



# **Permanent Exclusion from Schools, Academies and Pupil Referral Units**

## **Independent Review Panels - A Guide for Parents**

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This guide provides information and guidance for parents who wish to request a review of the decision taken to permanently exclude their child from a School, Academy or Pupil Referral Unit. It explains how you can make a request for a review and how the review process works. If you have any questions that are not dealt with here, please contact the School Appeals Service:

**Appeals Officer  
Bournemouth Education Appeals Service  
Democratic Services  
Town Hall  
Bournemouth  
Dorset BH2 6DY**

**Telephone: 01202 451163**

**Email: [schoolappeals@bournemouth.gov.uk](mailto:schoolappeals@bournemouth.gov.uk)**

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## Introduction

The Education Act 2002 (as amended by the Education Act 2011), requires all Local Authorities (LAs), Academies and Pupil Referral Units (PRUs) to make arrangements to enable parents to apply for a review of the decision of a Governing Board of a maintained School, or Proprietor of an Academy, or Management Committee of a PRU not to reinstate a pupil who has been permanently excluded from a School maintained by a Local Authority, Academy or PRU.

Please note, further references to Governors / Governing Boards in this Guidance includes Proprietors of Academies and Management Committees of PRUs.

This guide will help you decide whether or not to apply for a review of the decision to permanently exclude your child and if you do go ahead, help you understand the process.

### 1. Who has the right to apply for a review?

**The “relevant person”, defined as:**

- a) Where a pupil has reached the age of 18, it is the pupil him / herself; or
- b) Where a pupil is under 18, his / her parents. This includes any person who has parental responsibility, which includes the Local Authority where it has a care order in respect of the child, and any person with whom the child lives – for example, a foster carer.

### 2. Is there any point in applying for a review?

It is for you to decide but it is **important that you know:**

- **An Independent Review Panel (IRP) has no power to reinstate your child.** They can make one of the following three decisions:
  1. to uphold the decision of the School / Academy / PRU to permanently exclude your child;
  2. to recommend that the School / Academy / PRU reconsiders its decision; or
  3. quash the decision and direct that the School / Academy / PRU reconsiders the exclusion again.

More information about the role of the IRP and the decision-making process they follow is set out in sections 23 to 28 of this guidance.

- You may have the decision reviewed by an IRP irrespective of whether you are seeking re-instatement for your child - see section 25 of this guidance for reinstatement options.
- You can apply for a review even if you did not attend or make representations to the meeting at which the School's Governing Board considered your child's permanent exclusion.

- An Independent Review Panel (IRP) of three people, who have **no connections with the school** will hear your review and carefully consider your case and that of the School / Academy / PRU.
- If you think that your child's Special Educational Needs have not properly been taken into account or that the meeting of the Governing Board was unfair in any way, you might wish to consider applying for a review.

### 3. Are there circumstances where I do NOT have a right to a review?

Yes. There are two:

- 1 If you decide to apply for a review you **must** do this within 15 days of the Governing Board deciding not to allow your child to return to the School / Academy / PRU. You lose your right to a review hearing if your application is received after the 15<sup>th</sup> school day after the day on which you are informed, in writing, of the Governing Board's decision not to reinstate your child. Any application received after this legal deadline **must** be rejected.
- 2 If you withdraw your application for a review, you also lose your right to a hearing.

#### **IMPORTANT**

- Make sure you **send your application for review as soon as possible** after you receive the letter from the Governing Board telling you that your child has not been reinstated.
- **Give the matter careful consideration** before you withdraw your application for review.

### 4. How do I apply for a review?

There are four steps to follow:

- 1 Either fill in any application for review form produced by the school/academy **OR** write a letter **AS SOON AS POSSIBLE**.
- 2 In either case you must **set out your reasons for applying for a review** and, if relevant, state how you consider your child's Special Educational Needs (SEN) are relevant to the exclusion.

**IMPORTANT:** Whether or not your child has recognised Special Educational Needs, you have the right to require that the Local Authority / Academy appoint a Special Educational Needs (SEN) expert to attend the review.

- 3 You must request a SEN expert attends the review hearing *at the same time* you apply for a review.
- 4 In the case of an Academy - indicate if you would like a Local Authority representative to attend the hearing.
- 5 Ensure you include your contact details for arranging the hearing.

