



Oakswood College

Empowering Through Education



Emergency Student Exclusion and Suspension

Policy

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Oakswood College
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Student Emergency Exclusion and Suspension Policy

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Introduction to this policy – note for content providers/approvers

This policy outlines Oakwood College 's framework for taking urgent action to temporarily exclude or suspend a student in response to serious concerns about safety, wellbeing, conduct, or reputational risk. Emergency exclusion and suspension are precautionary measures used when a student's presence or participation poses a potential or actual threat to themselves, others, or the wider university community.

The policy defines the circumstances under which these powers may be invoked, the authority responsible for making such decisions, and the procedures for reviewing them. It ensures that actions taken are proportionate, time-limited, and grounded in fairness, while safeguarding the rights of all parties involved. This is not a disciplinary process, but an emergency response mechanism designed to protect individuals and uphold Oakwood College's integrity.

Contents

PART A: Student Emergency Exclusion and Suspension Policy 3

1. Introduction.....	4
Precautionary Measures	4
When to use this Policy and when to use Precautionary Measures.....	5
2. Definitions	5
3. Scope.....	5
Delegation.....	5
Verbal/Written Initial Notification	6
Formal Notification of action under this Policy	7
Safeguarding and PREVENT.....	7
Emergency Exclusion/Suspension & Support Through Studies.....	7
Criminal investigations / pending criminal charges against a student.....	8
Failure to comply on the part of a student.....	8
Data protection and management.....	8
Complaints about other students/staff by an excluded/suspended student	9

Part 2: PROCEDURES 9

2. Operational Information.....	9
Notifications	9
Initial (usually verbal) notification of an emergency exclusion/suspension.....	9
Follow-up to initial verbal notification	9
Formal written notification of an Emergency Exclusion / Suspension.....	10
Length of an Emergency Exclusion or Suspension	10
Procedure for instigating Emergency Student Exclusion or Suspension	10
Review of an exclusion/suspension order	11
New Information.....	12
Written Representations.....	12
Additional written representations after a renewed/extended exclusion or suspension	12
Extensions of an emergency exclusion/suspension order.....	13
3. Permitted Actions During Periods of Temporary Exclusion and Temporary Suspension	13
4. Emergency Permanent Exclusion by the CEO	15
5. Emergency Permanent Exclusion - Appeal Procedure.....	15
Right of appeal against Emergency Permanent Exclusion.....	15
Making an appeal against a decision of emergency permanent exclusion	15
Grounds of appeal.....	15

Appeal Reviewer	16
Submitting an appeal against Emergency Permanent Exclusion.....	16
Authentication of an appeal submitted by a third party on behalf of a student	16
Initial Review	16
Appeal Review and Outcomes.....	17
Appeal Procedure: Stage One.....	17
Appeal Procedure: Stage Two	17
Completion of Procedures	18

Appendices

Appendix A: Emergency Student Exclusion and Suspension Procedural Flowchart

Appendix B: Data Consideration Principles Regarding the Disclosure of Information to Third Parties

Appendix C: Risk Assessment

Appendix D: Record of Emergency Decision Form

Appendix E: Appeal against Emergency Permanent Exclusion Form

PART A: Student Emergency Exclusion and Suspension Policy

1. Introduction

1.1 Where they have reasonable belief that there is good reason to do so, the CEO of Oakwood College has the power to take emergency action to exclude or suspend any student from Oakwood College for a limited period where circumstances necessitate.

1.2 The CEO may determine that a student should be temporarily suspended and/or excluded, **without prejudice**, where a concern is raised relating to a student's wellbeing and/or conduct (whether on or off Oakwood College premises) which represents a potential or actual threat to any of the following:

- safety;
- security;
- health and wellbeing;
- good order, or
- reputation

of the student, and/or of Oakwood College, its members, an external organisation or placement provider, or members of the public.

A list of examples of occasions where this might be the case is outlined below:

- A student is considered a danger to themselves and/or others
- A student might have seriously breached the published Oakwood College Student Code of Conduct & Behaviour, other Oakwood College policy, and/or any other applicable policy or code of conduct (e.g. a code of conduct or Health & Safety Policy belonging to a placement provider)
- A student for whom a criminal charge is pending, or who is the subject of police investigation
- Where a previously undisclosed relevant criminal conviction comes to light
- A student is presenting with urgent critical 'Support Through Studies' concerns (e.g. such that their health or other circumstance is preventing them from being fit to study)
- A student who is the subject of an allegation of misconduct
- A student is presenting with concerns that fall within the scope of the PREVENT Duty
- There is an identified need to protect the health and safety and/or property of the student and/or Oakwood College community

The above list is not exhaustive, and the CEO shall be satisfied that good and/or urgent cause exists to warrant the invoking of these emergency powers.

