



Essex International College  
Appeals Policy (Appeal against Termination)

Policy name	<b>Appeals Policy (Appeal against Termination)</b>
Author:	<b>Dr. Keith Hoodless</b>
Approved by SMT	<b>24<sup>th</sup> January 2014</b>
Approved by	<b>Academic Committee</b>
Date for next review:	<b>February 2015</b>

*Through its policies and in its day to day work, the College is committed to promoting equality and fairness and combating discrimination. This applies to everyone, regardless of gender, racial or ethnic background, disability, religion, sexual orientation or age and embraces the College's legal responsibilities.*

An Appeal is a form of request from a learner to revisit an academic decision which s/he considers to disadvantage him/her.

**Aim:**

The main aim of this policy is

- To enable the learner to enquire, question or Appeal against a decision to terminate them (from enrolment).
- Appeal against any Academic penalty imposed by the College
- To standardise and record any Appeal to ensure openness and fairness
- To facilitate a learner's ultimate right of Appeal to the awarding body, where appropriate.
- To protect the interests of all learners and the integrity of the qualification

In order to implement this, the Essex International College will:

- Inform the learner at induction, of the Appeals Policy and Procedure.
- Record, track and validate any Appeal.
- Forward the Appeal to the awarding body when a learner considers that a decision continues to disadvantage her/him after the internal Appeals process has been exhausted.
- Keep Appeals records for inspection by the awarding body for a minimum of 18 months.
- Have a staged Appeals Procedure.
- Will take appropriate action to protect the interests of other learners and the integrity of the qualification, when the outcome of an Appeal questions the validity of other results.
- Monitor all aspects of the Appeal process to ensure quality in improvement

**Appeals Procedure:** A standard, time limited, sequenced and documented process for the centre and learner to follow when an Appeal is made.

## **Responsibilities**

Learner: Responsible for initiating the Appeals Procedure, in the required format, within defined time frame, when s/he has reason to question an assessment decision.

Assessor: Responsible for providing clear achievement feedback to learners. If assessment decisions are questioned, the assessor is responsible for processing the learner's Appeal within the agreed time.

Internal Verifier/Senior Management: Responsible for judging whether assessment decisions are valid, fair and unbiased.

Head of Centre: Responsible for submitting an Appeal in writing, to Edexcel if the learner remains dissatisfied with the outcome of the centre's internal Appeals Procedures.

## **Procedures**

Learner induction: Should inform the learner of the Appeals Procedure. Learner Appeals Procedures:

A staged Procedure to determine whether the assessor:

- followed steps that are consistent with College policy
- applied the steps properly and fairly when arriving at judgements

## **Appeals Procedure stages (Academic)**

Before completing an appeals request form you should read these guidance notes carefully. Essex International College is committed to maintaining effective procedures to allow all students to make legitimate academic appeals.

## **PRELIMINARY DISCUSSIONS BEFORE MAKING AN APPEAL**

Under no circumstances may students question the academic judgement of the examiners and any appeal based on such grounds will be dismissed. (Please note - disagreement with the decision of one of the Relevant Bodies does not constitute sufficient grounds for an appeal unless you have clear evidence to support the grounds you are appealing against.)

## **Time Limit**

You should raise your appeal with the Welfare Office directly and within 20 working days of the decision by a Relevant Body, and in order to discuss the matter at the preliminary stage. If you wish to appeal against the results of supplementary examinations (normally occur in July / August / September) you must do so within 5 working days of the publication of results. At this stage it is useful to complete an Appeals Request form so that the Welfare Office is clear about the grounds and evidence you are submitting.

Before submitting an appeal, the following should be considered:

- Be clear that you are making an appeal and that certain procedures will start
- Recognise your personal accountability
- Discuss your case with an appropriate person – this may be a personal/welfare officer, LSA or Lecturer
- Try and sort out the issue at the preliminary level directly with the people involved
- Be clear about the grounds (listed below) for which you wish to submit your appeal
- Be clear about the outcome (s) you are seeking
- Please seek free, independent and specialist guidance if you need support

It is in everyone's interests to seek a prompt, effective, resolution first, if this is possible.