6 Sign and date the form or letter, then send it to:

**School Appeals Officer  
Democratic Services  
Town Hall  
Bourne Avenue  
Bournemouth BH2 6DY**

Your application form / letter **must** be received by the School Appeals Officer within **15 school days** of the date you received the Governing Board's decision letter. Date of arrival of the Governing Board's decision letter will be taken as being the same day if hand delivered, or the second working day after posting if it is sent by first class mail.

## **5. How do I complete my review request?**

- Please write down all the reasons you want the IRP to consider about the exclusion.
- If your child has Special Educational Needs and you feel this is relevant to your case, please explain this as well.
- Regardless of whether your child has recognised Special Educational Needs, you have the right to require that the Local Authority / Academy Trust appoint a SEN expert to attend the review. The role of the expert is to provide impartial advice to the IRP on how Special Educational Needs might be relevant to the exclusion. **If you want a SEN expert to attend, you must make this clear when you submit your review request.** More information about the role of the SEN expert is provided in section 14 of this guidance.
- Please note that you may, at your expense, appoint someone to make written and/or oral representations to the IRP and you may also bring a friend with you to the review hearing.
- Please indicate whether you wish your child to attend the review hearing.
- If completing a form, please note that you are welcome to continue on separate sheets of paper if needed. Please number any additional sheets.
- Please attach to your submission any additional evidence which you feel might be relevant - such as medical evidence or witness statements.

## **6. When will my review be heard?**

The IRP must meet to consider your application for review within **15 school days** of your review request being received by the Clerk – in most cases, the 'School Appeals Officer' within Democratic Services at Bournemouth Borough Council will act as the Clerk. An IRP may adjourn the hearing if there is good reason – for example if a SEN expert is unavailable to attend or there are parallel criminal proceedings. Additionally, they may adjourn if you have a genuine reason for not being able to attend. In all other circumstances, if you do not attend, the hearing will continue in your absence.

Two or more reviews may be combined and dealt with in the same hearing if the IRP considers that it would be fair and helpful to do so because of the issues raised by the reviews are a) the same or connected and b) the parties to each review agree.

**7. Where will my review be heard?**

The hearing will be arranged to be at a local neutral venue, usually the Town Hall in Bournemouth. The venue will always be suitable for a hearing and accessible to all parties. Reviews normally take place on a weekday in term time, either in the morning or afternoon.

**8. Should I attend the review?**

**Yes:** If at all possible. You are best placed to tell the IRP why you think the decision to permanently exclude your child was flawed. If not, and there is not a genuine reason for last minute non-attendance, the hearing will go ahead in your absence and decided on the information that is available at the hearing.

**9. Can I bring someone with me to help me?**

**Yes:** You may bring a family member, friend or a representative with you. They can simply support you or speak on your behalf. This can also be a solicitor / legal advisor however if you chose to appoint one, this will be at your own expense.

You will need to tell the Clerk in advance of the Review who you will be bringing and in what capacity they are coming.

**10. Should my child attend the review hearing?**

It is up to you whether your child attends the hearing. Generally, it is encouraged that they do attend, bearing in mind their age and understanding, so that they can give their views to the IRP. However, you should also bear in mind the following:

- If your child does attend, they have to answer questions put to them and they may be questioned by the head teacher or other representatives of the School / Academy / PRU as well as by the IRP.
- Think carefully about what your child may/may not want to say.
- Does your child want to put a statement forward to the IRP? This could be in writing.

**11. What should I do before the review hearing**

It is important that you send us as soon as possible, any information you believe is relevant to what you want to say and give any reasons you think the School/Academy/PRU were wrong to permanently exclude your child. You should preferably send all these with your form/letter applying for a review. You should hopefully have any evidence that you think supports the reason why your child should not have been excluded. This might be in an official document (such as a letter from a doctor, school reports, and so on), though this may not always be available.

A few days before the review hearing, you might wish to prepare yourself by doing the following:

- Make a note of any questions you have about your review.

- Make sure you read all the paperwork sent to you, including the school's case as well as refreshing yourself with the information you sent in with your original application for review.
- Spend some time deciding what you would like to say when the IRP invites you to explain your reasons for claiming the decision to permanently exclude your child was wrong.
- Check to ensure you have sent in all the paperwork to support your review.
- On the day of the review hearing, bring with you the case papers, any additional documents you have not sent in earlier, any notes of questions and this guidance. Please note that if you bring lots of new information that has not been previously sent in, the IRP may need to adjourn the hearing to consider this new information.