1.3 In operating any of the processes or procedures under this Policy, the CEO may as necessarily delegate duties to a senior member of Oakwood College staff, and/or nominate a member of staff to operate procedures on their behalf.

Precautionary Measures

1.4 Similar to the Emergency Powers under this Policy, Oakwood College also has 'Precautionary Measures' under the Policy on Sexual Misconduct & Harassment (see Appendix C to that policy). Whilst both the Emergency Powers and Precautionary Measures are similar and operated in a similar way, some of the rules governing each procedure are different. This policy is not invalidated by Oakwood College's application of Precautionary Measures and vice versa.

When to use this Policy and when to use Precautionary Measures

1.5 Where there is a case necessitating the possible emergency exclusion or suspension of a student, this Policy will normally apply unless the case in question arises under or falls within the scope of the Policy on Sexual Misconduct and Harassment, in which case the Precautionary Measures will normally apply. The CEO (or their nominee, as appropriate) will determine at the relevant time which policy is most appropriate, taking account of the best interests of all affected students. For example, where emergency conditions may need to be imposed upon one or more students but the case does not warrant emergency exclusion or suspension, the Precautionary Measures will be used.

2. Definitions

1.6 **Exclusion** means that certain restrictions are placed upon a student's access to Oakwood College or any parts of Oakwood College premises, and/or any related facilities, service(s) or functions to which the student would normally have unrestricted access. An exclusion order made by the CEO under this policy may include an order restricting or prohibiting contact between the student and a particular individual or individuals (whether other students or staff).

1.7 **Suspension** means that attendance at, or access to, Oakwood College, and participation in any or all Oakwood College activities (including course-related activities taking place externally), is prohibited until the term of suspension is lifted. However, the suspension may be subject to qualification, such as exceptional permission to attend campus for the purpose of an assessment. A suspension order made by the CEO under this policy may include an order restricting or prohibiting contact between the student and a particular individual or individuals (whether other students or staff).

1.8 **'Delegate/Nominee'** means a specific senior member of Oakwood College staff given authority by Oakwood College's CEO to take action under this Policy on their behalf. For more information, please see **'Delegation'** in Section 3 of this Policy.

3. Scope

1.9 Emergency Suspension or exclusion under this procedure will not be used as a penalty. The power to suspend or exclude under this provision is to protect the student and/or members of Oakwood College community and their property in general, or a particular member or members, and the power shall be used only where the CEO is of the opinion with reasonable belief that it is urgent and necessary to take such action.

Delegation

1.10 Under this policy, the CEO may delegate their power to a senior member of Oakwood College staff, who shall then have the power to exclude or suspend any student from Oakwood College for an initial short-term period in an emergency situation. Accordingly, references to the role of 'the CEO' in this policy include any nominee of the CEO tasked with carrying out delegated duties.

1.11 In the event that the CEO is unable, for any reason, to exercise their powers under this policy, the following members of Oakwood College staff are expressly delegated by the CEO to act in lieu of the CEO:

- The Head of Academic Affairs
- Head of Governance, Quality, Compliance & Information Systems

1.12 In such an event, a nominated member of staff as set out above will satisfy themselves that there is no conflict of interest which would prevent them from carrying out delegated duties ahead of proceeding to do so. In the event that none of the above members of staff are able to carry out delegated duties under these procedures, the recommendation that the student should be temporarily suspended and/or excluded will be made to the Chair of Oakwood College Governing Body, who shall review the recommendation and proceed as they see fit.

Verbal/Written Initial Notification

1.13 Where appropriate, a student may be notified verbally and/or via written initial notification of an emergency student Exclusion or Suspension taken under this Policy in the first instance. **Where a student receives Verbal Notification of action under this Policy, Written Initial confirmation will normally follow the same day of verbal notification.**

1.14 Written initial notification will normally constitute email notification, but depending on circumstances, may take place via other means (e.g. Google Chat/MS TEAMS, text message, WhatsApp). Where Verbal Notification has been given to the student, Written Initial notification should be issued by the end of that same day and therefore will normally be restricted to the following information:

- That the decision has been taken to take emergency action to suspend/exclude the student for a specified period
- Any specific terms of the emergency action (e.g. not to contact specified individuals, including the reporting student, witnesses, or named members of staff)
- That this action is being taken in response to serious concerns (these should be broadly specified), and that a formal letter will follow with full details to which they will have the right to respond
- Which staff member has been assigned to them for support

1.15 The formal detailed letter ('Formal Notification') as outlined below will be issued within three working days of the initial imposition of the emergency action under this Policy. Further information regarding notification of emergency action under this Policy can be found in Part B) Procedures.

