

STUDENT DISCIPLINARY APPEALS

- 1.1. This policy describes how the Notting Hill Academy of Music (NHAM) looks upon the issue of appeals against a student disciplinary decision.
- 1.2. This policy applies to all students and is designed to ensure that students are treated in a fair and equitable manner.
- 1.3. The Education Administrator is responsible for managing and reviewing this policy and Education Administration is responsible for the effective operation of the Student Disciplinary Appeals policy and procedures outlined below.
- 1.4. The content of this policy aligns with government legislation, the regulations of NHAM's collaborative partner(s) and other external stakeholders to whom NHAM must make reference.
- 1.5. The Student Disciplinary Policy has a link with the following policies and procedures:
 - Student Disciplinary

2. Objectives

- 2.1. To explain in an open, transparent and accessible way NHAM approaches the issue of student disciplinary appeals.
- 2.2. To describe the steps of the NHAM student disciplinary appeals process.

3. Student Disciplinary Appeals

- 3.1. In matters of Student Disciplinary action, NHAM attempts to treat all students in a fair and equitable manner. If they believe they have not been fairly treated students have the right to appeal against a disciplinary decision.

4. Grounds for Appeal

- 4.1. In the case of both items 5 and 6 below, the student's appeal letter should set out the grounds on which the appeal is based in as much detail as possible, e.g.
 - how the disciplinary process was not followed in an equitable way;
 - the evidence that was available to the Chair was not used during the hearing; or
 - any other mitigating factors not considered at the original hearing.
- 4.2. If the student intends to be accompanied at the appeal, they must provide full details of the representative (i.e. name and status of the person) in their letter. Students under the age of 18 or vulnerable adults must be accompanied by a parent/ guardian.

5. Appeals against First and Second warnings

- 5.1. For both verbal and written first or second warnings, the student's appeal should be made in writing to the Education Administrator within five working days of the disciplinary action decision. The student's appeal letter should clearly state the grounds on which the student will base their appeal.
- 5.2. The student may bring a friend, parent, mentor or other representative to the interview. If the student intends to be accompanied at the appeal, they must provide full details of the representative in their letter. Students under the age of 18 or vulnerable adults must be accompanied by a parent/ guardian.
- 5.3. The student will be interviewed by the Education Administrator (or the Principal) within five working days of receiving the written appeal.

- 5.4. Following this, a decision will be given, in writing, within five working days of the interview.
- 5.5. The decision of the Principal shall be final.
- 5.6. The member of staff hearing a student's appeal will never be the same person who has been involved in the application of the original disciplinary action against them.

6. Appeals against Final Written Warning and Exclusion

- 6.1. The student's appeal should be made to the Principal within ten working days of the student being notified formally in writing of the decision of the disciplinary action. The student's appeal letter should clearly state the grounds on which the student will base their appeal.
- 6.2. Appeal hearings will be chaired by the Principal (or in his absence another senior member of the team) and arranged within ten working days of receipt of the student's appeal letter.
- 6.3. The student may bring a friend, parent, mentor or other representative to the appeal hearing. If the student intends to be accompanied at the appeal, they must provide full details of the representative in their letter. Students under the age of 18 or vulnerable adults must be accompanied by a parent/ guardian.
- 6.4. Where for any reason it appears to the Executive Team or nominee from the Senior Management Team that it is not possible for the student to attend in person, he or she shall be allowed to make written representations.
- 6.5. The Chair's decision will be sent in writing to the student within five working days of the appeal hearing taking place.
- 6.6. The decision of the Chair shall be final. These procedures are now complete.

7. If the student is dissatisfied with the outcome of NHAM's Student Disciplinary Appeal procedure:

- 7.1. If the student is dissatisfied with the outcome of NHAM's Student Disciplinary Appeal procedure, they can appeal to external bodies:
- 7.1.1 The collaborative partner, depending on the nature of the appeal. Information on the collaborative partner's procedures can be requested from Education Administration at registrar@nottinghillacademyofmusic.com

Procedures (Student Disciplinary Appeals)

1. Verbal and First Written Warnings

The student will be interviewed by the Education Administrator (or nominee) with a member of Education Administration present to act as a note-taker. The note-taker will record the main points of the meeting. The student may be accompanied by a friend, parent, mentor or other representative.

- 1.1. The Education Administrator (or nominee) will obtain details about the warning from:
- the student's record;
 - written evidence from the person who has issued the warning.
- 1.2. The Education Administrator (or nominee) will use this to outline to the student why they have been given a warning.
- 1.3. At this stage the student will present their appeal, citing the reason/s why the warning should be revoked.

1.4. The Education Administrator (or nominee) will then make a decision which will be conveyed in writing to the student within five working days. The decision of the Education Administrator is final.

2. Final Written Warning / Exclusion

This appeal will be chaired by the Principal (or in his absence another member of the senior team) and he / she may be accompanied by other staff acting in an advisory capacity, where appropriate. A member of Education Administration will also be present, to produce a brief written record of the appeal. The student may be accompanied by a friend, parent, mentor or other representative.

2.1. Education Administration will compile supporting documentation from the student's record e.g. copies of previous warnings, records of attendance etc.

2.2. The person who has issued the final warning / excluded the student will present their case, demonstrating why the action was taken.

2.3. The student (and their representative) will have the opportunity to ask for clarification. At this stage the student will have the opportunity to present their appeal, citing why NHAM should overturn the final warning or exclusion.

2.4. The Chair may ask the student for clarification or further information and then summarise the points that have been made.

2.5. The student is then asked if they wish to add anything further before the meeting is closed. They are informed that a decision will be given in writing and will be posted to them within the next five working days.

2.6. The Chair will then make a decision which will be conveyed in writing to the student. The Chair's decision is final. Copies of this letter will be forwarded to the Education Administrator, the Head of School and the decision recorded on the student's record on the NHAM MIS.

2.7. The written record of the meeting is confidential