## 12. Who will be at the Review Hearing?

- You and your partner (if they wish); where requested - a friend, representative or legal adviser (who would attend at your own cost); and, if you wish, your child.
- The Independent Review Panel - 3 members. See section 13 of this guidance for more information.
- The Clerk to the Review Panel.
- The head teacher from the School / Academy / PRU
- A representative from the Governing Board of the School / Academy / PRU.
- Any witnesses called by the School / Academy / PRU or by you.
- If the School / PRU is maintained by the Local Authority, a representative of the Local Authority may attend.
- If the School / alternative provision has Academy status, a Local Authority representative may attend at your request, but may only make representations with the consent of the Academy.
- A SEN expert, but **only** if you requested one at the time you lodged your application for review. See section 14 of this guidance for more information.
- If attending, and where relevant, the alleged victim or his/her representative may be present for part of the review hearing.
- Sometimes there is also an observer. This may be someone who is training to be a review panel member or review panel clerk. You will be asked before the start of the hearing if you object to an observer being present for any part of your review hearing.

## 13. Who are the Independent Review Panel (IRP) Members?

Independent Review Panel (IRP) Members must have no connection of a kind which might reasonably raise doubts about the impartiality regarding any of the parties or individuals involved with the case. The IRP will have three members:

- One member must be, or have been within the previous five years, a Head Teacher / Principal;
- One member must be, or have been:
  - (i) A governor of a maintained School,
  - (ii) A member of a pupil referral management committee,
  - (iii) A director of the proprietor of an Academy,

Provided that they have served in that capacity for at least 12 consecutive months within the last 5 years, and they have not been a teacher or Head Teacher during the last 5 years;

- One member must be a lay person, that is, someone who has never worked in a school in a paid capacity (disregarding any experience as a school governor or volunteer). The Lay member must be the Chairperson of the IRP.

All members of the IRP (and their Clerk) must have received the required training.

Anyone who has, or has had, a connection with the school or with any of the parties involved in the case **cannot** sit on the Independent Review Panel.

#### **14. Who is the Special Education Needs (SEN) expert?**

Parents have a right to request the attendance of a SEN expert at the review hearing. This applies irrespective of whether or not the school recognises that the child has Special Educational Needs.

The SEN expert should be a professional with first-hand experience of the assessment and support of SEN, as well as an understanding of the legal requirements on schools in relation to SEN and disability. He or she should be impartial. This means that they will not have, or at any time have had, any connection with the Local Authority, School / Academy / PRU, or the incident leading to the exclusion, or you or your child (or his / her siblings), which might raise doubts about their ability to act impartially.

The SEN expert's role is like an expert witness. They will provide impartial advice to the IRP on how Special Educational Needs might be relevant to the exclusion. The SEN expert should base their advice on the evidence provided to the panel. The SEN expert's role does not include making an assessment of your child's Special Educational Needs.

The focus of the SEN expert's advice should be on whether the school's policies which relate to SEN, or the application of these policies in relation to the excluded pupil, were legal, reasonable and procedurally fair. If the SEN expert believes that this was not the case, he/she should advise the IRP on the possible contribution that this could have made to the circumstances of the pupil's exclusion.

#### **15. What is the role of the Clerk?**

The role of the Clerk is to provide you, the school and its Governing Board with impartial support whilst arrangements for the hearing are made. This does not extend to advising either party as to the content or conduct of their respective cases. It is the Clerk's responsibility to ensure that everybody involved in the process clearly understands the process and what is required of him or her.

The Clerk remains neutral and independent and cannot advise you on how to conduct your review. The Clerk is an independent source of advice on procedure for all parties and will have received training and have experience in the conduct of reviews. The Clerk must also ensure that all the relevant facts are established and that the review hearing is fair and impartial.

When the IRP withdraws to make its decision in private, the Clerk remains with the IRP but only for the purpose of offering advice on procedure or law, and recording the decision itself, and the reasons for it. **The Clerk takes no part in the discussion or the decision-making process.**

During the course of the hearing, the Clerk is required to take notes of what is said. **These will remain confidential and are kept for a period of five years.** Proceedings are not recorded electronically.

The Clerk will communicate the IRP's decision to all parties.

