



Astrea Academy Trust
INSPIRING BEYOND MEASURE

Terms of Reference
Statutory Review Committee
2020/21

Date	September 2020
Written by	Head of Governance and Legal
Adopted by Trustees	July 2020
Review Date	July 2021, then annually upon publication of the Academies Financial Handbook

Remit and Responsibilities of the Statutory Review Committee

Background:

The Statutory Review Committee was established by Trustees of Astrea in July 2018 in recognition of the need to ensure robust oversight and efficiency of providing panels for exclusions across the Trust. The Committee allows the Trust to 'pool' Trustees, local committee members, central colleagues and Principals for the purpose of exclusion and other statutory reviews, or those required by policy.

The Committee is constituted as two Regional Boards (one for Cambridgeshire and one for South Yorkshire) under Article 100(b) of the Articles of Association.

Remit:

1. To make such decisions provided for by law or by policy where a review or appeal panel is required. For the avoidance of doubt, 'appeal' does not refer to admissions appeals or to independent review panels.

Membership:

2. The membership of the Committee shall include:
 - i. Trustees of Astrea;
 - ii. Members of a Transition Management Board or Local Education and Consultative Committee within Astrea, including Principals;
 - iii. Central Team employees;
 - iv. Exceptionally, any independent person appointed by an Executive Director or the Head of Governance and Legal for a particular review.

Specific Responsibilities:

3. Trustees have overall accountability for the Trust's compliance with statutory requirements;
4. The Head of Governance and Legal is accountable to Trustees for the performance of the Statutory Review Committee;
5. The Chair of a panel is responsible for the orderly conduct of a hearing and for ensuring that due process is followed throughout the hearing and panellists' deliberations;
6. The Clerk to the panel is also responsible for ensuring due process and for ensuring that the panel remains alert to its duties;
7. The Chair and the Clerk are responsible for ensuring that the relevant post-hearing notifications are made to parents, the Trust and the Local Authority, via the school where appropriate.

Composition:

8. An individual review panel will ordinarily consist of three members, unless otherwise required by statute or by policy.
9. Exceptionally, the Head of Governance and Legal may authorise an exclusion to be considered by a panel of two members, but a decision cannot be taken by this panel other than by unanimity. If a decision cannot be agreed upon between the two panellists, the

panel is extinguished and a review must be reconvened. For the avoidance of doubt, the Chair will not have a 'casting vote'.

Training:

10. From January 2020, Trustees expect the clerk of any exclusion review panel to be trained in exclusions.
11. From January 2020, Trustees expect at least one panellist on any given panel to be trained in exclusions.
12. From April 2020, Trustees expect at least two panellists on any given panel to be trained in exclusions.
13. The training must cover:
 - The Principal's power to exclude, including the principles of public law;
 - The Trust's responsibility to consider reinstatement;
 - The requirements of due process;
 - The Astrea Exclusions Policy and Pre-Exclusion Assessment Process (PEAP).
14. This training shall be the responsibility of the Head of Governance and Legal who must also endeavour to ensure that the expectations above are met.
15. Trustees accept that there will be occasions when it is not possible to convene a panel within the statutory timeframes whilst satisfying the expectations above. In these circumstances, priority must be given to meeting the statutory timeframes.

Reporting:

16. The Head of Governance and Legal must supply a report to the Education, Inclusion and Safeguarding Committee on a termly basis. This report must include:
 - i. The number of panels convened to consider reinstatement of an excluded child;
 - ii. The number of decisions not to reinstate a child (i.e. to uphold the exclusion);
 - iii. The number of decisions to reinstate a child (i.e. to overturn the exclusion);
 - iv. The number of applications for independent review and the outcome of any such reviews;
 - v. From January 2020, the number of panels clerked by someone who has not undertaken exclusions training;
 - vi. From January 2020, the number of panels without at least one trained panellist;
 - vii. From April 2020, the number of panels without at least two trained panellists.
17. Where known, the Head of Governance and Legal must provide reasons for the cases falling into categories v - vii above.