



# PETERBOROUGH KEYS ACADEMIES TRUST

## PUPIL DISCIPLINARY COMMITTEE

### TERMS OF REFERENCE

2023-24 v2.0

#### 1. POWERS OF THE BOARD OF TRUSTEES

- 1.1. The Trustees shall determine and approve the Pupil Disciplinary Committee's Terms of Reference and shall review the Terms at the end of each academic year to take effect from 1 September (Article 105).

#### 2. POWERS OF THE GOVERNORS' DISCIPLINARY COMMITTEE

The Pupil Disciplinary Committee shall exercise the powers, responsibilities and duties delegated by the Trust Board as set out in the Terms of Reference and Scheme of Delegation (7.9 and 7.10), and shall in particular:

- 2.1. Review the school Headteacher's decision to suspend or permanently exclude a pupil and, by applying the civil standard of proof, decide whether to decline to reinstate the pupil or to direct that the pupil be reinstated immediately or on a particular date.
- 2.2. Consider:
  - 2.2.1. The evidence on which the Headteacher's decision was based and the decision-making process undertaken;
  - 2.2.2. Parents' and the pupil's representations about a suspension or permanent exclusion;
  - 2.2.3. The application of the Department for Education's guidance on school suspensions and permanent exclusions (September 2023), the Trust's Exclusions Policy and associated guidance provided by the Head of Governance, including the Pupil Disciplinary Committee Decision Checklist.

#### 3. MEMBERSHIP OF THE PUPIL DISCIPLINARY COMMITTEE

- 3.1. The Clerk to the Academy Committee shall seek to appoint three members to the Pupil Disciplinary Committee as and when required, drawn from the available pool of:
  - 3.1.1. Trustees;
  - 3.1.2. Executive Group Members (a maximum of one);
  - 3.1.3. Governors from the Academy Committee of the school from which the pupil has been suspended / excluded;
  - 3.1.4. Governors from other Academy Committees within the Trust;
  - 3.1.5. In exceptional circumstances, governors from outside of the Trust, sourced through local networks or the local authority Governor Services team. :
- 3.2. All members of the Committee shall have completed relevant training.
- 3.3. The quorum shall be three committee members.

- 3.4. A Chair will be appointed by the Committee in advance of the meeting. Careful consideration should be given to the appropriateness of this role being undertaken by the Chair of the Academy Committee of the school from which the pupil has been suspended / excluded.
- 3.5. Any committee member who has a connection to or prior knowledge of the suspended / excluded pupil or the circumstances of the case shall not be eligible to sit on the Pupil Disciplinary Committee. Care should be taken to avoid the perception of bias, as might be the case if all members were parent governors at the pupil's school, for example.

#### 4. APPOINTMENT OF A CLERK

- 4.1. The Clerk to the Pupil Disciplinary Committee shall normally be the Clerk to the Academy Committee of the school from which the pupil has been suspended / excluded.
- 4.2. If the Academy Committee Clerk is not available, a Clerk will be appointed by the Head of Governance.

#### 5. MEETINGS

5.1 The Committee shall meet within the statutory timeframes unless there are exceptional circumstances:

5.1.1 Within 15 school days of receiving notice of the suspension or permanent exclusion in the case of:

- 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 above 15 for a term
- A suspension/permanent exclusion that will result in the pupil missing a public examination or national curriculum test. The Committee must take reasonable steps to meet before the date of the examination.

5.1.2 Within 50 school days of receiving notice of the suspension will take the pupil's total number of days out of school to above 5 but less than 16 for the term, and the pupil's parents request a governing board meeting.

5.2 Minutes of the committee's meetings will be made available to all parties on request, and the record of discussion will state clearly how the decisions have been reached.

#### DECLARATION

*The Board of Trustees, at its meeting on 26 March 2024, resolved to adopt these Terms of Reference.*



Claire Higgins  
Signature  
(Chair of the Trust Board)

Date of signature: 26 March 2024