



Bucks University Technical College

Student Disciplinary Procedure

2020-21

Responsible Officer:	Principal
Date:	September 2020
Review Date:	July 2021 (unless preceded by legislation)
Procedure Available:	Website/Parent Portal
Authorised by:	Governing Board

INTRODUCTION

The Student Disciplinary Procedure aims to ensure that all students are able to study and achieve success, free from interruption, and encourage positive behaviour and responsibility for learning.

This procedure provides a framework for the boundaries of acceptable and unacceptable behaviour, the hierarchy of rewards and sanctions and how they are fairly and consistently applied as outlined in the School Behaviour for Learning Policy. This is written with due regard to the Department for Education guide on exclusion which can be found at <https://www.gov.uk/government/publications/school-exclusion>

This procedure applies to all students at Bucks UTC. All our students are entitled to:

- High quality training and education that meets their needs and enables them to enjoy their learning; be safe and healthy and make a positive contribution to the UTC and the wider community
- Learn in an environment that is conducive to learning and free from interruption and disruption
- Learn in an environment free from bullying, ridicule or discrimination
- Have their voices heard, to be listened to and to know where to go to share their concerns

ROLES AND RESPONSIBILITIES

Governors

- agree the UTC's ethos, purpose and values in which the policy is based and model good behaviour to other members of the community
- review, amend and approve the Student Disciplinary Procedure annually through the Teaching and Learning Committee
- Monitor the impact of the Student Disciplinary Procedure in maintaining good behaviour.

Staff

- Uphold the policy and its principles consistently and fairly
- Model good behaviour to other members of the community
- Encourage good behaviour and respect for others
- Respect and value the students they teach
- Be committed and have high expectations and standards of students' learning
- Provide stimulating lessons where students are actively involved
- Prevent all forms of bullying amongst students
- Keep their students safe
- Seek support, advice and training about how to promote positive behaviour
- Keep students and parents (where appropriate) informed of their progress
- Work as part of a team with other teachers and support staff
- Understand and adhere to the UTC Student Disciplinary Procedures

Students

- Come to the UTC to learn, be fully prepared and work to the best of their ability
- Be punctual to all learning sessions and activities including work experience and employment forming part of an apprenticeship
- Achieve 100% attendance
- Show through their behaviour and their language, respect and consideration for all staff, other students and visitors
- Complete and hand work in that meets the requirements of the course and on time
- Take proper care of the UTC environment including equipment and books
- Never use technology as an instrument for bullying or harassment directed against students and staff
- Always wear and be able to produce a valid UTC ID badge
- Work safely and ensure that their behaviour does not compromise the safety of others

Parents/Carers

- Work in partnership with the UTC by supporting staff in the maintenance of high standards of behaviour both inside the UTC and within its community
- Model good behaviour to other members of the community
- Commit to the UTC’s Code of Conduct and Home UTC agreement, signed on entry to the UTC
- Contact the UTC, following the appropriate procedural channels, if they have a concern regarding their child.