Formal Notification of action under this Policy

1.16 Where a student is excluded or suspended under this policy, they will be issued with a letter that outlines the terms and any conditions of the exclusion or suspension, normally within three working days of the initial date of exclusion or suspension. The letter will set out the following:

- The reason(s) for the exclusion/suspension and any conditions
- The initial period of the emergency action and date this will be reviewed
- The student's right to submit written representations to the CEO for consideration when the emergency action in place is reviewed
- Reiteration of the staff member assigned to them for support
- Information about who to contact with any queries
- Any relevant information about arrangements for upcoming assessments etc

Where emergency action under this policy have been exercised by one of the CEO's nominees, the CEO will be copied into all correspondence.

Safeguarding and PREVENT

1.17 The procedures under this policy will be operated with due regard and referral as necessary to Oakwood College's Safeguarding Policy. This initially includes action taken as a result of any concerns relating to PREVENT, however in those circumstances, whilst this Policy may be enacted to contain/manage risk ahead of any other action being taken, the PREVENT Policy should be consulted prior to any subsequent action being taken.

2. Principles

2.1 It will be at the discretion of the CEO or their nominee to determine whether exclusion from specified activities or facilities, or suspension, along with any conditions, is deemed to be appropriate for the circumstances. A risk assessment will be undertaken to assist with determining appropriate action.

2.2 All reasonable efforts will be made to facilitate the student's capacity to engage with their course of study as far as possible during and/or following a period of exclusion or suspension, which may include referring the student to available support.

Emergency Exclusion/Suspension & Support Through Studies

2.3 This procedure may be used in conjunction with Oakwood College's Support Through Studies policy and procedures, for example, Oakwood College may determine there is a need to refer the student into Stage 3 of Support Through Studies (Highly Significant, Serious or Persistent Concerns (Case Conference)) and may also determine that emergency action to exclude or suspend the student under

this policy is necessary. Where appropriate, a student may be notified verbally of an emergency Exclusion or Suspension taken under this Policy in the first instance, with written confirmation following the same day of verbal notification.

2.4 Written reasons for a decision taken under this policy and procedure shall be recorded and made available to the student, normally within 3 working days of the decision being made. Generally, such records will be retained securely on a student's file for the duration of their course of study, and will be kept for no longer than 5 years after the date the student has graduated.

Criminal investigations / pending criminal charges against a student

2.5 A student against whom a criminal charge is pending, or who is the subject of police investigation, may be suspended or excluded by the CEO pending a Misconduct Panel investigation, hearing and/or a trial. The CEO or their nominee shall have the discretion to determine whether the nature of the alleged offence is such that the misconduct proceedings should be adjourned pending police and court proceedings. The student will be notified accordingly in writing, normally within 3 working days of any such decision.

Failure to comply on the part of a student

2.6 Failure on the part of the student to comply with any terms of their suspension or exclusion may result in referral into, and possible action under, the Non-Academic Misconduct Policy and Procedures, or Stage 3 of the Support Through Studies formal procedures.

Data protection and management

2.7 In accordance with Oakwood College's duties under the General Data Protection Regulations (2018), where the student does not complete and/or withdraws from their course of study whilst excluded or suspended under this Policy, all records relating to the suspension or exclusion will be securely retained on the student's file in accordance with the normal retention period for student files (i.e. no longer than 6 years after the final action on the student's case, at which point the individual student file will be destroyed).

2.8 Some deviation from this schedule however can be expected for cases which, in the judgement of Oakwood College, are unique or complex and therefore require shorter or longer record retention periods. A record that the student registered and attended Oakwood College for the period of registered attendance will be retained for record purposes.

2.9 Any student who is excluded or suspended under this policy will have the right to make written representations (a written statement for consideration) to the CEO/their nominee regarding the action taken.

2.10 Anonymised data relating exclusions or suspensions that take place under these procedures will be retained by Oakwood College for monitoring, review and quality assurance purposes and shared on a strictly necessary basis (e.g. for statutory reporting to the OIA).

