



## Access to Higher Education Policies & Procedures

Last edited: 20th September 2022

Next review is due: December 2022

This Policy outlines the procedures and processes related to Complaints and Appeals made by further education learners. It sets out expectations for both parties and is intended to provide a clear and transparent process for dealing with student issues, complaints and grievances.

### General principles

TheWRD is committed to ensuring that any student making a complaint or appeal will be in no way disadvantaged by doing so.

All information submitted under this process is strictly confidential and is held in compliance with the Data Protection Act. Information submitted will only be shared with investigating officers and members of staff directly involved in the appeal/complaint where appropriate. However, if the complainant is under 18 legal guardians may be contacted if appropriate.

At all formal stages of the complaints and appeals process TheWRD undertakes to provide independence in its investigation process. TheWRD will take all reasonable steps to appoint investigating officers as to avoid any conflicts of interest.

To this end, TheWRD will endeavour to ensure, where reasonably possible, that:

- Members of staff involved in investigating the appeal or complaint during any stage of the process will not then be appointed to investigate during any subsequent stages.
- Members of staff involved in teaching the student will not be appointed as the investigating officer at any formal stage of the process.

### Reasonable Adjustment

TheWRD is committed to providing equal opportunities in all its procedures. As such reasonable adjustment may be made to the complaints and appeals process so that students are not disadvantaged.

If you require reasonable adjustment you should make this clear in the complaints or appeals form or contact student services for assistance.

Reasonable adjustment could include:

- Allowing complaints to be made by telephone where circumstances prevent the ability to make a complaint in writing.
- Supporting students to make written complaints by dictation. This will normally be facilitated by a member of the Student Support team.
- Allowing support workers, carers or other advocates to write a complaint on their behalf in these circumstances the complaint should be signed and dated by the complainant to confirm agreement with text. Where the complaint is made against the Student Support team, the Chief Education and Learning Officer will identify and provide suitable support.

## Appeals

What can be appealed?

Students can appeal against academic decisions on the following grounds:

- There existed circumstances that affected the students' performance which the examiners were not aware of when deciding the grade awarded, and which could not reasonably have been presented to the examiners at the time.
- There was a procedural irregularity or other inadequacy in the conduct of the examination, or processing of marks or grades, or the categorisation of an award.
- There exists evidence of prejudice or bias on the part of an examiner.

You can also appeal against:

- Academic misconduct decisions
- Mitigating evidence decisions
- Decisions to refuse to allow an alternative mode of assessment
- Decisions to withdraw the student from their course of study

## Academic Appeals

### Stage 1 - Informal process

Where appropriate you should contact the member of staff responsible with the aim of resolving the problem directly and informally. Other points of contact who can help you resolve your appeal informally or guide you through the formal process include:

- Student Support Officer
- Your Course Leader
- The Director of Student Experience

The informal process is not usually documented.

### Stage 2 - Formal Appeal

To appeal an assessment decision, a TheWRD Appeals form needs to be completed. These are available from Student Services:

In the case of an appeal on an assignment grade indicator, the appeal must be made within 14 days of receipt of feedback.

Once your appeal is received you will receive a letter of receipt acknowledging your appeal within 5 days.

The Review is conducted by the Director of Student Experience and/or Chief Education and Learning Officer. The learner is notified of findings and agrees or disagrees, in writing, with the outcome. If unresolved, move to stage 3.

As part of the decision making process the investigating officer may decide to convene a meeting with you to discuss your appeal or an appeals hearing. If this is the case you will be notified in writing at least 5 days before the date of the interview/hearing. If a hearing is required you will be notified of who will be on the appeals panel, what evidence will be presented and the potential outcomes.

### Stage 3 - External review

The grounds for appeal and any supporting documentation must be submitted by the Centre to the relevant awarding body within 14 days of the completion of Stage 2. There may be a charge levied by the awarding body for this service.