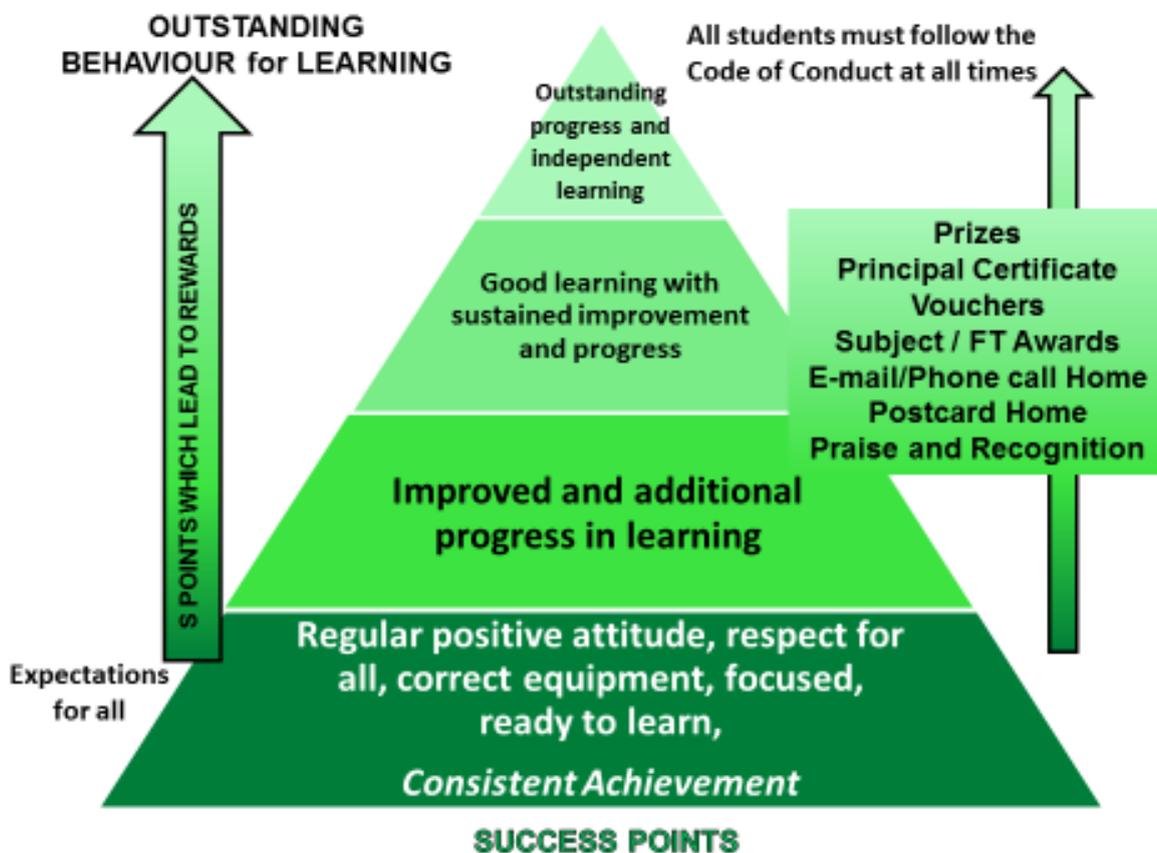
At Bucks UTC, we recognise positive and negative behavior with a success and consequence points system. A restorative practice system will be used, where appropriate, to support students to understand the wider consequences of their actions and recognise when change in behavior is needed.

Rewards

Students may earn one point per positive action. Points are earned by demonstrating any of the Bucks UTC values.

- Mutual respect in all that we do
- Can do attitude
- Goal driven one team approach
- Integrity, honesty and openness
- Valuing difference
- Exceeding expectations

Points may be given by any member of staff (business support and academic). Reward points are classed as ‘S (success) points’ and will be recorded on individual student records on Progresso.



Sanctions

Behaviour is not acceptable when it disrupts the education of peers, does not allow the teacher to teach or undermines the professional and respectful ethos of Bucks UTC.

Sanctions are only effective if used rarely, appropriately and consistently. If general approval is normally given, the withdrawal of approval is an effective sanction for most students. Confrontation is rarely an effective way to solve a problem.

Students will know that their behaviour must be exemplary and professional at all times, whether at or representing the Bucks UTC or on employer premises and such, issues below, will be dealt with by staff.

- Attendance and punctuality
- Equipment
- Organisation of work
- Effort and Achievement
- Manners
- Care for the environment
- Bad language
- Rudeness
- Lack of respect for others
- Low level disruption in the UTC

IMPLEMENTATION

The Procedure is divided into three sections:

- 1) Dealing with student disciplinary under student participation and academic progress
- 2) Dealing with student disciplinary under student misconduct
- 3) Dealing with student disciplinary under serious and single acts of student misconduct

It is vital that at all stages of the disciplinary process that accurate records are maintained and that the standard student disciplinary letter templates are used. If appropriate, a restorative justice process will be used to support the student/s in understanding the consequences of their actions.