Complaints about other students/staff by an excluded/suspended student

2.11 Oakwood College will make its best endeavours to limit the disclosure of information as is consistent with conducting a fair investigation and in accordance with its obligations under the General Data Protection Regulations (2018) and the Data Protection Act (2018).

2.12 However, if a student names another member of Oakwood College as an issue of complaint in making any verbal or written representations to the CEO (or their nominee), then the individual(s) named will normally have the right to know the complaint made against them in order to be able to reply to the complaint. If a student refuses to name a person who is relevant to their complaint, Oakwood College may not be able to consider or investigate the case, or may only be able to consider or investigate it to a limited extent.

Part 2: PROCEDURES

4. Operational Information

3. Timescales

3.1 Except where otherwise specified, all specified timescales referred to in this policy constitute calendar days. Some procedural timescales articulated in the procedures set out below are reiterated here for ease of reference.

Notifications

Initial (usually verbal) notification of an emergency exclusion/suspension

3.2 Where a student is verbally notified, or briefly notified in writing (via email or Google Chat/MS TEAMS, WhatsApp Message) that the CEO/their nominee has determined an emergency student exclusion or suspension under this Policy is necessary, they will be **notified immediately or as soon as feasible**, depending on the schedule of the student, the associated risks, and any relevant support needs. Oakwood College will take into account the risk assessment and particular context of the issues necessitating the emergency action, along with the personal circumstances of the student, in delivering this information.

Follow-up to initial verbal notification

3.3 Where a student has been verbally notified of the CEO/their nominee's decision to impose an emergency exclusion or suspension under this Policy, Oakwood College will confirm this briefly in

writing (which may be via email, Google Chat/MS TEAMS, WhatsApp Message or other online communication method) **by the end of that same working day.**

Formal written notification of an Emergency Exclusion / Suspension

3.4 A letter from the CEO/their nominee formally setting out the details of the emergency exclusion/suspension under this Policy will be issued **normally within 3 working days of the date of initial notification** of the emergency action to the student.

Length of an Emergency Exclusion or Suspension

3.5 The period of emergency exclusion or suspension shall not normally exceed 28 calendar days in the first instance except in exceptional circumstances (e.g. where Oakwood College al Christmas Closure necessitates a variation to the 28 day period).

3.6 All periods of emergency exclusion and suspension will be subject to regular review as outlined below, and the excluded/suspended student will be notified in writing of the dates of forthcoming reviews, and corresponding outcomes.

3.7 In exceptional circumstances¹, a longer period of emergency exclusion or suspension beyond the normal initial 28-day period may be set, not normally exceeding three months before the case is reviewed, except where the CEO/their nominee is satisfied that there is justifiable and reasonable cause.

Procedure for instigating Emergency Student Exclusion or Suspension

3.8 The steps below should be followed to instigate an emergency exclusion or suspension under this Policy:

- i. Completion of a [risk assessment](#) (see Appendix D to this Policy) which should be signed off by 2 members of staff (one of whom may be the CEO).
- ii. Completion of the Record of Emergency Decision form (see Appendix D to this Policy) which constitutes the record of the initial imposition of Emergency Action under this Policy. This may be completed by a member of staff and submitted to the CEO for review and sign-off, or by the CEO in consultation with another senior member of staff, directly following completion of the Risk Assessment.
- iii. The Risk Assessment (Appendix C) and the Record of Emergency Decision Form (Appendix D) will be submitted to the CEO/their Nominee for review immediately upon completion.
- iv. If the CEO/their Nominee is satisfied that grounds exist to impose an Emergency Exclusion or Suspension, Oakwood College will notify the student immediately. This may be verbally

¹ Exceptional circumstances may be, for example, where a student is placed on remand for a specified period.

or briefly in writing for expediency (see Section 3 of the Policy, above 'Verbal/Written Initial Notification').

- v. A formal letter will be issued to the student by or on behalf of the CEO, normally within 3 working days of the initial date of exclusion or suspension (see 5.9 below).

3.9 Emergency exclusion or suspension will normally take place with immediate effect. Where appropriate, a student may be notified verbally of an Emergency Exclusion or Suspension in the first instance, with brief written confirmation following the same day of verbal notification that informs the student of the decision of Oakwood College and that a formal letter will follow.

