

EXCLUSIONS AND APPEALS PROCEDURE

Audience	All Stakeholders
Status / review cycle	Three Yearly
Current review	March 2026
Next review	March 2029
Review committee	Strategy & Policy Committee & Full Board
Staff lead	Kate Parsons- Assistant Principal
Trustee lead	None

Introduction

Esher Sixth Form College is committed to providing an outstanding education to all of our students. However, there are times when a student's level of engagement or behaviour at the College has reached a point where their studies are non-viable, or there has been a fundamental breakdown in trust between the College and the student. In these instances, permanent exclusion is a last resort measure and only considered in the most serious cases.

Permanent exclusion may be considered for students at Level 5 of the College's Academic Engagement, Fitness to Study or Misconduct processes. For further information, see the Behaviour and Engagement Policy.

This document provides information on the procedure for permanent exclusions and appeals of those decisions.

1. Case Conference

When it becomes apparent that a student's study programme is likely non-viable, due to lack of engagement or low attendance, or in the instance of gross misconduct, a case conference is called.

This will involve the submission of the following evidence in advance:

- 1.1 An outline of the case from the Director who has been overseeing the student at Level 5 (Director of Student Development and Behaviour or Director of Safeguarding and EDI)
- 1.2 An inclusion check form completed by the relevant Director or Assistant Principal – Student Services and Communications
- 1.3 Any information that the student or parent wishes to provide, outlining mitigating circumstances

The Case Conference will be chaired by the Principal or Assistant Principal – Student Services and Communications.

The evidence will be discussed and the student (and parent/carers) will be informed of the outcome (permanent exclusion or the continuation of a Level 5 Plan).

The outcome will be formally communicated to the student and parents/carers in a letter within 5 working days (working days exclude weekends, college holidays, bank holidays and INSET days).

The decision to permanently exclude a student is taken by the Principal. Where the Assistant Principal chairs the Case Conference, a recommendation will be made to the Principal and the decision confirmed in writing.

2. Appealing the decision - Exclusion Appeal Panel

If the student or parents/carers wish to appeal a permanent exclusion, they may request that the matter be considered by an Exclusion Appeal Panel. Requests must be made within 10 working days of the date of the letter confirming exclusion and be sent to the Clerk to the Board of Trustees (clerk@esher.ac.uk) The appeal must explain why the student or parents/carers are appealing the decision to exclude and which aspects of the case they wish the Panel to consider.

- 2.1 The Clerk to the Board of Trustees will record the date the appeal is received and acknowledge receipt via e-mail within 5 College working days.
 - 2.2 The Trust Board will convene a Panel of at least three people comprising of two Trustees and including at least one independent member within 20 working days of the Exclusion Appeal Panel request being received by the Clerk to the Board of Trustees.
 - 2.3 Panel members will have had no prior involvement in the exclusion.
 - 2.4 The student and parents/carers will be invited to attend the hearing either in-person or remotely. The hearing will be arranged with a minimum of 10 working days' notice.
 - 2.5 One of the members of the Panel will be appointed as Panel Chair. The Panel and the student and parents/carers will receive all relevant information pertaining to the exclusion. At the Panel Hearing, the student and parents/carers, and representative(s) from the College, as appropriate, will be present. Each will have an opportunity to set out written submissions prior to the meeting.
 - 2.6 At the Exclusion Appeal Panel everyone will have the opportunity to give a statement in respect of the decision to exclude. The Panel, the student or parents/carers and the College representative(s) will be given the chance to ask and reply to questions.
 - 2.7 Once the student and parents/carers and the College Representative(s) have presented their cases, they will be asked to leave, and evidence will then be considered by the Panel.
 - 2.8 After consideration of the case and possible further investigation, the Panel will produce a summary of their decision. Where there is a disagreement within the Panel, a majority view will be taken.
 - 2.9 The Panel Chair, via the Clerk to the Board of Trustees, will inform the student and parents/carers and the College Representative(s) of the Panel decision within 10 College working days after the hearing.
- The Panel will consider:

- whether the relevant procedures have been followed;
 - whether the decisions reached were reasonable and proportionate.
- The Panel can:
 - uphold the exclusion
 - reinstate the student's place at the College
 - If the student's place at the College is reinstated, the Panel will:
 - where appropriate, recommend changes to the College's systems or procedures to prevent similar issues in the future.

The Panel's decision is final within the College.

3. Escalation beyond the College

Once this procedure has been exhausted, the matter may be referred to the Department for Education if they believe the College has failed to follow its Exclusion and Appeals Procedure or has not met the requirements of its Funding Agreement.

4. Linked Documents

- Behaviour and Engagement Policy
- Student Contract and Code of Conduct
- Academic Engagement Procedure
- Fitness to Study and Reasonable Adjustments Procedure
- Misconduct Procedure