For any type of exclusion, this procedure must be implemented in conjunction with and with due regard to the Department for Education guide on exclusion which can be found at <https://www.gov.uk/school-discipline-exclusions>

The Bucks UTC Exclusions and Reintegration Officer from Buckinghamshire Council is:

Jan Underhill
Exclusions and Reintegration Officer
Tel. 01296 382879
Email: exclusions@buckinghamshire.gov.uk

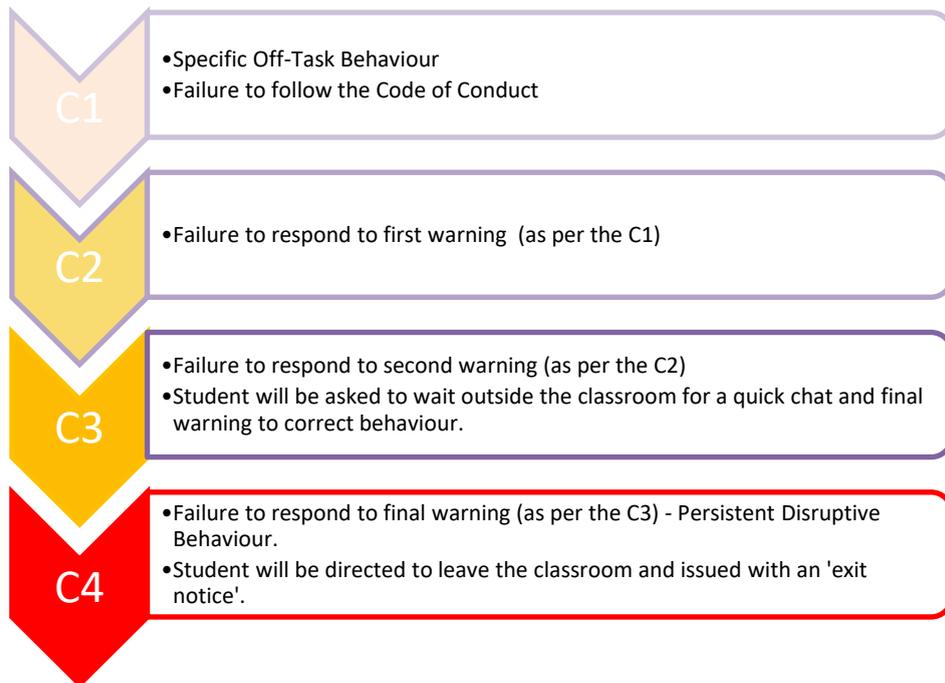
Section 1: Dealing with student disciplinary under student participation and academic progress

Not adhering to the rules will lead to the three levels of discipline outlined below:

Level 1: Low to medium level Disruption

For the purpose of this strategy, when students display the following behaviour deemed as causing disruption (the list is not exhaustive) there will be consequences. C1, C2 and C3 will be issued for;

- Talking when the member of staff is teaching
- Head on desk
- Not carrying out tasks as directed
- Rocking on the chair persistently
- Bad attitude displayed by rolling of eyes, muttering
- Disruptive behaviour in class
- Failure to willfully not complete tasks
- Students who appear on the list more than once in a lesson
- Similar issues deemed to be at this same level



C1, C2 and C3 - Informal Stage – Informal Warnings

Each C point represents *one* consequence (C) point.

A student whose behaviour including attendance, punctuality or progress fails to meet the required standard will be reported to his/her course tutor who will discuss and agree with him/her how the problem will be resolved.

Notes for C points will be recorded on individual student records on Progresso.

Level 2: Formal Stage 1, 2 & 3 - Verbal/ First Written/Final Written Warning and C4

- Repeated disruptive behaviour across a number of sessions
- Insolence/rudeness to staff
- Persistent lateness
- Serious misbehaviour in or around the UTC
- Leaving premises without permission at lunchtime
- Truancy/smoking
- Failure to meet deadlines

If following the informal verbal warnings a student continues to fail to meet the required standard a **formal stage 1 verbal warning** will be issued by the course tutor with time- specified targets for improvement (timescale to be no more than two weeks).