3.10 Normally within 3 working days of the initial date of the exclusion or suspension, the CEO or their nominee will formally write to the student. This letter will include the following:

- The reasons for the decision to exclude or suspend;
- Notification of the student's right to immediately submit any written representations for consideration by the CEO, and how to do so;
- Notification, if relevant, of referral into any other Oakwood College procedures (e.g. Support Through Studies; Non-Academic Misconduct);
- Signposting to avenues of available support (including external support). In all cases, the student will be assigned a designated member of Oakwood College staff with whom they can communicate throughout the course of their Exclusion/Suspension, for any Oakwood College-related queries.

3.11 Where a nominated senior member of Oakwood College staff imposes an Emergency Exclusion or Suspension in the event of the CEO not being available, they will formally report this to the CEO normally within 72 hours of instigation, however the CEO will be copied into all correspondence in any case so that they are aware of and included in all relevant communications with the student.

Review of an exclusion/suspension order

3.12 There is no right of appeal against an emergency exclusion/suspension order, with the exception of where an Emergency Permanent Exclusion is imposed. However, the student has the right to submit written representations for consideration regarding an emergency exclusion or suspension when the emergency order is reviewed (see the rest of this section for further information about written representations and the review process).

3.13 A review of the case by the CEO/their nominee will take place within the initial 28-day period of exclusion or suspension to determine whether or not the exclusion or suspension may be lifted before or at the end of the imposed specified period. The CEO/their nominee will review the exclusion or suspension either on receipt of written representations from the student, or shortly before the end of the initial 28-day period of exclusion or suspension.

New Information

3.14 If new information comes to light during the period of exclusion or suspension, the CEO/their nominee will take this into account during their review. At their discretion, the CEO/their nominee may review the case shortly after the receipt of new information if it appears this may have a material bearing on the exclusion or suspension, otherwise they will normally undertake the review within the normal timescale as set out above.

Written Representations

3.15 Written representations means a written statement plus any supporting evidence submitted by a student in light of having been excluded or suspended under this Policy, that they wish the CEO to consider.

3.16 All students have the right to submit written representations in respect of having been excluded or suspended under this Policy. Written representations from the student should be submitted to Oakswood College via email, normally using their Oakswood College email address.

Additional written representations after a renewed/extended exclusion or suspension

3.17 A student excluded or suspended under this Policy may make written representations following any decision to renew/extend an exclusion or suspension ('additional written representations'), to request a reconsideration of that decision.

3.18 Additional written representations will be considered by the CEO/their nominee in the next review of the exclusion or suspension before the end of the extended period, and normally within 7 days of receipt of the additional written representations. For the purposes of completeness, the CEO reserves the right to consider additional written representations from the student alongside any original written submission that has already been considered.

3.19 Reviews will take account of any developments and/or representations made by the student or anyone else on the student's behalf, and may result in referral to another procedure (e.g. Support Through Studies; Non-Academic Misconduct), and/or an adjustment to the exclusion/suspension. Such adjustments may be, for example, lifting the suspension or exclusion but referring the matter into another procedure to reach a resolution, changes to or lifting of conditions imposed alongside the exclusion or suspension order, or additional support measures. The CEO/their nominee shall have the discretion to make any adjustments they deem appropriate in light of written representations received, provided that these are fair and reasonable and do not place the student in a worse position than if they had not made the written representations. To ensure fairness, there must be clear evidence-based reasons to refer the student into Non-Academic Misconduct procedures as a result of written representations.

3.20 If no written representations from the student are received, the CEO/their nominee shall in any case review the initial exclusion or suspension before the end of the imposed period, and shall then review any extended exclusion or suspension before it expires.

3.21 Considerations of written representations and reviews of exclusions or suspensions made under these emergency provisions will not involve a hearing. Representations made by students will not normally include submissions made in person, except where it would constitute a reasonable adjustment in accordance with the Equality Act 2010. The CEO will assess whether it is necessary/appropriate to meet with an excluded or suspended student (which may entail meeting remotely e.g. via Google/MS TEAMS/Zoom) during the period of exclusion/suspension.

Extensions of an emergency exclusion/suspension order

3.22 Following a review, the exclusion or suspension may be renewed for a shorter or longer period than the initial period of imposition, where the CEO/their nominee has reasonable belief that the period of exclusion or suspension should be renewed. In determining whether an exclusion or suspension under this Policy should be renewed, the following will be taken into consideration:

- Whether an extension to an exclusion or suspension is necessary and proportionate;
- Any pastoral and academic support needs of the student arising from any further period of exclusion or suspension, particularly if this is to be longer;
- course/learning implications

3.23 In the event that it is determined an extended period of exclusion or suspension is necessary, this will not normally exceed 56 days before a further review is undertaken, even where the overall period may be longer than 56 days.

