



## **P7.1 (ISI 33A) – APPEALS PROCEDURE**

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Governor Review By:	Full Council	30 <sup>th</sup> November 2021

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## Revision History

Revision	Paragraph Number	Revision
November 2017		
October 2020		
October 2021	Whole document	Update job title to change “Bursar” to “Bursar & COO”, “Director of Development” to “Director of External Relations” and “Head of Pastoral Care” to “Director of Pastoral Care”. Amend references to “Headmaster” to “Head” to align with other School documents.
	Abbreviations, Acronyms and Definitions	Update definition of Leadership Team to add “Head of Boarding”.
	Paragraph 5	Add “and any other policies referred to therein’ in first sentence.
	Paragraph 17	Add Policy number

## Abbreviations, Acronyms and Definitions

Abbreviation / Acronym	Definition
DSL	Designated Safeguarding Lead
ISI	Independent Schools Inspectorate
Leadership Team	Consists of : Head, Director of Academic Studies, Director of Music, Bursar & COO, Director of External Relations, Director of Pastoral Care & DSL and Head of Boarding
Parents	Adults with parental authority for a child

## **Aim / Objective / Statement of Intent**

1. This document provides information for parents on the process to follow should they wish to appeal a decision made by the School to either exclude or permanently expel their child from the School.
2. Where a parent or pupil wishes to appeal against examination results they should follow the process for that specific examination board. Details are available on request from the School's Exam Officer.
3. Where a parent or pupil wishes to complain about any other matter they should follow policy P7 Complaints Procedures.
4. Staff should follow the Staff Grievance Procedures where relevant.

## **Introduction**

5. The School will follow the P3 Behaviour Management Policy and any other policies referred to therein. Exclusion from the School is only used in response to a serious breach or breaches of the School Rules, where the parents' actions are in serious breach of the Parent Contract, where the safety of the pupils and staff or the good name of the School might be compromised.
6. Parents may request a review following a decision to expel or to require temporary removal of a pupil. The appeal hearing is concerned with the process followed by the School and of the sanction imposed. That review is not a rehearing of the case and is limited in scope. The main task of the hearing is to consider whether the Head took all relevant matters into account when making his decision, and whether the sanction imposed is fair and proportionate.
7. The possible outcomes of the appeal hearing are:
  - The upholding of the Head's decision
  - The referral of the matter back to the Head for further consideration of the issues which have been raised during the appeal
  - The upholding of the appeal

## **The Procedure**

8. If parents seek to appeal against a decision to expel or to exclude a pupil, they must do so within 7 calendar days of formally being made aware of the exclusion or expulsion.

9. Appeals must be made to the Clerk to the Governors (the Bursar & COO), who has been appointed by the Governors to call hearings of a Review Panel.
10. The matter will then be referred to the Review Panel for consideration. The Review Panel, will consist of three people: two Governors not directly involved in the matters detailed in the appeal and one person who shall be independent of the management and running of the School. One of these people will be elected by the Chair of Governors as Chair of the Review Panel by the Chair of Governors. The Clerk to the Governors, on behalf of the Review Panel, will then acknowledge the appeal and schedule a hearing to take place as soon as practicable and within 28 calendar days.
11. If the Review Panel considers it necessary, it may require that further particulars of the appeal or any related matter be supplied in advance of the hearing. Copies of such particulars shall be sent to members of the Review Panel not later than 14 calendar days prior to the hearing. The parents will be entitled to receive copies of all these documents. Some documents may need to be redacted in order to comply with the General Data Protection Regulations and the Data Protection Act 2018.
12. The parents may attend the hearing in person or remotely and may be accompanied by one other person if they wish. This may be a relative, teacher or friend. Where additional support is required, for example where the parents speak little or no English, a further person may also attend in order to improve accessibility. Legal representation will not normally be permitted.
13. Those attending the hearing are expected to show courtesy, restraint and good manners, otherwise the Chair of the Review Panel may adjourn or terminate the review hearing. If the hearing is terminated as a result of parents not meeting these expectations, the original decision will stand.
14. If possible, the Chair of the Review Panel will respond to the parents' appeal immediately without the need for further investigation. Where further investigation is considered required by the Review Panel, the Review Panel will decide how it should be carried out.
15. After due consideration of all the facts they consider relevant, the Review Panel will reach a decision.
16. The Chair of the Review Panel will provide a copy of its decision to the parents within 7 calendar days of the end of the hearing. The Review Panel's decision will be final and cannot be the subject of any further appeal under the terms of the School's P7 Complaints Procedure.
17. A written record will be kept of all appeals in accordance with the School's Data Retention Policy (P90.5). The written record will also include any action taken by the School as a result of the appeal, regardless of whether the appeal is upheld or dismissed.

18. Where an appeal is upheld, the pupil should return to School the next teaching day whenever possible. School Staff will make all reasonable efforts to ensure that this return is successful for the pupil.
19. All proceedings surrounding the appeal will remain confidential and will not be shared beyond those persons directly involved in the appeal process, but relevant School Staff will be informed of any changes required as a result of the appeal.

### **Timescales**

20. The timescales set out in this policy for the School's response refer to appeals made during term time. When a complaint is made during, or just before, a period of school closure, although the School will endeavour to respond to the complaint as quickly as possible, the timescales indicated above will commence from the first day of the next term or half-term.