A student who consistently fails to meet the required standard will be interviewed by the Head of Department and a **formal stage 2 written warning** issued. Parents will be encouraged to attend this meeting. The warning will include a summary of the standards not being achieved, the agreed actions and specify a time-scale (timescale to be no more than four weeks) within which these improvements should be made. A follow up monitoring and review meeting should be arranged.

A student who continues to fail to meet the required standard will be interviewed by the senior leadership team (SLT) who will issue a **stage 3 final written warning**. Parents will be encouraged to attend this meeting. The warning will include a summary of the standards not being achieved, the agreed actions and the timescale in which these improvements should be made (timescale to be no more than 4 weeks). Students should be reminded at the meeting that failure to achieve the improvements may lead to withdrawal from the course.

Level 3: Possible Permanent Exclusion

Where there are serious breaches of the Bucks UTC code of conduct SLT members will use professional judgement to address sanctions.

- Serious breaches of disciplinary code
- Violent behaviour
- Repeated non compliance
- Verbal abuse to staff
- Serious vandalism

Some instances may warrant exclusion immediately, bypassing other means of punishment altogether. All incidents at this level will be recorded on student files.

Section 2: Procedures for dealing with student misconduct

Bucks UTC has a set of values that it expects students, staff and visitors to adhere to at all times. These are:

- Mutual respect in all that we do
- Can do attitude
- Goal driven one team approach
- Integrity, honesty and openness
- Valuing difference
- Exceeding expectations

Student misconduct normally occurs when these values are ignored or disregarded. The UTC Behaviour for Learning Policy can be found at:

<http://www.buckinghamshireutc.co.uk/info/policies>

The student misconduct disciplinary procedures will be used when a student;

- Behaves in a way that disrupts any activity or antagonises other members of the UTC community
- Behaves in a way that disrupts the activity of an employer providing work opportunities, placement or apprenticeship training,
- Damages the property of the UTC, its staff, students or other users
- Behaves in an offensive manner towards other UTC users
- Is involved in instances of harassment, bullying (including cyber bullying or abuse)
- Commits an offence outside of the UTC such as fighting, bringing the establishment into disrepute
- Commits any criminal offence whilst attending the UTC, bringing the establishment into disrepute or for which a student is arrested and charged
- Drives without due care and attention whilst on UTC property
- Behaves in a way that compromises their and/or others safety
- Misuses or fails to produce a valid UTC ID card
- Fails to adhere to the UTC's Smoking Policy
- Alcohol or substance misuse on any premises or activities that come under the responsibility of Bucks UTC

2.1 Formal Stage 1 – Verbal Warning

A student whose conduct fails to meet the required standard will be reported to a form tutor who will discuss and agree the standards of conduct required. The student, the student's parents and/or carers will be informed in writing that a verbal warning has been issued. At this stage the student will be reminded of the stages of the Student Disciplinary Procedures and possible consequences including possible exclusion. A follow up monitoring and review meeting will be arranged.

2.2 Formal Stage 2 – Written Warning

A student whose conduct consistently fails to meet the required standard will be interviewed by an Assistant Principal and a written warning given. Parents/carers will be encouraged to attend this meeting. The warning will specify the standards of conduct not being achieved with clear timescales for improvement (timescale to be no more than four weeks) within which improvements should be made. A follow up monitoring and review meeting will be arranged.

A letter summarising these arrangements will be sent to the student and the student's parents and/or carers. A copy of the written warning will be placed on the student's file and will be recorded on the MIS central records system. This warning will be valid for the duration of time the student attends Bucks UTC.

