

APPEALS POLICY FOR EXCLUSION

Introduction

This policy is a demonstration of Alpha Plus Group's commitment to the fair and equitable treatment of all its pupils. It provides the means for parents to appeal against any permanent exclusion taken and present their case to an independent panel. All schools/colleges have the legal right to impose reasonable sanctions if a pupil misbehaves. This policy applies to all pupils, including those in the Early Years. The scope of the Appeals Policy covers the following policies and procedures:

- Behaviour, discipline and exclusion policy

Appeals Procedure

Parents wishing to appeal against the formal exclusion relating to their child must exercise this right within fourteen calendar days of receiving the letter confirming the outcome. Parents should put in writing their complaint, briefly outlining their grounds for making an appeal, to the relevant Director via enquiries@alphaplusgroup.co.uk. The letter of appeal should include a statement that clearly states the decision which is being appealed, the basis for the appeal and the outcome the parents are seeking.

The Chair of the Panel will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 working days. The Panel will be chaired by a level of management that is above the Head/Principal.

Both the Head/Principal who took the exclusion action, and the parents making the appeal, will be required to submit a written case in advance of the hearing date. This will allow the Panel members to familiarise themselves with the details of both cases as well as allowing all parties a chance to understand the other side's case.

The written case should include:

- Statement from the Heads/Principal/Parents.
- Events leading up to the exclusion and action that was taken.
- Key evidence and correspondence to support the case.
- Grounds on which the parents believe the management action was inappropriate.
- Management will need to provide their evidence to support the exclusion.

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- Detailed list of witnesses attending to give evidence. It is the parent's responsibility to arrange their own witnesses and the Panel will take no responsibility for any non-attendance.

The written case will need to be received by the Panel at least one week before the hearing date so copies can be circulated to all parties.

Conducting an Appeal Hearing

The Appeal Hearing is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law. Those present at the Appeal Hearing will normally be members of the Panel, the Head/Principal and any relevant member of staff, the pupil or his/her parents and anyone whom the Head/Principal considers should attend in order to secure a fair outcome. A member of school staff may speak generally about the pupil's character, conduct and achievements at the school if they are willing to do so.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or a friend. Legal representation will not be allowed.

The Panel will consist of at least three people who were not directly involved in the matters detailed in the complaint, one of whom must be independent of the management and running of the school/college. At least two Panel members will be selected from the following list of Alpha Plus Group Executives¹:

1. Educational Director Early Years
2. Educational Director Middle Years
3. Educational Director Senior Schools and Colleges
4. Educational Director Governance and Standards
5. Director of HR
6. Director of Finance
7. Director of IT
8. Chief Executive Officer

A clerk should be present in the meeting to keep a written record of the main points.

All those present will be entitled, should they wish, to write their own notes. Audio recordings of hearings are not permitted.

The appeal hearing should follow the format below:

1. The Chair of the Panel will introduce those present and outline the procedure to be followed.
2. The parents will present the reason for their appeal.

¹ If any of these people have had prior direct involvement trying to resolve the complaint (e.g. contact with the parents), then they should be excluded from the Panel.

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3. The parents may call a witness to support their case.
4. Management (i.e. the person who made the original decision, this could be the Head or Principal) may question the witness if they are present.
5. The Panel may question the witness.
6. Management may question the parents on their case.
7. The Panel question the parents on their case.
8. Management will present their response to the Panel.
9. Management may call a witness to support their case if they wish.
10. The parents may question the witness.
11. The Panel may question the witness.
12. The parents may question the management on their case.
13. The Panel may question the management on their case.
14. The parents will have the opportunity to sum up their case.
15. Management will have the opportunity to sum up their case.
16. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
17. Where further investigation is required, the Panel will decide how it should proceed.
18. After due consideration of all facts considered relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 14 working days of the hearing.
19. The Panel will write to the parents informing them of its decision and the reasons for it.
20. The Panel's findings and recommendations will be sent in writing to the complainant, the Head/Principal and, where relevant, the person regarding whom the complaint was made.
21. A copy of any complaint and findings/recommendations will be available for inspection on the school premises by the proprietor and the Head/Principal, and also made available to Inspectors, on request.

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Potential Outcome

- To fully overturn the initial management decision
- To fully uphold the initial management sanction

In reaching a decision, the Panel will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the Head/Principal followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

The decision of the Appeal Panel is final, and no further appeals will be allowed.

Terminology

'Parent' includes one or both parents, a legal guardian or education guardian.

Equality

The application of this policy is non-discriminatory and in line with equality legislation.

Interpretation

This policy applies in all schools, colleges other work environments within the Group.

This policy applies within the following companies, which are wholly owned subsidiaries of Alpha Plus Holdings plc, a company registered in England, registered number 4418776, that is to say:

Alpha Plus Group Limited, registered number 438111

Alpha Plus Education Limited, registered number 05290340

A.W. & P. Patton Ltd, registered number 507496

Alpha Plus Schools Limited, registered number 3867464,

and the terms "Group" and "Company" should be interpreted accordingly, dependent on the employing company.

The registered office of all companies is 50 Queen Anne Street, London W1G 8HJ. Any enquiries regarding the application of this policy should be addressed to the Head of HR at that address.