After the preliminary discussion a note of the outcomes of the meeting should be given to the Academic Coordinator. Where both you and the Academic Coordinator at the meeting can agree what the outcomes were, both should sign the note. If you and the Academic Coordinator cannot agree what the outcomes of the meeting were, each of you may submit a separate note. The note(s) of the preliminary meeting will be placed on your record as evidence that this stage of the process has been completed.

### **Possible outcomes following the Preliminary discussions**

1. The Relevant Body accepts your case and amends its original decision in your favour
2. You decide not to make a formal appeal
3. You decide to make a formal appeal and submit an Appeal Request Form to the relevant Academic Coordinator normally within 20 working days of notification of the decision giving rise to the appeal.

## **Appeals Procedure stages (Attendance and Non Submission)**

### **Stage 1 – 1<sup>st</sup> Warning Letter**

The student will be issued with a Warning Letter advising them of (for example):

- Poor attendance
- Not submitting work
- Any other College issue (relating to non-adherence of College Policy, Practice and/or Procedures)

The student can come into the College and discuss this issue (issues) with a member of the Welfare Team or Academic Department (as appropriate).

A new Academic Plan will be instigated for that particular student, with conditions attached.

### **Stage 2 – 2<sup>nd</sup> Warning Letter**

If the student fails to observe the conditions of the 1<sup>st</sup> Warning, and/or fails to contact the College, then a 2<sup>nd</sup> Warning Letter is issued.

Similarly, as with Stage 1, a new Academic Plan will be initiated for the student, and will contain certain conditions in the completion of their studies.

### **Stage 3 – Termination Letter**

If there is significantly little or no progress from the previous two actions, then the student will be issued with a Termination Letter.

The student is allowed to formally appeal this decision.

### **Formal Appeal**

The student is allowed to formally appeal against being terminated, or against an academic decision by the College.

This could be done on the following grounds

- There is new relevant evidence offered and for the most exceptional reasons was unable to be provided at the point of assessment (including mitigating circumstances)
- The Procedures were not complied with, in such a way that it might cause reasonable doubt as to whether the result would have been different.
- There is documented evidence of prejudice or bias on the part of one or more members of staff.

This appeal should be formulated via established Appeal Procedures.

- They should Appeal against the Appeals Committee within seven working days from the date of being given the Termination Letter/Result, with the proper explanation along with their evidence.
- The Appeals Committee will go through the students' appeal and give the outcome of the appeal within 10 working days (2 weeks) from the date of Appeal received.

The Appeals Panel will convene a meeting with the panel consisting of a minimum of two senior staff involved in the college assessment (including the Principal), a Learning Support Assistant and a member of the Welfare Team.

The student can be present, but not for the whole Appeal Meeting.

Students could bring witness to the meeting or provide written statements.

Students can represent themselves, and for example explain mitigating circumstances, or why the decision was not justified.

After the evidence has been heard, the panel will consider its decision in private.

**That decision will be recommended to the whole Academic Committee.**

The students will be notified about the decision within seven working days from the date of the Appeals Committee meeting.

**If unresolved, then the issues are documented before moving to REVIEW.**

**REVIEW:**

A review of Appeals Panel decision by the Human Resources Director. Learner notified of findings and agrees or disagrees, in writing, with outcome. If unresolved, move to External Appeal.

**EXTERNAL APPEAL:**

The grounds for Appeal and any supporting documentation will be submitted by the college to the QAA or EDEXCEL within 14 days of the completion of Formal Appeal with the appropriate fee levied.

**Recording Appeals:** Each stage should be recorded, dated and show either there is an agreement or disagreement with decisions. Documents must be kept for a minimum of 18 months.

**Monitoring of Appeals:** Undertaken by senior management to inform development and quality improvement

## Policy Implementation Notice

This is the policy statement of: Essex International College (EIC)

The overall and final responsibility for this policy is that of: Directors of EIC

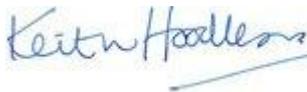
Day-to-day responsibility for ensuring this policy is put into practice is delegated to:

The Principal of EIC – Dr Keith Hoodless

Policy review date:

24<sup>th</sup> January 2015

Signed:



(on behalf of EIC)

Date:

24<sup>th</sup> January 2014



