**Governors Exclusion Checklist**

**Before the Hearing**

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|  | **Comments** |
| Does the correspondence make simple reading, can the GDC understand why the exclusion is in place from the initial letter? |  |
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| Have all the papers been received in good time? |  |
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| Have the parents/Carers submitted any evidence? |  |
|  |  |
| What arrangements have been made to ensure that the pupil’s voice is heard? |  |
|  |  |
| Does the GDC need to make arrangements for witnesses to attend? |  |
|  |  |
| Having previewed the papers, are there any gaps in evidence or process that need to be queried? |  |
|  |  |
| From the papers, are there any SEN or disability issues to consider? |  |
|  |  |
| Have the school sent in sufficient detail about previous involvement, sanctions and behaviour reports? |  |
|  |  |
| Is it possible to navigate the pack of paperwork easily?  |  |
|  |  |
| Has each governor considered a possible conflict of interests? |  |

ENSURE THAT THERE IS NO DISCUSSION BETWEEN THE GDC AND ANY SCHOOL REP ABOUT THE HEARING OR CIRCUMSTANCES

**At the hearing**

|  |  |
| --- | --- |
|  | **Comments** |
| Is the agenda clear? |  |
|  |  |
| Has the process been outlined? |  |
|  |  |
| What facts are agreed? (Can the clerk help on this point) |  |
|  |  |
| Are there areas of dispute? If so, what are they? |  |
|  |  |
| What information needs to be heard to enable the GDC to make a decision about the areas of dispute? |  |
|  |  |

Questions of the head about process, reasons and decision making

Confirm the basis for the exclusion

Query why allowing the pupil back into school would have a prejudicial impact on the education and welfare of the pupil and/or others

**Ask about the process**

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| --- | --- |
|  | **Comments** |
| What happened to cause the P/X |  |
|  |  |
| How was the investigation conducted? |  |
|  |  |
| Who decided how it was done? |  |
|  |  |
| When was the pupil first spoken to? |  |
|  |  |
| Account of the incident, how does it differ? |  |
|  |  |
| If a fixed term was in place, was it clear that the investigation continued? |  |
|  |  |
| Were there any faults in the process – with the benefit of hindsight? |  |
|  |  |
| What lead up to the exclusion? |  |
|  |  |
| Were there any risk factors? |  |
|  |  |
| What interventions had been in place? |  |
|  |  |
| How had they been monitored? |  |
|  |  |
| Any SEN or disability issues? |  |
|  |  |
| Any 3rd party referrals? Should there have been? |  |
|  |  |
| If LAC or EHCP – how can school show it went the extra mile? |  |
|  |  |
| Was the exclusion linked to LAC or SEND characteristics? |  |
|  |  |
| Was the exclusion proportionate? |  |
|  |  |
| Were all pupils involved in the incident treated the same way?  |  |
|  |  |
| Was this right? Does any distinction between the sanctions show a level of objectivity? |  |
|  |  |
| Did the school follow policies? (which ones?) |  |
|  |  |
| If not, why not? |  |
|  |  |
| If ‘they always had it in for him/her’ is raised how does the school respond? |  |
|  |  |
| What consideration is there of the welfare of the excluded pupil? |  |
|  |  |
| Previous sanctions – were these clear? |  |
|   |  |
| Risk of PX was it clear? |  |
|  |  |
| If parents allege bullying or no action for health or SEN, what actions have they taken to raise with the school? |  |
|  |  |
| Any acknowledgement of the behaviour? |  |
|  |  |
| What needs to change? |  |
|  |  |
| Any victim empathy? |  |
|  |  |
| Persistent disruptive – why and what would be different if re instated? |  |
|  |  |
| What are long term goals/ambitions? |  |

**Questions for the Pupil, Parent and Carers**

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| --- | --- |
|  | **Comment** |
| Any comment on the process? |  |
|  |  |
| Any comment on the allegations? |  |
|  |  |
| Any areas of factual disagreement? If so account to be given and tested by governors. |  |
|  |  |
| Any explanation about why the behaviour occurred? |  |
|  |  |
| Any signs of understanding the impact on the school environment? |  |
|  |  |
| Any understanding of the impact on others in school? |  |
|  |  |
| Any remorse? |  |
|  |  |
| Any apology? |  |
|  |  |
| Any other factors that they feel should have been taken into account? |  |
|  |  |
| Any future plans/aspirations? |  |
|  |  |
| Why would this not happen again? |  |

**Decision Making**

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| --- | --- |
|  | Comments |
| Have the school followed policies? |  |
|  |  |
| If not, why not and what is the impact |  |
|  |  |
| Was the investigation conducted fairly? |  |
|  |  |
| If not, why not? |  |
|  |  |
| What is the impact? |  |
|  |  |
| What are the facts in dispute? |  |
|  |  |
| What are the GDCs conclusions? |  |
|  |  |
| How was the balance of probabilities test used? |  |
|   |  |
| Why was one version preferred over another? |  |
|  |  |
| What background information was taken into account? |  |
|  |  |
| Any SEND or health factors that are relevant? |  |
|  |  |
| If any ASD diagnosis, was the action linked to health issue or behavioural? |  |
|  |  |
| What is reasonable for the school to do if there is a tendency to violence? |  |
|  |  |
| Were alternative sanctions considered? |  |
|   |  |
| Could the school have provided more support? |  |
|  |  |
| Is the decision reached by the head an option open to a reasonable decision maker? (even if the GDC might have felt an alternative outcome would also have ben reasonable) |  |
|  |  |
| In all of the circumstances was it proportionate and reasonable of the head to exclude? |  |
|  |  |
|  If yes – why |  |
|  |  |
|  If no – why |  |
|  |  |

**After the hearing**

 Does the decision letter set out clearly how the final outcome was determined?

If a person not linked to the process read that single letter could they understand all that had taken place and why a particular decision had been reached?

Does the letter contain all the information about the IRP?