## **16. What information will be available at the review?**

The Clerk will circulate paperwork to all those involved in the Review. This may include:

- a. Copies of relevant paperwork such as:
  - The Governing Board's decision letter;
  - The minutes of the Governing Board's meeting;
  - Your application for a Review and any supporting paperwork you have provided;
  - Any policies or documents that the Governing Board was required to consider when making their decision;
- b. Witness statements - which should be signed and dated, but can be anonymised

Physical evidence could also be made available.

If documents have been requested and not provided, the IRP will consider whether an adjournment is needed, possibly to another date.

## **17. Is there a deadline for sending in further paperwork / can new evidence be put forward?**

Wherever possible, try to ensure that any documents that you rely upon as part of your submission are sent to the Clerk before the hearing. The School / Academy / PRU will be asked to do the same. This allows both you and the IRP sufficient time to read all the relevant information. Remember, the IRP will receive the same information and case papers as you.

If you raise matters or produce documents at the hearing which have not been circulated to all parties in good time before the hearing, then an adjournment may be necessary to allow all parties to consider them.

If the School or Academy submits further evidence, it must relate to the incident or event that occurred, not a fresh one.

**18. What standard of proof do the IRP apply?**

The IRP will apply the Civil Standard of proof. This means they will make a decision 'on the balance of probabilities' - it is more likely than not that a fact is true. They do not apply the Criminal Standard of proof of 'beyond reasonable doubt'.

**19. What happens if the police are involved and parallel criminal proceedings are taking place?**

If the police are involved in the incident or parallel criminal proceedings are taking place, the IRP can still proceed with the Review process. The IRP would need to consider:

- Whether any charge has been brought against the pupil, and, if so, what the charge is;
- Whether relevant witness statements and documents are available;
- The likelihood of delay if the hearing were adjourned and the effect it may have on the excluded pupil, the parents, any victim or the school; and
- Whether an adjournment or declining to adjourn, might result in injustice.

**20. How will the hearing proceed on the day?**

The key aim is to apply the rules of natural justice so that all parties are able to present their case and the Review is carried out in such a way that no outsider could consider there was any unfairness or bias. It is for the IRP to decide how to conduct the hearing, however the order is likely to be:

- a. Chairman's Introduction
- b. Case for the School / Academy / PRU
- c. Questions to the representatives of the School / Academy / PRU
- d. Local Authority view (where relevant)
- e. Questions to the Local Authority (where relevant)
- f. Alleged victim's statement (if required)
- g. Parent's case including your child's view
- h. Questions to parent's and pupil
- i. SEN Expert view (if required)
- j. Questions to the SEN Expert
- k. Summing up by School / Academy / PRU
- l. Summing up by parent / pupil

**21. How long does the review hearing take?**

It is difficult to say exactly, as the main aim of this process is to make sure that all parties have a fair and impartial hearing, with every opportunity to say what you need to say, and to ask as many questions as you feel necessary. For that reason, no time limit is set, and the hearing will take as long as is necessary for all the information to be put to the IRP by you and by the School/Academy/PRU. It is not unusual for a review to last all day.

## 22. Short Adjournments

It may be necessary for the hearing to be adjourned for a short period, for example, for a break or to clarify a particular issue. If this is the case, both parties will be asked to leave the room. Neither party may be left on its own in the same room as the IRP. It is possible that a longer adjournment may be required, in which case the hearing can be arranged for an alternative date whilst the information is obtained or considered. If necessary, the IRP may adjourn more than once. It is also possible, although very rare, for the process to take more than a day.

## 23. What powers does the IRP have?

The IRP **cannot** reinstate your child or “wipe the slate clean”, so the exclusion will remain on your child’s school records. However, the IRP may:

- uphold the exclusion – that is refuse your application; or
- recommend that the Governing Board reconsiders their decision; or
- quash the decision and direct that the Governing Board reconsiders reinstatement.

## 24. On what grounds can the IRP quash the decision?

The IRP may only quash the decision on the principles applicable to judicial review. Therefore, they need to apply the following tests:

- **Illegality** – did the Governing Board act outside the scope of its legal powers in deciding that the pupil should not be reinstated?
- **Irrationality** – did the Governing Board rely on irrelevant points, fail to take account of all relevant points, or make a decision so unreasonable that no Governing Board acting reasonably in such circumstances could have made it?
- **Procedural Impropriety** – was the process of Governing Board’s consideration so procedurally unfair or flawed that justice was clearly not done?