2.3 Formal Stage 3 – Final Written Warning

A student whose conduct continues to fail to meet the required standard will be interviewed again by an Assistant Principal who will issue a final written warning. Parents/carers will be must attend this meeting. The warning will include a summary of standards not being achieved, the agreed actions and the timescale in which improvements should be made. The student should be reminded that failure to improve the required conduct may result in permanent exclusion from the UTC.

A letter summarising these arrangements will be sent to the student and the student's parents and/or carers.

A copy of the final written warning will be placed on the student's file and will be recorded on the MIS central records system. This warning will be valid for the duration of time the student attends Bucks UTC.

2.4 Formal Stage 4 – Fixed Period Exclusion

Bucks UTC will take the decision to sanction fixed period exclusion for a specific period if:

- there has been a serious breach of the Behaviour Policy
- allowing the student to remain in the UTC would seriously harm the education or welfare of the students or of others in the UTC.

In most cases a range of alternative strategies (see 2.1 to 2.3) should also have been tried.

Only the Principal has the legal power to exclude a student or the Assistant Principal acting in the Principal's absence, with the appropriate authority being granted. If a pupil receives 45 FPE in one school year, no further fixed-period exclusions can be issued. A permanent exclusion is NOT an automatic next step. A decision to issue a permanent exclusion following 45 days of fixed-period exclusions will have the same consideration and level of evidence as any other permanent exclusion.

Fixed period exclusions totalling five or fewer UTC days, or 10 or fewer lunchtimes or half days, in any one term must be reported to the Governing Board and Local Authority once per term or as soon as is practicable.

For any type of exclusion, this procedure must be implemented in conjunction with and with due regard to the Department for Education guide on exclusion which can be found at:

<https://www.gov.uk/school-discipline-exclusions>

2.5 Formal Stage 5 – Possible Permanent Exclusion

If following a final written warning the student's conduct fails to meet the required standard, he/she will be interviewed again by an Assistant Principal. Prior to the interview, a letter will be sent to the student and to the student's parents/carer summarising the reasons for interview and encouraging them to attend this meeting.

Following the interview, the Assistant Principal may either extend the timescale for improvement or recommend to the Principal permanent exclusion. The student and the student's parents/carers will be informed of the outcome of the interview in writing.

The Principal makes the decision to exclude a student permanently.

For any type of exclusion, this procedure must be implemented in conjunction with and with due regard to the Department for Education guide on exclusion which can be found at:

<https://www.gov.uk/school-discipline-exclusions>

2.6 Rights and Appeals

A decision to exclude a student permanently shall be subject to a right of appeal to the Governing Board. Parents may appeal to an Independent Review Panel within 15 school days of receiving notification from the Governing Board of their decision to uphold a permanent exclusion.

If parents/guardians wish to make representations to the Governing Board and wish to be accompanied by a friend or representative, they should contact the Clerk to the Governing Board, Bob Carvey at rcarvey@buckinghamshireutc.co.uk, parents/guardians will, whether they chose to make representations or not, be notified by the Clerk to the governing board of the time, date and location of the meeting.

2.7 Smoking/Vaping Policy

Any student caught smoking or vaping on UTC premises will be disciplined. If, when challenged about smoking or vaping on site, any student resists the challenge or is verbally abusive to any member of the staff, this will result in an automatic Formal Stage 2 – Written Warning.

Smoking inside the UTC is strictly prohibited. Any student caught smoking or vaping in UTC premises will result in instant disciplinary action under section 3 of this policy.

Section 3: Procedures for dealing with serious and/or single acts of student misconduct

Serious misconduct includes but not exhaustive;

- Violence to students, staff or visitors
- Theft of property
- Vandalism
- Threats to students, staff or visitors
- Racial or sexual harassment
- Discrimination of any form,
- Bullying or harassment (including cyber-bullying)
- Possession of drugs or weapons,
- Alcohol or substance misuse on any premises or activities that come under the responsibility of Bucks UTC
- Acts of behaviour that could endanger the health and safety of others
- Similar offences that take place outside of Bucks UTC, bringing the establishment into disrepute or for which a student is arrested and charged

3.1 Fixed Period Exclusion: Misconduct in the UTC

For single serious acts of misconduct in the UTC a student will be issued immediately with a fixed period exclusion by the Principal, pending an investigation.

