



Appeals Procedures - guidance note

Appeals arise in schools (and MIST) at a defined point in various procedures, including:

1. Formal (final) stage in the complaints procedure for parents having exhausted informal and other formal stages
2. Formal (final) stage in certain employee procedures including appeals against decisions in respect of capability, discipline and grievance (see MIST guidance notes for these procedures).

Similar arrangements for hearing and managing appeals can be made in respect of all of these¹.

It is important that appeals are conducted in a fashion that is:

- Timely
- Consistent
- Fair (unbiased)

Appeals Committee (or nominated governor)

MIST recommends that each school appoints a nominated governor (or Committee) responsible for:

1. Receiving details of an appeal
2. Constructing an appeal panel
3. Reviewing the conduct and conclusions of appeals panels

On receipt of an appeal (usually from the Head, Bursar or Clerk to the Governors) the nominated governor or Appeal Committee (convened electronically) will:

1. Acknowledge receipt [usually within 5 working days] of the complaint/appeal to the complainant/appellant
2. Confirm to appellant/complainant the timescale for dealing with the appeal/complaint (consistent with the timeline described in the appropriate complaint/appeal procedure) [usually within 15 working days of acknowledging the complaint/appeal]
3. Appoint the Chair of the Appeal Panel
4. Compose the appeal panel to include at least two governors who have not been involved in any prior stage of the issue giving rise to the complaint/appeal and a person independent of the school's management/governance (who may be selected/approached from another MIST school or a MIST Trustee or ANO independent person)
5. Ensure that any papers required for the Appeal hearing have been received by the Appeal panel usually not less than three days before the date of the Appeal

NB. The Chair of Governors will not usually be either the nominated governor nor a member of the Appeals Panel.

¹ Heads currently have a right of a further appeal to MIST through the General Secretary. This appeal will be heard by a panel of 5 members who have had no previous involvement in the dispute. The decision of this panel will be final and reported to MIST Trustees as their next formal meeting



Appeals/Complaints panel

- The panel hearing will receive all papers in relation to the appeal
- The panel will be serviced by an administrative assistant appointed by the Appeals Committee
- The panel will consider all evidence provided to them and call any witnesses to speak at the Appeal hearing as they consider fit in order to consider the complaint/appeal/grievance
- The appeal panel will agree in advance the status and standing of any person requested by the appellant to accompany them at the hearing
- The decision of the panel will be communicated to the complainant/appellant in writing as soon as practicable after the appeal hearing
- The decision of the appeal panel will be final

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