

The Growth Company Education and Skills

Inclusion Appeals and Escalation Procedure

GC Education and Skills recognises the importance of transparent, fair, and consistent decision-making in relation to inclusion, support, and access to learning. Learners, apprentices, and stakeholders have the right to raise concerns regarding inclusion-related decisions.

This procedure aligns with the Equality Act 2010, Children and Families Act 2014, SEND Code of Practice (0–25), UK GDPR/Data Protection Act 2018, DfE complaints guidance, Ofsted FE & Skills Inspection Toolkit, and relevant funding and awarding body requirements. This procedure does not replace safeguarding, complaints, exam appeals or employment processes; these follow separate procedures.

Timescales

Each stage of the process will be completed within published timescales, and outcomes will be communicated promptly.

- Appeals must be submitted within **10 working days** of the decision
- Informal review completed within **5 working days**
- Formal appeal outcome within **15 working days**
- Escalation outcome within **20 working days**

Safeguarding override — any safeguarding concern must be escalated immediately outside appeals timelines.

Grounds for Appeal

An appeal may be raised where individuals believe decisions have not been applied consistently or fairly.

- An inclusion related decision has not been applied consistently or in line with the inclusion policy or related frameworks
- An Education, Health and Care Plan (EHCP) consultation was not fairly, fully, or appropriately considered EHCP statutory decisions remain the responsibility of the Local Authority; this process reviews GC decision-making only.
- Relevant information, professional advice, or evidence was not considered as part of the decision-making process
- Explicit duty to make reasonable adjustments, including the appeals process itself (accessible formats, additional time, advocacy support) was not followed.

- The decision has resulted in a negative or disproportionate impact on inclusion, access, participation, or outcomes
- The rationale for the decision has not been clearly explained or communicated
- New information has become available that may materially affect the original decision
- Disciplinary or access related actions (including warnings, restrictions, or removal from provision) have been applied unfairly or disproportionately

How to Raise a Concern or Appeal

Appeals should be submitted through e mail to any of the following:

- Designated email to inclusionteam@gceducationandskills.ac.uk
- Inclusion Coordinator /centre manager contact found on Website - [GC Education & Skills | Apprenticeships, Courses and Higher Education](#)

Appeals should be submitted in writing via the designated email address and must include:

- Learner details (name, programme, and/or learner ID)
- The decision being appealed
- Date of the original decision (if known)
- Clear grounds for appeal, for example:
 - Procedural concern
 - Evidence not considered
 - Impact on learning or access
- Brief explanation of why the decision is being challenged
- Any supporting information or evidence (where available)
- Preferred outcome (what the appellant would like to happen)

Learners may be supported by a parent/carers, advocate, or key worker during the appeal process

Decision-Making Principles

All inclusion-related decisions will:

- Be evidence-based and proportionate
- Align with this procedure and statutory guidance
- Clearly record rationale and agreed support
- Be communicated clearly and promptly

Learner voice must be actively sought and considered throughout the process. Existing support should normally continue during the appeals process unless a risk is identified. Panel must

declare conflicts of interest and meet minimum independence requirements. Outcomes may include revised support plans, reassessment, or referrals to additional services.

Stage 1: Informal Review

This stage may be used where concerns are raised early and the potential impact is limited, including:

- Minor concerns or misunderstandings
- Requests for clarification or reconsideration
- Early challenge to a decision before significant impact occurs

Process:

- The concern is raised with the original decision-maker or Inclusion Lead
- Discussion focuses on clarification, review of evidence, and potential resolution
- Any agreed actions or amendments are recorded

Timescale:

- Informal reviews will normally be completed within **5 working days**

If the concern is not resolved, it may progress to a formal appeal

Stage 2: Formal Appeal

A formal appeal may be submitted where:

- An informal review has not resolved the concern, or
- The decision has a significant impact on inclusion, access, support, or participation, or
- There is concern that policy, procedure, or statutory guidance has not been followed

Appeal submission must include:

- The decision being appealed
- Clear grounds for appeal (e.g. procedural, evidence-based, or impact-related)
- Any supporting information or evidence

Timescale:

- Appeals should normally be submitted within **10 working days** of the original decision

Panel will include:

- A senior manager

- An appropriately experienced inclusion/SEND representative
- Members independent of the original decision

Stage 3: Appeal Review

Review arrangements:

- The appeal will be reviewed by a manager or panel independent of the original decision
- Reviewers will include an appropriately experienced inclusion/SEND representative
- Panel members must not have had direct involvement in the original decision

The review will consider:

- Compliance with this procedure and associated processes
- The evidence used to inform the original decision
- Information provided as part of the appeal
- The impact on the learner's inclusion, access, and outcomes

Outcome: The decision may be:

- Upheld
- Amended
- Overturned

A written outcome will be provided, including:

- The decision
- Clear rationale
- Any required actions, adjustments, or support

Timescale:

- Formal appeal reviews will normally be completed within **15 working days**

Stage 4: Escalation and External Routes

Escalation may occur where:

- The applicant believes the process has not been applied correctly
- There are concerns regarding fairness, consistency, or equality impact
- The case presents a significant organisational, legal, or reputational risk

Process:

- The case is reviewed by senior leadership or a designated governance function

- The focus is on process integrity, proportionality, and compliance
- Evidence will not normally be reinvestigated unless procedural concerns are identified

Outcome:

- Escalation represents the final internal review stage.
- External route updated to Department for Education (DfE) complaints process where applicable.

Timescale:

- Escalation outcomes will normally be issued within **20 working days**

External routes: Where appropriate, individuals may seek external review through:

- The **Education and Skills Funding Agency (ESFA)** (apprenticeships)
- The **Local Authority** (EHCP-related matters)
- Learners have the right to contact the awarding organisation directly if they are dissatisfied with the outcome of an appeal or wish to seek further guidance on the appeals process.

Recording, Oversight, and Assurance

All appeals are recorded and reviewed. Central tracking of appeals including equality impact, learner voice, outcomes, and themes for quality improvement. Data protection controls for handling sensitive SEND and health data (special category data compliance).