Please note that **procedural impropriety** means not simply a breach of minor points of procedure, but something that has a significant impact on the quality of the decision-making process. The following are examples of procedural impropriety as set out in the Department for Education’s Guidance:

- Bias – for example a member of the Governing Board having a direct or personal interest in the case;
- Failing to notify parents of their right to make representations;
- The Governing Board making a decision without having given parents an opportunity to make representations;
- Failing to give reasons for a decision; or
- Being a judge in your own cause, for example if the Head Teacher who took the decision to exclude were also to vote on whether to uphold the exclusion.

**25. When would the IRP recommend the Governing Board reconsider their decision?**

Where the criteria for quashing a decision have not been met, the IRP should consider whether it would be appropriate to recommend that a Governing Board reconsiders their decision not to reinstate a pupil. This should not be the default option but should be used where evidence or procedural flaws have been identified that do not meet the criteria for quashing the decision, but which the IRP believe justify a reconsideration of the Governing Board's decision.

**26. Does the IRP have any other powers?**

The IRP may also:

- a) direct the Governing Board to place a note on your child's educational record - for example where a Governing Board does not decide to reinstate a pupil following a direction to reconsider, it must be noted that the exclusion will not count towards the rule that an admission authority may refuse to admit a child who has been excluded twice;
- b) in the case of a Local Authority School / PRU, order that a readjustment be made to the school's budget, or, in the case of an Academy, order that the Academy must make a payment directly to the Local Authority in which the Academy is located, in the sum of £4,000 within 28 days if, following the decision by the IRP to quash the original decision, the Governing Board:
  - (i) reconsiders the exclusion and decides not to reinstate your child (where you want your child to be reinstated), or
  - (ii) fails to reconsider the exclusion within 10 school days after notification of the IRP's decision.

**27. When will I hear the outcome of my review?**

The Clerk will telephone you as soon as possible after the IRP has decided on your case and will also write to you, the Head Teacher / Principal and Governing Board detailing the IRP's decision without delay.

**28. Is the IRP's decision binding on anybody?**

Yes. The parent / child, the Governing Board, the Head Teacher / Principal and the Local Authority are bound by the IRP's decision.

However, where you or the School / Academy / PRU apply for a judicial review of the IRP's decision and are successful in that application, the High Court may order a re-hearing of the review.

**29. What should I do if I think the decision to exclude my child was the result of discrimination?**

**In addition** to the right to apply for a review to be heard by an IRP, if you believe the exclusion has occurred for a reason related to your child's disability, under the Equality Act 2010, you can make a disability discrimination claim to the First-tier Tribunal

(SEND – Special Educational Needs and Disability). Their contact details can be found under section 31 of this guidance. You **MUST** lodge your claim within 6 months of the date your child was permanently excluded.

If your claim is successful, the First-tier Tribunal can direct the School / Academy / PRU to reinstate your child.

Alternatively, you can choose to make this claim to the IRP. However, the IRP **does not** have the power to direct reinstatement.

If you make a claim to the IRP, you should put the reasons for claiming disability discrimination in writing on the review application form or provide details in your letter requesting a review.

You can make a claim of discrimination to the First-Tier Tribunal before deciding to apply for a review hearing. Where this is the case, you **MUST** apply for a review hearing within 15 school days of the date when the discrimination claim is finally determined.

Where you make such claims at the same time as applying to the IRP for a review too, the arrangement for the review hearing must not be delayed or postponed.

If you consider your child has been harassed, victimised, or directly or indirectly discriminated against because of their sex; race; religion or belief; sexual orientation; because of pregnancy / maternity; or because of gender reassignment, you can make a discrimination claim to the County Court, which you must lodge within 6 months of the date your child was permanently excluded.

If your claim to the County Court is successful, they can direct the School / Academy / PRU to reinstate your child.

For any claims of discrimination, you may wish to contact the Equality & Human Rights Commission (EHRC) for further help and advice. Their contact details are listed in section 31 of this guidance.

### **30. What happens if I need an interpreter / signer or other help?**

You may have an interpreter or signer at your review hearing. If you would like the Clerk to arrange this for you, at the school/academy's expense, please ask the Clerk well before the hearing. Alternatively, if you would prefer, you may arrange for your own interpreter / signer to come with you, but at your own cost.

You can also ask the Clerk for this information in large print, Braille, in audio format, on computer CD or in other languages.

