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| **Guidance for completing Decline to reinstate pupil following suspension letter from the Clerk to local governors’ Discipline Committee (GDC)****Please delete before sending.** |
| **Please add the school’s letterhead but ensure that the DGAT logo is also included.****Notes for editing: anything in square brackets is to be tailored to give a direction for completing this template.**  |

[ Name of parent(s)]

[ Address of parent(s)]

[ Date]

Dear [Parent(s) name(s)]

Re: [ Pupil's full name]

 Date of Birth - [ Pupil's DOB]

I am writing to inform you of the Governors' Discipline Committee (Committee)'s decision following its review of the Headteacher's decision to suspend [ pupil's name] for a fixed period of [number] school days with effect from [ day], [ date] at the Governors' Discipline Meeting (**Meeting**) which took place on [ day], [ date].

In carrying out its task, the Committee had regard to the Department for Education's current statutory guidance on suspension and permanent exclusion.

The Committee was required to consider the circumstances which led to the suspension, contributing factors, any behavioural or emotional factors involved, as well as the interests and circumstances of [ pupil's name]. It was required to consider whether [ pupil's name] has special educational needs, a disability or any other additional needs which may have impacted on the incident[ s] that led to the suspension. Where any of these factors were identified, the Committee was required to consider whether the Headteacher gave adequate consideration to [ this / these], and whether the school put in place appropriate and adequate measures and/or strategies to support [ pupil's name]'s needs and improve [ his / her] behaviour, reducing the risk of suspension [***to include information about preventative measures to suspensions and exclusions, see Behaviour Guidance "Preventing recurrence of misbehaviour" and consideration of a) off-site direction to improve behaviour and / or (b) managed move***].

The Committee was also required to consider the interests and circumstances of other pupils, members of staff and the school community.

The Committee carefully considered all relevant documentation relating to the suspension and the incident[ s] which led to it, including [ witness statements] [ and] [ other evidence] gathered during the investigation, together with the letter sent to you by Headteacher informing you of the suspension, the reasons for it, and the factors taken into consideration before the decision was reached.

The Committee carefully considered representations made [ by you] [ and] [ on your behalf] at the Meeting [ , together with the representations made in writing ahead of the Meeting]. The Committee also considered the written and verbal submissions made by the Headteacher to explain [ his / her] decision [, along with the statements made by the witnesses who were present], with the opportunity to ask questions being provided to the Committee members and all parties.

[**Delete / adapt as appropriate**] [ As [ pupil's name] [is a [ previously] looked after child] [ and] [ has a social worker], the Committee was also required to consider information provided by [ the Local Authority's Virtual School Head (VSH)] [ and] [ [ pupil's name]'s Social Worker] [ during the Meeting] [ and] [ in writing ahead of the Meeting].]

Having considered all of the factors mentioned above, the Committee was required to consider whether the suspension was a fair, reasonable and proportionate response to the misbehaviour involved, and whether it complied with the regulations and statutory guidance on suspension and permanent exclusion and other relevant legislation / guidance, and whether the process followed was procedurally correct and fair.

After all other parties had left the Meeting, the Committee considered all of the above and established, on the balance of probabilities, that on [ date(s)] [ pupil's name] [**Summarise the incident(s) leading to the suspension, and any aggravating features**].

The Committee also established that [**Set out any factors identified, e.g. background issues, SEN, disability, etc, identified as set out in the paragraph above, together with a summary of measures / strategies put in place by the school, and their effect**].

Having considered this matter very carefully, the Committee declined to reinstate [ pupil's name] to school.

The reason why the Committee made this decision is because [**Give appropriate and sufficiently detailed reasons for the decision**].

The Committee's decision has been communicated to the school, along with the Local Authority [ and your home Local Authority].

[**Delete / adapt as appropriate**] [ The [ VSH] [ and] [ Social Worker] [ has][ have] also been informed.]

If you believe that there has been unlawful discrimination in relation to the fixed term exclusion, you may make a claim under the Equality Act 2010 to the First-Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. These claims must be made within six months of the date on which the discrimination is alleged to have taken place.

The Department for Education's statutory guidance on suspensions and permanent exclusions can be accessed online at: <https://www.gov.uk/government/publications/school-exclusion>

You are able to access the following sources of impartial advice:

* **Education Inclusion Service,** Gloucestershire County Council Telephone: 01452 427360/427800
* Coram's Child Law Advice service on 0300 330 5485 (Monday to Friday, 8.00 am to 6.00 pm) or via their website: <https://childlawadvice.org.uk/information-pages/school-exclusion/>
* ACE Education on 0300 0115 142 (Monday to Wednesday, 10.00 am to 1.00 pm, during term time) or via their website: <http://www.ace-ed.org.uk/>
* Independent Provider of Special Education Advice (IPSEA) on 0300 222 5899 or via their website: <https://www.ipsea.org.uk/>

Yours sincerely

[• Full name]

Clerk to the Governors' Discipline Committee