



Appeals Procedure

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1 Introduction

- 1.1 There are occasions when students or parents wish to appeal against decisions made by the College. When establishing the facts in relation to an appeal, the civil standard of proof is required i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that it is accepted that something happened, if it is more likely that it happened, than that it did not happen.
- 1.2 This procedure outlines the process involved.
- 1.3 This procedure applies to the following:
- Admissions
 - Progression
 - Complaints
 - Student disciplinary matters
- 1.4 For Appeals related to Permanent Exclusion, see section 5.

2 Disability and Reasonable Adjustments

- 2.1 The College will comply with the Equality Act (2010) and make reasonable adjustments to its processes, procedures and decision-making as reasonable and relevant.
- 2.2 Should an appellant consider that they require reasonable adjustments to engage with this policy, the College encourages the appellant to discuss this with the Deputy Principal (or a member of the Senior Leadership Team) at the earliest opportunity. For full details, students and parents/guardians should read the [Learning Support Policy](#) on the College website.

3 Process

- 3.1 Appeals are coordinated by the Deputy Principal except in circumstances where the Deputy Principal has been directly involved in the original decision, in which case an alternative member of the Senior Leadership Team will coordinate the appeal.
- 3.2 An appeal against a decision must be forwarded to the Principal's Personal Assistant (principalspa@reigate.ac.uk) by email or post within 10 College days of the original decision being communicated. This will then be submitted to the Deputy Principal (or a member of the Senior Leadership Team) for consideration.
- 3.3 For the appeal to succeed, the appellant must:
- Provide evidence that the College has breached the policy concerned and/or
 - Sufficiently demonstrate that information used by the College in making its decision is incorrect or incomplete and/or
 - Present relevant and significant mitigating circumstances that the College has not reasonably considered in reaching its decision
- 3.4 The Deputy Principal (or a member of the Senior Leadership Team) may call upon advice from sources at their disposal in reaching a decision regarding the appeal, including legal expertise and advisors from professional associations. Such advice shall remain confidential as between the College and its advisors and will not generally be shared with the appellant.

4 Appeal decision

- 4.1 The outcome of the appeal will be communicated to the appellant within 15 college days of the receipt of the appeal at the College. Whilst reasonable endeavours will be made to adhere to these timeframes, there may be occasions where this is not possible. Should the College require an extension of time, this will be communicated to the appellant as soon as reasonably practicable upon this becoming apparent.
- 4.2 The decision of the Deputy Principal (or a member of the Senior Leadership Team) is final. No further appeal will be considered, and no further correspondence will be entered into regarding the original decision or the appeal, by the Deputy Principal (or a member of the Senior Leadership Team) or staff at Reigate College.
- 4.3 The appeal decision is confidential as between the College and the appellant and should not be shared with third parties or on social media, without the express written permission of the College.

5 Appeals Procedure relating to Permanent Exclusions

- 5.1 When a student is permanently excluded, the student will be informed of the right to appeal. The student must exercise this right within 10 college days of the original decision being made and the appeal must be communicated in writing to the Principal's Personal Assistant (principalspa@reigate.ac.uk). Where a student feels as though they are unable to make effective representation in writing, the College may, in its reasonable discretion, consider submission of a verbal appeal via pre-recorded video. The College will not usually consider appeals received outside of this timeframe.
- 5.2 The student may elect for a parent/guardian to make the appeal on their behalf, but this must be confirmed, in writing, by the student.
- 5.3 Where appropriate e.g. including some cases of SEND, LAC, EHCP or where there is a lack of parental support, representation may also be made from any supporting agencies e.g. Children's Services or via an Advocate. Detail of any Advocate arrangements should be provided to the College in advance for approval.
- 5.4 As this is an internal College procedure, legal representation is not normally permitted.
- 5.5 The appeal will be investigated and considered by an Appeals Panel, made up of the Chief Executive and two members of the Governing Body (Governors) from the Reigate Learning Alliance (the Trust). If the Chief Executive has been involved in the case at an earlier stage, another member of the Senior Leadership team will consider the appeal, as part of the Appeals Panel, in their place. The Panel will consider the appeal and convene the Appeals Panel within 10 college days of the appeal being lodged in writing.
- 5.6 The student (or parent/guardian where appropriate) will be invited to make representation in person or in writing to the panel. The Principal will represent the College. The Panel will consider the following:
- Whether the College has breached the policy concerned and/or
 - Whether the information used by the College in making its decision is incorrect or incomplete and/or
 - Any relevant and significant mitigating circumstances that the College has not reasonably considered in reaching its decision
- 5.7 At any point, the panel may require additional information from the student or parent/guardian to effectively discharge its duties, in respect of this policy. In these circumstances the request must be made as soon as reasonably practicable after it becomes reasonably apparent that this information is required and, in any event, within 10 college days of the appeal being lodged. The Appeal response time of 10 college days will be paused at this point, until the additional information has been provided. Should the information not be

provided by the student or parent/guardian within this timeframe, the College retains its discretion to continue the Appeals Panel Hearing in the absence of this information.

- 5.8 During the appeal period, the student can still contact their teachers for work missed, via email/Teams. Except for any pastoral/counselling support provided, the student must not engage in any conversation with any member of staff regarding the appeal nor the incident that has led up to it.
- 5.9 Following consideration, the Panel will decide whether to:
- Allow the student to return without precondition
 - Allow the student to return subject to conditions with the potential for a panel/parent return meeting if the panel believes necessary
 - Confirm the permanent exclusion of the student from the College
- 5.10 The decision of the Panel is final and will be confirmed in writing to the student within 10 college days of the appeal hearing.
- 5.11 Where a permanent exclusion is confirmed by the Panel, the student will, where appropriate, be offered Careers advice from the Careers Department at the College and may be referred to appropriate external agencies for support where appropriate.