3.24 A review will take place before any further renewal of a period of exclusion or suspension may be authorised. The student will have the right to submit further written representations for consideration with each review, and will be informed of this right at the time they receive notification of the exclusion/suspension order along with the next review date. On each occasion, a deadline for submitting any representations will be clearly stated.

5. Permitted Actions During Periods of Temporary Exclusion and Temporary Suspension

6.1 Where a student is temporarily excluded or suspended, it is at the discretion of the CEO or their nominee as to whether any permission to enter Oakswood College premises be granted, taking account of the circumstances of the case and the specific purpose(s) of any such request to do so.

EXCLUSION

6.2 Unless also temporarily suspended or expressly prohibited by the Misconduct Panel and/or Misconduct Appeals Panel, a student who is temporarily **excluded** from all areas of Oakswood College

(including exclusion from participating in external course-related activities) is still normally permitted to:

- take such tests or assessments as are scheduled during that period or if viable, be granted extensions or deferrals in respect of any such assessments (please see below);
- be provided with information about results/grades, re-sit questions, progression to the next level, module choice for the next level/academic year;
- be informed if they have reassessments;
- re-enrol for the new academic year;
- engage in meetings, activities and actions under Support Through Studies, though these may be undertaken remotely (e.g. via TEAMS/Zoom);
- access and utilise their Oakwood College computer account.

6.3 Oakwood College may consider it inappropriate for a student who is excluded or suspended under this Policy to sit an assessment, if Oakwood College is not satisfied that the student is both academically and emotionally adequately prepared for the assessment (e.g. if taking the assessment as scheduled would place them at significant risk of disadvantage or failure). Consideration will be given as to whether alternative assessment or rescheduled assessment opportunities are viable; each case will be considered on its own merits and the viability of such opportunities will depend on the circumstances of the case. This principle applies to both students who have been excluded and those who have been suspended.

6.4 A student who is temporarily excluded from all areas of Oakwood College, should give the CEO at least 1 days' notice in writing that they wish to enter the premises of Oakwood College, to request permission from the CEO or their nominee. Permission to enter Oakwood College shall normally only be given for the purposes of seeking advice or support, or for the purpose of attending hearings or meetings connected with allegations against them under this or another regulation or procedure.

SUSPENSION

6.5 A student who is suspended by the CEO/their nominee under these emergency provisions cannot enter Oakwood College premises, or the premises of any external provider delivering course-related activity, without the exceptional prior written permission of the CEO or their nominee.

6.6 The student must give at least one working day's written notice to Oakwood College CEO/their nominee of their request to enter Oakwood College's premises for any reason. Where a student is suspended under this Policy, permission to enter Oakwood College premises will normally only be granted exceptionally, and normally only for the purpose of attending hearings or meetings connected with these procedures or another Oakwood College regulation or procedure.

6.7 A student suspended under these emergency provisions is, however, permitted to have online/telephone access to any staff member that is designated to provide them with specific support.

The Formal Written Notification should make it very clear whom the student is allowed to contact in Oakwood College and what methods of contact are permitted.

6. Emergency Permanent Exclusion by the CEO

6.1 In exceptional emergency circumstances where the CEO deems that continued student status of an individual student poses too great a risk to Oakwood College and its community, or is untenable (for example, circumstances such as that a student is given a custodial sentence and cannot continue their studies, or becomes too unwell to continue studying at Oakwood College), the CEO may take the decision to impose emergency permanent exclusion from Oakwood College upon a student. This will set in motion a process for the withdrawal of the student's registration with Oakwood College .

6.2 Where the CEO has determined that Emergency Permanent Exclusion should be imposed, they will write to the student to notify them of this decision, the reason(s) why, and to inform them of their right of appeal. The student will be notified as soon as possible following the decision being made by the CEO. In the absence of the CEO, one of the named delegates (see Section 3 of this Policy) may make this decision, in consultation with one of the other named delegates and any other relevant Oakwood College staff, as necessary.

7. Emergency Permanent Exclusion - Appeal Procedure

Right of appeal against Emergency Permanent Exclusion

7.1 Where the CEO determines that emergency permanent exclusion from Oakwood College should be imposed, the student will have the right to submit an appeal against this decision.