### 31. **Is there anyone who can help me with preparing for my review?**

In the first instance, contact the Clerk to the Review Panel, who can help you with any queries or concerns you may have. Contact details for them are:

Clerk to the Review Panel  
Bournemouth Education Appeals Service  
Democratic Services  
Town Hall  
Bournemouth  
Dorset BH2 6DY

Telephone: 01202 451163  
Email: [schoolappeals@bournemouth.gov.uk](mailto:schoolappeals@bournemouth.gov.uk)

Below are other sources of information and advice that you may wish to use:

#### **SENDIASS – Special Educational Needs and Disabilities Information, Advice and Support Service**

SENDIASS (formerly known as The Bournemouth Parent Partnership Service) operates on a part time, term time basis. They provide free impartial independent information, guidance and support to children and young people up to the age of 25 with Special Educational Needs and their families.

Telephone: 01202 451970  
Website: <https://www.bournemouth.gov.uk/childreducation/sendiasm/SENDIASS.aspx>

#### **Child Law Advice - Coram Children’s Legal Centre (CLCC)**

Coram Children’s Legal Centre (CLCC) is an independent national charity specialising in law and policy affecting children and young people. Their Child Law Advice advisors provide free legal information, advice and representation to children, young people, their families, carers and professionals.

Telephone: 0300 330 5485 Mon – Fri 8.00am – 6.00pm  
Website: [www.childlawadvice.co.uk](http://www.childlawadvice.co.uk)

#### **Advisory Centre for Education (ACE) Advice**

ACE produces a wide range of publications which offer helpful advice on children’s education. One particularly useful free booklet is called “Permanent Exclusions” which goes through all the steps in the exclusion process.

Website: [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

#### **The Equality and Human Rights Commission (EHRC)**

Provides advice regarding all discrimination claims via the Equality Advisory Support Service (EASS)

Telephone: 0808 800 0082  
Textphone: 0808 800 0084  
Website: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

## **IPSEA**

IPSEA is a national charity which provides free legally based advice to families who have children with Special Educational Needs

Telephone: 0800 018 4016  
Website: [www.ipsea.org.uk](http://www.ipsea.org.uk)

## **The Secretary of State for Education**

Department for Education (DfE)  
Sanctuary Buildings  
Great Smith Street  
London SW1P 3BT

Telephone: 0370 000 2288  
Fax: 01928 738248  
Website: [www.education.gov.uk/help/contactus/dfе](http://www.education.gov.uk/help/contactus/dfе)

The DfE has produced guidance, which Head Teachers, Principals, Governing Boards and IRP's must have regard to. It can be obtained at:  
<https://www.gov.uk/government/publications/school-exclusion>

You may also wish to access the following sources of advice from the DfE:

DfE advice on setting a school's behaviour policy:  
<https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>

DfE advice on school discipline and exclusions  
<https://www.gov.uk/school-discipline-exclusions>

DfE advice on complaining about a school or childminder  
<https://www.gov.uk/complain-about-school>

## **First-tier Tribunal (SEND)**

The first-tier Tribunal (Special Educational Needs and Disability) is part of the system of courts and tribunals which decides appeals and claims. Amongst other things, SEND hear appeals against schools in respect of disability discrimination.

HM Courts & Tribunal Service  
Special Educational Needs & Disability  
1<sup>st</sup> Floor  
Darlington Magistrates' Court, Parkgate  
DL1 1RU

Tel: 01325 289350  
Email: [sendistqueries@hmcts.gsi.gov.uk](mailto:sendistqueries@hmcts.gsi.gov.uk)  
Website: [www.justice.gov.uk/forms/hmcts/send](http://www.justice.gov.uk/forms/hmcts/send)

## **Bournemouth County Court (for racial and other discrimination claims)**

Courts of Justice  
Deansleigh Road  
Bournemouth  
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To obtain **Education Acts and relevant regulations**, visit [www.legislation.gov.uk](http://www.legislation.gov.uk)

### **32. What can I do if I am unhappy about the review process?**

For schools other than Academies, you can ask the Local Government Ombudsman (LGO) to investigate. This **is not** a right of appeal, as the LGO can only investigate written complaints about procedural flaws in how the Review was conducted.

For Academies, you would need to contact the Education and Skills Funding Agency (ESFA), an agency established by the Department for Education to act on behalf of the Secretary of State for Education. The EFA would handle a complaint about the administration of an Independent Review Panel for an Academy.

You can employ a solicitor and seek Judicial Review in the High Court.