considers it appropriate to do so. This may include an adjournment for the parties to take legal advice on a specific issue arising.
- 3.6.6 A Review is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law. The requirement is without prejudice to the parties' right to refer to the Panel's decision in any subsequent legal proceedings.
- 3.6.7 When the Chair of the Review Panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, he or she will conclude the Review Hearing.

3.7 Decision

- 3.7.1 The Panel's decision and any recommendations will be notified in writing, with reasons, to the Head and the parents by the Chair of the Panel or the Chair of Governors within three working days of the Review Hearing.
- 3.7.2 The Head will provide his or her response to those recommendations, if appropriate, in writing within three working days.
- 3.7.3 In the absence of a significant procedural irregularity, the Head's decision will then be final.

4. Record Keeping

- 4.1 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.
- 4.2 Administration of major punishments are recorded, with the name of the pupil concerned, the reason for the punishment including relevant dates, and the name of the person administering the punishment. This log is reviewed regularly by the Deputy Head (Pastoral) so that patterns in behaviour can be identified and managed appropriately.

Queries

Queries on this policy should be directed to the Head.

Monitoring and Review

The Head and the Senior Management Team will monitor the working of the policy and consider annually whether any amendments need to be made.