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# **Guidance About Exclusion Appeals**

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## **Advice For Secondary School Pupils**



## What is an Exclusion Appeal?

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- If the Governing Body's Pupil Discipline Committee upholds a permanent exclusion you will receive letters from the school and from the Chief Education Officer telling you of your right to appeal and the date by which you must send in your appeal.

You should send your appeal to Mrs Kathryn Thomas, Manager of School, Governor and Student Services, Education Department, Civic Centre, Oystermouth Road, Swansea, SA1 3SN.

In your letter of appeal you should state why you think you should be re-instated at the school and include any documents which you wish the Panel to consider in support of your case.

You can also obtain advice by telephoning Claire Abraham on 01792 635381.

- Secondary school pupils may appeal in their own right and will be given the information to do this (see separate document).
- You have a legal right to appeal against the decision of the head teacher and governing body. Your appeal will be heard by a group of independent people who have no connection with the school.
- You should **only** appeal if you wish to return to the school from which you have been permanently excluded. (Appeal Panels only decide whether or not you can return to school. It is **not** about clearing your name).
- The decision of the Appeal Panel is final.

## When will my appeal be heard?

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- The date of the appeal will be arranged by the Council's Legal Department within 15 school days of receiving your appeal and will write to tell you the date of the appeal. Appeals are usually held in the Civic Centre. If you have any problem attending on that date, let the Legal Department know immediately by telephoning 01792 636584.
- If you need a translator or have any disability with which you will need help, please let us know by telephoning 01792 636584.

## **Can I take someone with me to the meetings?**

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- Your parent/carer will usually attend with you.
- You may bring someone with you, e.g. a friend, your social worker or carer. The friend may speak on your behalf if you do not feel able to speak yourself.

## **What will happen at the appeal?**

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- The Clerk to the Panel will go through the procedures with you before you go into the room.
- The Panel members will introduce themselves and the Chair of the Panel or the Clerk will outline the order of speaking before the hearing starts.
- There will be 3 or 5 panel members.
- The head teacher from the school and an officer from the Education Department will be present. The head teacher will explain why he took the decision to exclude you. You will have the opportunity to ask questions.
- You will then be invited to address the Panel and present your reasons for requesting you are reinstated at the school.
- This is a formal procedure to make sure that everyone has the opportunity to make their views known and to ask questions of the other people present. However, every effort is made to help you make your case and feel at ease.

## **How will the Panel decide if I should be excluded?**

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- The Panel has to listen carefully to everyone and decide whether or not you did what is alleged to have happened.
- If they think you did what the head teacher said, then the Panel has to decide whether or not permanent exclusion was the appropriate punishment.

## **What happens if the Panel decides that I should return to school?**

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- The school must re-admit you.

## **What happens if the Panel decides that I should not return to the school?**

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- You will continue to receive home tuition until a decision is taken about your future education.
- You may be referred to the Local Authority's Education Other Than At School (EOTAS) Panel where recommendations will be made about your future education provision.
- You will be informed of these recommendations by an officer from the Legal Department and your views will be sought.
- The decision of the Panel is final and there is no further right of appeal.

## **Will I know the decision of the Panel on the day?**

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- The Panel will make a decision on the day. You will be notified in writing but the Clerk to the Panel will usually try and let you know on the same day, by telephone initially, and confirm this in writing within 2 school days.