The investigation will normally be undertaken by a senior manager who will interview all relevant parties. As part of the formal investigation, the Designated Safeguarding Lead (DSL) must be informed to ensure additional student support needs are considered. The student's parents/carers will be informed.

At the time of the fixed period exclusion the student will have their ID card withdrawn/blocked and be told not to return to the UTC until the fixed period exclusion is lifted, unless they are required to do so as part of the investigation.

The Principal will inform the Head of Department/Form Tutor of the disciplinary action taken. The Principal will also inform Reception, DSL and IT who will temporarily suspend the student's IT access. At the same time, the student will be told that their Head of Department will ensure they receive UTC work to complete at home during their fixed period exclusion.

Whilst under fixed period exclusion, the student will be treated as a UTC visitor and when attending an interview will be requested to sign in as a visitor.

Following the outcome of the investigation, the student will be interviewed by the Assistant Principal or other Senior Leader. Following the interview the Assistant Principal/Senior Leader may recommend a warning or permanent exclusion. The student, student's parents/Carers who must attend this meeting will be notified of the outcome of the interview.

Students who are permanently excluded are not permitted access to the UTC as a visitor or to use the UTC's services.

If following the end of the fixed period exclusion and investigation the student is not permanently excluded, the Principal will inform the Head of Department, form tutor, reception, MIS and DSL. The student will regain the rights removed with his/her fixed period exclusion.

3.2 Fixed Period Exclusion – Misconduct resulting in police involvement

For serious acts of misconduct that take place, which result in arrest and charges being made, a student will be issued with a fixed period exclusion by the Principal, pending a risk assessment. The student's parents/carers and/or work placement (where applicable) will be informed. The risk assessment will be under-taken by a senior manager who will determine if there has been a breach of the behaviour policy, taking into account the health, safety and welfare of other students, staff and visitors is at risk by the return of the student. This should be carried out in liaison with the DSL. The student, student's parents/carers and/or work placement (where applicable) will be informed of the findings of the risk assessment.

Alongside this, normal UTC procedures will apply for investigating an incident and determining the level of sanction.

At the time of fixed period exclusion the student will have their ID card withdrawn and be told not to return to the UTC until the fixed period exclusion is lifted, unless they are required to do so as part of the investigation.

Following the issuing of the fixed period exclusion by the Principal, the Principal will inform the Head of Department/Form Tutor of the disciplinary action taken. The Principal will also inform Reception, Progresso, DSL and TechSupport who will temporarily suspend the student's IT access. At the same time, the student will be told that an Assistant Principal will ensure they receive UTC work to complete at home during their fixed period exclusion.

Whilst under fixed period exclusion, the student will be treated as a UTC visitor and when attending an interview will be requested to sign in as a visitor

3.3 Permanent Exclusion

If the outcome of the risk assessment is that the student has breached the behaviour policy and presents a tangible risk to others, the likely recommendation is permanent exclusion. The student will be interviewed by the Principal, who may confirm the recommendation to permanently exclude or issue a final written warning. The student, the student's parents/carers and/or work placement (where applicable) will be informed of the outcome of the interview.

For any type of exclusion, this procedure must be implemented in conjunction with and with due regard to the Department for Education guide on exclusion which can be found at:

<https://www.gov.uk/school-discipline-exclusions>

Students who are permanently excluded are not permitted access to the UTC as a visitor or to use the UTC's services.

3.4 Rights and Appeals

A decision to exclude a student permanently shall be subject to a right of appeal to the Governing Board and the meeting will take place regardless of the parents/carers decision to appeal.

If parents/guardians wish to make representations to the Governing Board and wish to be accompanied by a friend or representative, they should contact the Clerk to the Governing Body, Bob Carvey at rcarvey@buckinghamshireutc.co.uk Parents/guardians will, whether they chose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting.

