



**APPEAL PROCEDURES
AGAINST THE EXPULSION OR SUSPENSION OF A PUPIL
Junior School**

Applicable to: Pupils and parents/guardians

Aims: To allow pupils and their parents/guardians to request a review of a decision by the school to expel or suspend her. To ensure the review is conducted fairly.

Important Note:

These guidelines are non-contractual in nature. They have been prepared for the information and guidance of all who may become concerned in an appeal hearing following expulsion or the suspension of a pupil.

Applying for an Appeal

1. Parents/guardians must apply for a review of a decision by the school to expel or suspend the pupil using the Request for an Appeal Form. This form is available on the website or from the Headteacher and must be returned to the Director of Finance and Operations within five working days of receipt of the written notification of the decision in question.
2. Unless there are exceptional circumstances, the appeal hearing will take place within twenty eight days of the removal or expulsion, and may be sooner if convenient to all parties.
3. Each member of the Appeal Panel will be supplied with a copy of any relevant documents including records concerning the pupil's conduct. The parents/guardians shall be entitled to copies of all those documents save any which, in the opinion of the Headteacher, should not be disclosed.

The Appeal Panel

This will consist of a two member sub-committee of the Board of Governors, plus a person independent of the management and running of the School. The panel members will have no previous detailed knowledge of the case or of the pupil, parents or guardian, and will not normally include the Chair of Governors. Selection of the Appeal Panel will be made by the Chair of the Board of Governors.

The Review Hearing

1. This will take place at the School premises
2. Those present at the appeal hearing will normally be:-

- Members of the Appeal Panel
- The Headteacher
- Parents/guardians of the pupil concerned or those with parental responsibility
- The pupil
- Clerk to the Governors or his/her deputy

The parents/guardians/pupil may be accompanied by a friend or relation and by a member of the School staff if desired. That person will attend as a friend, not as a representative. If a friend or relation is to attend the hearing, the Clerk must be notified of his or her name and relationship with the complainant as soon as possible, and no later than two working days in advance of the hearing.

3. The proceedings will be chaired by one member of the Appeal Panel and will be conducted in an informal manner, and all statements made at the hearing will be unsworn. The proceedings will not be tape recorded but the Clerk will be asked to keep a minute of the main points that arise. All present will be entitled, should they wish, to write their own notes. The hearing shall be directed at all times by the Chair of the panel who will conduct the hearing in such a manner as to ensure that all those present have the opportunity of asking questions and making comments.
4. All those attending the hearing are expected to show courtesy, restraint and good manners. The Chair may in his/her discretion adjourn or terminate the hearing. If the hearing is terminated the original decision will stand.
5. The Panel will consider each of the queries raised by the parents/guardians/pupil so far as these are relevant to:
 - Whether the facts of the case, so far as they relate to the pupil, were sufficiently proved when the decision was taken to expel or suspend the student. The standard of proof will be the balance of probability.
 - Whether the sanction was warranted, i.e. proportionate to the breach of discipline or other events that were found to have occurred.
 - Whether any further evidence, subsequent to the Headteacher's initial decision, has been brought to light and which the Appeal Panel could consider.
 - In considering expulsion the Panel shall be entitled to consider the whole history of the pupil at the School, including any warnings previously given by the Headteacher or other members of the staff, and shall not be restricted to consideration of the particular matter that triggered the Headteacher's decision to expel.
6. The requirements of natural justice will apply.

7. If the Headteacher considers it necessary in the interests of the individual or of the School that the identity of any person should be withheld, the Chair of the Panel may require that the name of that person and the reasons for withholding it be written down and shown to the Appeal Panel. The Chair in his/her discretion may direct that the person be identified.
8. Up to two members of the School staff may be invited to make general comments about the pupil's character, conduct and achievements at the School if they are willing to do so.
9. When the Chair of the Panel decides that all issues have been sufficiently discussed and if by then there is no consensus he/she may adjourn the hearing.
10. The decision of the Appeal Panel will be final. It will be notified to the parents by the Chair of the Appeal Panel or the Chair of Governors by letter and also in certain circumstances by telephone, within three days of the hearing. All correspondence, statements and records relating to an individual complaint are kept by the Headteacher in the School's 'Complaint File'. They will be kept confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them. The results of the appeal are also recorded on the pupil's personal file.

**L Brown/Sally Dore Reviewed November 2021
Review date September 2022**