7.2 The appeal procedure is a two-stage process: firstly, at Stage 1, the Appeal Reviewer will determine whether the appeal satisfies one or more of the stated grounds. If so, this means that the appeal will be upheld and will move to Stage 2 of the process. If none of the stated grounds at Stage 1 are met, the appeal process will be terminated, the CEO's decision will stand, and a Completion of Procedures Letter will be issued by Oakwood College (see section 'Completion of Procedures' in these procedures). Please see further on in this section for full details of the appeal procedure at both Stage 1 and Stage 2.

Making an appeal against a decision of emergency permanent exclusion

7.3 An appeal should normally be made within 14 days of written notification of the emergency permanent exclusion and should be made under one or more of the grounds set out below. More information about how to submit an appeal can be found further on in this procedure.

Grounds of appeal

7.4 The grounds for appeal against a decision to impose emergency permanent exclusion are as follows:

- a) **There has been procedural irregularity** i.e. that some rules or procedures were not applied correctly;
- b) **The decision(s) is/are unreasonable and/or the sanction or outcome disproportionate;**
- c) **There is new evidence that is also material to the case, which the student can demonstrate was for good reason not previously available, and sufficient evidence remains that this warrants further consideration.**

Appeal Reviewer

7.5 An appeal submitted will be considered by the Appeal Reviewer, who shall be the Chair of Oakwood College's Board of Governors, or their nominee (which as necessary may be another Oakwood College's Governor, or an External Officer in accordance with Oakwood College's arrangements for procedural integrity and fairness).

Submitting an appeal against Emergency Permanent Exclusion

7.6 To submit an appeal, the student should complete an Emergency Permanent Exclusion Appeal Form (see Appendix E) and submit it to admin@oakwoodgroup.co.uk via email within 14 days of the date of written notification of Oakwood College's intention to impose Emergency Permanent Exclusion.

Authentication of an appeal submitted by a third party on behalf of a student

7.7 Where an appeal is being submitted by a third party on behalf of a student, the student must contact Oakwood College to authenticate this submission. To do this, the student should email admin@oakwoodgroup.co.uk notifying Oakwood College of the identity of the third party and their relationship to the student and should confirm that they have requested the appeal be made and submitted on their behalf.

7.8 Appeals submitted by third parties which do not receive any such authentication within a reasonable timeframe will not be considered. Appeals submitted by third parties which do not receive such authentication within 5 working days of submission of the appeal will not normally be considered.

Initial Review

7.9 On receipt of an appeal, Oakwood College will undertake an initial review of the appeal for the following purposes:

- to determine whether it has been submitted within the 14-day deadline, and
- to determine that the appeal has been made under one or more of the stated grounds of appeal.

7.10 Appeals received after the 14-day deadline will not normally be considered, and a Completion of Procedures Letter will be issued by Oakwood College (see section 'Completion of Procedures' in these procedures) to allow the student to progress their case to the Office of the Independent Adjudicator should they wish.

7.11 An appeal that is not made under one or more of the stated appeal grounds will normally be rejected without consideration, and a Completion of Procedures Letter will be issued by Oakwood College (see section 'Completion of Procedures' in these procedures).

Appeal Review and Outcomes

7.12 The Appeal Reviewer will review an appeal normally within 21 days of the date of receipt of the appeal by Oakwood College and will issue an Appeal Outcome Letter to the student that sets out their considerations and findings.

Appeal Procedure: Stage One

7.13 The Appeal Reviewer will review the appeal and determine whether, on the balance of probabilities, any grounds of appeal have been met.

7.14 Where the Appeal Reviewer is not satisfied that any grounds of appeal have been met, they will determine that the appeal has been **not upheld**. This is the **end of these internal procedures**. Following the Appeal Outcome Letter, a Completion of Procedures letter will be issued.

7.15 Where the Appeal Reviewer is satisfied that grounds of appeal have been met, they will determine the appeal has been **upheld** and the **appeal will move to Stage 2 of the procedure**.

Appeal Procedure: Stage Two

7.16 In the event that the appeal is **upheld**, the appeal enters Stage 2 of this procedure. The Appeal Reviewer will review the decision of the CEO/their nominee to impose Emergency Permanent Exclusion together with any relevant documentation, and will determine one of the following:

- i. That the decision to impose Emergency Permanent Exclusion should be overturned and replaced with a new decision,
- or**
- ii. Whilst the grounds to uphold the appeal have been met, insufficient grounds have been established that would warrant a different decision being made and therefore the decision to impose Emergency Permanent Exclusion should stand.

