

EXPULSION APPEALS PROCEDURE

1. This policy sets out the procedure to be followed in cases where the parents (or guardians) of a child who is expelled by the Headmaster or who is required to leave on the grounds of unsatisfactory behaviour [or attainment] wish to appeal against the exclusion to the Governing Body.
2. When an appeal against exclusion is made, the Governing Body may establish an Appeal Panel of the Governing Body consisting of three Governors to hear the appeal. The Chairman, at his discretion, may substitute one external independent member for one of the Governors. No technical irregularity in forming the Appeal Committee will invalidate any hearing.
3. The membership of the Appeal Panel shall not include a Governor who has had any form of prior involvement in the case or whose presence on the committee might reasonably give rise to doubt as to that Governor's impartiality.
4. Notice of appeal must be made in writing to the Clerk to the Governors within 14 days of the expulsion and it must set out the grounds for the appeal.
5. The Clerk to the Governors will convene a meeting of the Appeal Panel as soon as reasonably practicable. The objective will be that the appeal will be heard within 15 school days of the notice of appeal being received, but this is not a binding obligation.
6. At least five school days before the hearing each side will supply the Appeal Panel (through the Clerk to the Governors) and the other party copies of any documents to be used at the hearing. At the hearing no documents may be presented which have not previously been supplied to the other side unless the Chairman of the Appeal Panel decides that it is fair to allow this.
7. The parents may have a friend or representative with them to present the case or help with its presentation. The parents may be legally represented, but in that case the Appeal Panel must be notified at least five days in advance of the hearing so that the School may arrange for the Headmaster also to be legally represented. If it is not possible to do this within five days the hearing will be adjourned for such time as is necessary to enable the School to arrange for the Headmaster to be represented.

8. The Chairman of the Appeal Panel may, at their decision, allow the Appeal Hearing to go ahead in the absence of the parent lodging the Appeal should they decide not to attend.
9. The order of proceedings will be for the Headmaster to present the reasons for the expulsion and call any relevant evidence. The parents will then present their case and call their evidence. Each party will have the opportunity to question the other and to question any witnesses. The members of the committee may ask questions at any time. It will not normally be appropriate for the expelled child or any pupil to attend or give evidence, although the Chairman of the Appeal Panel has discretion to allow this. After each party has presented his or her case the Headmaster will sum up followed by the parents who are entitled to have the last word.
10. The Appeal Panel will consider its decision in private and the Clerk to the Governors will communicate the decision to all parties as soon as practicable in writing with brief reasons.
11. The decision of the Appeal Panel is final. The Appeal Panel is entitled to consider the interests of the School and the School community as well as the interests of the expelled child. The Appeal Panel will either confirm the expulsion or direct that the child be reinstated. It has no power to impose any other sanction, but if the child is reinstated the Headmaster may impose a lesser sanction if he considers it appropriate.

Policy next due for review: September 2011