4. Associated Policies and Procedures

The Student Disciplinary Procedure 2020-21 should be read in conjunction with:

- Behaviour for Learning Policy
- Safeguarding Policy, Procedure and Guidelines
- Equality and Diversity Policy
- Anti-bullying Policy
- Social Media Policy
- Acceptable use of Computing Facilities Policy

5. Equality and Diversity Monitoring

The implementation of the formal stages of the Student Disciplinary Procedure will be monitored with regard for equality and diversity. An annual report will be produced for monitoring by the Senior Management Team and the Governing Board.

UTC PROCEDURE - FIXED-PERIOD EXCLUSION

The smallest recordable exclusion is for ½ a day. Any amount less than this is still recorded as half a day. Each lunch-time exclusion counts statistically as half a day.

The law does not allow for extending a fixed-period exclusion or 'converting' a fixed-period exclusion into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period.

If a pupil is receiving multiple fixed-period exclusions, alternative strategies should be considered. If a pupil receives 45 FPE in one school year, no further fixed-period exclusions can be issued. A permanent exclusion is NOT an automatic next step. A decision to issue a permanent exclusion following 45 days of fixed-period exclusions needs to have the same consideration and level of evidence as any other permanent exclusion.

If a pupil is excluded with a fixed-period exclusion of more than 5 school days, the **school** must provide suitable education from the 6th day. Sending work home would not qualify as suitable education.

Pupils cannot be sent home for health and safety reasons or to 'cool off' even with the consent of the parent. Apart from illness, all instances of sending home must be treated as, and recorded as, an exclusion.

The Governing and the LA must, without delay, be informed of:

- i) exclusions which will result in the pupils being excluded for more than 5 school days, or more than 10 lunchtimes, in any one term.
- ii) exclusions which will result in the pupil missing a public examination or national curriculum test.

Notifications must include the reasons for the exclusion and the duration of any fixed-period exclusion.

Fixed-period exclusions totalling 5 or fewer school days, or 10 or fewer lunchtimes or half days, in any one term must be reported to the Governing Board and LA once a term or as soon as is practicable. However, the LA requests that they are notified promptly of ALL exclusions when they occur in order to monitor and support developing situations.

UTC PROCEDURE: FIXED PERIOD EXCLUSION

Headteacher decides to issue a fixed-period exclusion:

- (a) Headteacher to inform parents by telephone or face-to-face
- (b) Inform parents in writing using appropriate letter by the end of the afternoon session of the day the exclusion occurs – **Letters 1- 4**

Letter 1 - Fixed-period exclusion of 5 or fewer school days in one term and where a public examination is not missed. (*Parents' right to make representations*)

Letter 2 - Lunchtime (half-day) exclusions totalling up to 5 days in one term. (*Parents' right to make representations*)

Letter 3 - 5½ -15 school days in one term (single exclusion or cumulative) or where a public examination. (*Meeting of Governing Board Committee no later than 50 school days if parents request it*)

Letter 4 - 15½ - 45 school days in one term (single exclusion or cumulative). (*Governing Board Committee must meet no later than 15 school days whether or not parents request*)

- (c) Arrange for work to be sent for excluded pupil during days 1-5. Arrange suitable full-time education from day 6.

Send completed **Form X1** and a **copy of the letter to parents** to the Exclusions & Reintegration Team via exclusions@buckinghamshire.gov.uk without delay.

Meeting of Governing Board Committee convened:

- (a) Clerk to Chair of Governing Board Committee sends **Letter 6** (inviting parents). In practice, this is often sent by the school rather than the Clerk. *Governors are responsible for ensuring that this invitation is sent so they should make sure that they know who is sending it.*
- (b) LA representative may be invited (in the case of a maintained school or PRU) if school considers it appropriate.