7.17 Where the Appeal Reviewer determines a new decision should be made, they may order one or more of the following:

- Rescindment of the decision to withdraw student status, and immediate reinstatement of the student;
- Rescindment of the decision to withdraw student status, and deferred reinstatement of the student subject to meeting one or more conditions within a specified timeframe;

- Rescindment of the decision to withdraw student status under Emergency Permanent Exclusion, and referral of the student into Stage 3 of Support Through Studies (Case Conference) for further Oakswood College consideration of the case (in accordance with that procedure), with any specified terms/conditions as deemed appropriate and necessary by the Appeal Reviewer;
- Further extension of a previous emergency exclusion or suspension under this Policy, with a specified review date, and any condition(s) the student must meet. Depending on the circumstances of the case, this period will not normally exceed one Oakswood College term;
- A deferral, for a specified period, of the decision to withdraw student status, pending required action(s) from the student. In this event, the Appeal Reviewer will specify the potential outcomes at the end of the deferral period.

7.18 **The decision of the Appeal Reviewer is FINAL**, and an Appeal Outcome Letter will be issued detailing their decisions, considerations and findings. **This is the end of the internal procedures.**

7.19 Following the conclusion of the Emergency Permanent Exclusion Appeal Procedure, the Oakswood College will issue a Completion of Procedures letter (see section 'Completion of Procedures').

7.20 Where no appeal is received by Oakswood College within the 14-day deadline, the Oakswood College will withdraw student status from the student, and the student will no longer be a registered student of Oakswood College. Oakswood College will then issue a Completion of Procedures Letter to the student, and the student will have the right to take their case to the Office of the Independent Adjudicator (see section 'Completion of Procedures' in these procedures).

7.21 Where a student submits an appeal or any written representations after their student status has been withdrawn following Emergency Permanent Exclusion but prior to the issue of the Completion of Procedures Letter, this will be addressed in the Completion of Procedures letter issued by Oakswood College, although Oakswood College may or may not respond to any points raised in the written representations. Where a Completion of Procedures Letter has already been issued, Oakswood College will notify the student that the internal procedures of Oakswood College have been completed and remind them that a Completion of Procedures Letter has been issued.

Completion of Procedures

7.22 The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Oakswood College is a member of this scheme. If a student is unhappy with the final outcome of these procedures, they may be able to ask the OIA to review their case. More information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right if something has gone wrong, can be found here: <https://www.oiahe.org.uk/students/>

- 7.23 Once these procedures have been exhausted, Oakswood College will send the student a letter called a 'Completion of Procedures Letter', and the student will have 12 months from the date of their Completion of Procedures Letter to apply to take their case to the OIA.
- 7.24 More information about Completion of Procedures Letters and when students should expect to receive one can be found on the OIA website at the following link:
<https://www.oiahe.org.uk/providers/completion-of-procedures-letters/>
- 7.25 Completion of Procedures Letters will normally be issued by Oakswood College within 28 days of the final conclusion of the imposition of emergency action under this Policy, and in the following circumstances:
- When a period or extended period of exclusion or suspension has been lifted (meaning the internal procedures have been concluded);
 - When an appeal has been received but it is summarily rejected for either being submitted after the 14-day deadline, and/or for not being made under one or more of the stated appeal grounds;
 - Following conclusion of the appeal procedures and the issue of the Appeal Outcome Letter, regardless of whether the appeal is upheld or rejected by the Appeal Reviewer.
- 7.26 The guidance published by the Office of the Independent Adjudicator shall be followed in the issuing of Completion of Procedures Letters to students in respect of these procedures².
- 7.27 Following a review by the CEO/their nominee of written representations by a student, where an excluded or suspended student is dissatisfied with the decision to extend a period of exclusion or suspension following the initial period, under the Rules³ of the Scheme of the Office of the Independent Adjudicator (OIA) they may request a Completion of Procedures letter from Oakswood College, in order to submit a complaint to the OIA.
- 7.28 Completion of Procedures letters issued by Oakswood College in relation to emergency action exercised under this Policy will be copied to the validating university where required. Any queries regarding this Policy should be directed to compliance@oakswoodgroup.co.uk

² <https://www.oiahe.org.uk/providers/completion-of-procedures-letters/>

³ <https://www.oiahe.org.uk/about-us/our-scheme/our-rules/>