## **Non-Academic appeals**

### **Stage 1 - Informal process**

Where appropriate you should contact the member of staff responsible with the aim of resolving the problem directly and informally. Other points of contact who can help you resolve your appeal informally or guide you through the formal process include:

- Student Support Officer
- Your Course Leader
- Director of Student Experience

The informal process is not usually documented.

### **Stage 2 - Formal Appeal**

Students who wish to submit a formal appeal may do so by sending an Appeals Form to the Director of Student Experience. Appeals forms can be obtained by contacting Student Services.

If you wish to appeal against the fact that you have been required to withdraw from a course at TheWRD, you will need to appeal within 7 working days.

When appealing any other decisions, such as a decision resulting from a disciplinary hearing, the appeal must be made within 21 days of the decision being made.

Once your appeal is received you will receive a letter of receipt acknowledging your appeal. We aim to resolve all complaints within 28 days but in certain cases this process may take longer. If there is likely to be any delay to the process you will be informed in writing.

The Director of Student Experience (or nominated investigating officer) will investigate your appeal. If it is found that your appeal is inadmissible you will be told so in writing. If admissible your appeal will be passed onto the Chief Education and Learning Officer to make a decision.

As part of the decision making process the Chief Education and Learning Officer may decide to convene a meeting with you to discuss your appeal or an appeals hearing. If this is the case you will be notified in writing at least 5 days before the date of the interview/hearing. If a hearing is required you will be notified of who will be on the appeals panel, what evidence will be presented and the potential outcomes.

Once a final decision has been made you will be notified in writing.

### **Stage 3 - Internal review**

If you are unhappy with the outcome of the stage 2 investigation you can submit a request for an internal review by writing to the Course Leader. Your request must be made within 21 days of receiving the outcome of the stage 2 process.

Chief Education and Learning Officer (or nominee) will investigate whether your appeal was processed appropriately, that the investigation followed the correct procedures and that the outcome you received was fair.

If it is deemed that there were any irregularities with the way your appeal was handled the Chief Education and Learning Officer may award a different outcome or convene a new appeals hearing.

Once a decision has been made you will be notified in writing.

## **Complaints**

### **Stage 1 - Informal process**

Where possible complaints should be resolved through the informal process. Where appropriate you should contact the member of staff responsible with the aim of resolving the problem directly and informally. Other points of contact who can help you resolve your complaint informally or guide you through the formal process include:

- Student Support Officer
- Your Course Leader
- Director of Student Experience

The informal process is not usually documented.

### **Stage 2 - Formal complaint**

Students who wish to submit a formal complaint may do so by sending a Complaints Form to the Director of Student Experience. This should be done within three months of the outcome of the informal process or the date of the incident being complained about, whichever is longer. Complaints Forms can be obtained by contacting Students Services.

If the complaint is against the students support team you should instead submit your complaints form to the Chief Education and Learning Officer.

Once your appeal is received you will receive a letter of receipt acknowledging your complaint. We aim to resolve all complaints within 28 days but in certain cases this process may take longer. If there is likely to be any delay to the process you will be informed in writing.

The Director of Student Experience (or nominated investigating officer) will investigate your complaint. If it is found that your complaint is inadmissible you will be told so in writing. If admissible your complaint will be passed onto the Chief Education and Learning Officer to make a decision.

As part of the decision making process the investigating officer may decide convene a meeting with you to discuss your complaint you will be notified in writing at least 5 days before the date of the interview.

Once a final decision has been made you will be notified in writing.

### **Stage 3 - Internal review**

If you are unhappy with the outcome of the stage 2 investigation you can submit a request for an internal review by writing to the Chief Education and Learning Officer Your request must be made within 21 days of receiving the outcome of the stage 2 process.

Chief Education and Learning Officer (or nominee) will investigate whether your complaint was processed appropriately, that the investigation followed the correct procedures and that the outcome you received was fair.

If it is deemed that there were any irregularities with the way your appeal was handled the Chief Education and Learning Officer may award a different outcome or convene a new hearing

Once a decision has been made you will be notified in writing.

If you are dissatisfied with the outcome of your appeal, you have a right to escalate the appeal to the awarding body.