Governing Board Committee consider Headteacher's action:

- (a) At conclusion, Clerk sends **Letter 8** without delay

UTC PROCEDURE: PERMANENT EXCLUSION

The Governing Board Committee and the LA must, without delay, be informed of:

- i) all permanent exclusions
- ii) exclusions which will result in the pupil missing a public examination

Headteacher decides to exclude permanently:

- (a) Contact Exclusions & Reintegration Team on 01296 382835
- (b) Headteacher to inform parents by telephone or face-to-face
- (c) Inform parents in writing by the end of the afternoon session of the day the exclusion occurs using **Letter 5**
- (d) Arrange for work to be set for excluded pupil for days 1 - 5
- (e) The LA will provide education from the 6th day of a permanent exclusion.
- (f) Send completed **Form X1** and a copy of **Letter 5** to the Exclusions & Reintegration Team via exclusions@buckinghamshire.gov.uk – **on the day of the PX**

Governing Board Committee meeting convened no later than 15 school days from notice of exclusion to consider whether to offer reinstatement:

- (a) LA representative invited (liaise over date and time) in the case of a maintained school or PRU. A parent may invite a representative of the LA to attend a meeting of an Academy's Governing Board as an observer; that representative may only make representations with the Governing Board's consent.
- (a) Clerk to Chair of Governing Board Committee (*or the school on their behalf*) invites parents to meeting - **Letter 7**. *Governors are responsible for ensuring that this invitation is sent so they should make sure that they know who is sending it.*

At the meeting, the **Governing Board Committee** considers representations made and decides whether or not to offer reinstatement:

- (a) At the conclusion of the meeting, Governors reach their decision and Clerk sends **Letter 9** (if reinstatement is not offered) or **Letter 10** (if reinstatement is offered).

Letter 9 must include information on the parents' right to request an IRP.

Copy of letter sent to the Exclusions & Reintegration Team, without delay.

Exclusions & Reintegration Team respond to actions of Governing Board :

- (a) If reinstatement is not offered, the E&R Team writes to parents advising them of how to request an Independent Review - copy to Headteacher and Chair of Governing Board.

If the Governing Board does not offer reinstatement, parents may appeal to an Independent Review Panel. The request for this must be received within 15 school days of the parent receiving notification from the Governing Board of their decision not to offer reinstatement. Where the notice is sent by first class post, it is treated as having been given on the second working day after it was posted.

The **Independent Review Panel** can

uphold the Governing Board's decision;

recommend that the Governing Board reconsiders reinstatement; or

quash the decision and direct that the Governing Board reconsiders reinstatement.

If the IRP **upholds** the Governors decision not to offer reinstatement, the pupil remains permanently excluded.

Secondary aged

- (a) The pupil will be referred to the Fair Access Board or placed by Bucks SEN Team.
- (b) Schools should ensure that they have sent relevant information regarding the pupil, including education achievements, special needs and associated risks to the Exclusions and Reintegration Team prior to the Pupil being discussed at the Fair Access Board.

If the Independent Review Panel **recommends** that the Governing Board reconsiders its decision not to offer reinstatement, the Governors must reconvene to review their decision within 10 school days of being given notice of the panel's decision. It is not necessary to repeat the whole meeting but the Governors should conscientiously reconsider whether the pupil should be reinstated. They can decide to offer reinstatement or confirm their previous decision not to offer reinstatement however the governing board may face challenge in the courts if it refuses to reinstate the pupil, without strong justification.

If the Independent Review Panel **quashes** the decision of the Governing Board Meeting, the Governors must reconvene to review their decision within 10 school days of being given notice of the panel's decision. It is not necessary to repeat the whole meeting but the Governors should conscientiously reconsider whether the pupil should be reinstated. They can decide to offer reinstatement or confirm their previous decision not to offer reinstatement however the governing board may face challenge in the courts if it refuses to reinstate the pupil, without strong justification.

Following a direction to reconsider, unless within 10 school days of receiving notice of the panel's decision, the governing board decides to reinstate the pupil an adjustment may be made to the school's budget in the sum of £4,000 if the panel has ordered this. In the case of an academy, the school would be required to make an equivalent payment directly to the local authority in which the school is located.