

## Student Guide to Appeals and Complaints

Despite its best efforts, you may encounter difficulties with the services that the College provides for you. Complaints may arise when you feel that the service you have received from the College is unsatisfactory and you would like it to be investigated.

This document is designed to help you to understand the difference between the College's Appeals and Complaints procedures. It's designed to ensure that you know which one applies to your particular circumstance and to guide you through the process that you need to follow. **We strongly advise that you read this guide prior to completing your application and obtain a copy of the appropriate policy, which can be found on the VLE.**

The College operates the following:

- Academic Appeals
- General Appeals
- Complaints

### What is an Academic Appeal?

**Please Note: For students studying on a Teesside University validated programme the Teesside University process for Academic Appeals must be followed. Details can be found at <http://www.tees.ac.uk/docs/index.cfm?folder=Student%20Regulations> Select 'Academic Regulations' and then 'Academic Appeal Regulations.'**

Within the context of Leeds City College's Higher Education provision Academic Appeals are defined as:

'A request that is made to review a decision that has been made in relation to the progress of a student on his/her programme of study, including the award of any qualification as a result of that progress.'

This may take the form of one of the following:

- **Incapacity** – defined as academic achievement or progression being affected by incapacity which has clearly prevented the student from submitting a Mitigating Circumstances Application in time for due consideration by the relevant Mitigating Circumstances Board, or where the student was unable, for valid and evidenced reasons, to divulge information before the Assessment Board reached its decision.
- **Maladministration** – defined as where a candidate's performance in an assessment was adversely affected by a material administrative error attributable to the College or to an agent acting on behalf of the College.

- **Breach of Regulations** – Defined as where a student’s performance was adversely affected because an examination (or other assessment) was not conducted in accordance with the current published Academic Regulations.

The following do not constitute grounds for academic appeal: Questioning the academic judgement of a properly convened and constituted Board for example:

- by questioning the validity of the assessment decision on one or more pieces of work produced by a student;
- by questioning marks or grades awarded;
- by questioning the overall decision on a student’s progression or on the final assessment decision.

**Important : Students may not appeal against academic judgements.**

### **Definition of Academic Judgement**

This is considered to be the mark or grade awarded for an individual piece of work – whether coursework, written examination or similar, and whether formative or summative – or the award of an overall grade or classification for an award and shall be regarded as the academic judgement of the examiner or examiners, or the Board of Examiners concerned, and as such shall not be appealable under these or any other regulations or procedures of the College.

A candidate who wishes to question academic judgement shall be entitled to ask the examiner, or Board of Examiners to confirm that the work has been marked in accordance with the academic regulations and procedures in force at the time governing such matters as second marking, and referral to the external examiner. Provided such confirmation is provided in writing, with an explanation of the procedures followed, the matter shall be deemed closed and the mark or other decision upheld.

### **What is a General Appeal?**

This policy relates to any matters against which decisions are made that fall outside of the definition of Academic Appeals.

Typically this would be any other matters relating to the programme and student lifecycle where decisions are made. These could be appeals against:

- Admissions decisions;
- Bursary payment decisions;

### **What is a Complaint?**

Complaints could include:

- Failure by the College to meet obligations including those outlined in course/module handbooks or the student charter;
- Misleading or incorrect information in prospectuses or promotional material and other information provided by the College;

- Concerns about the delivery of a programme, teaching or administration;
- Poor quality of facilities, learning resources or services provided directly by the College;
- Complaints involving other organisations providing a service on behalf of the College.

(Adapted from the OIA Good Practice Framework 2014)

### **Where can I get advice?**

Students and staff can obtain advice on this Policy from a number of sources. In particular, a Guidance Officer or representative from the Students' Union can provide advice, independent of the College, including assistance in submitting an application and attending meetings in a supporting role. Staff can seek advice and support on understanding the Policy from the Higher Education Department (HEDO).

### **How do I make a Complaint?**

In order to ensure that your issue(s) are dealt with quickly you should normally raise a complaint within 30 days of the cause of the complaint becoming apparent and you should address this directly with the member of staff/ course manager where possible using **Stage 1 – Early Resolution** (full details can be found in the Higher Education Complaints Process which is available on the VLE or website).

If you are dissatisfied with the response you receive, you may proceed to **Stage 2 – Formal Process**. This should normally be done within 10 days of the outcome of Stage 1.

Once you have received the outcome of your stage 2 complaint, if you are still dissatisfied you can progress your complaint to **Stage 3 – Formal Appeal**. This should normally be done within 10 days of the outcome of the Stage 2 investigation.

Appendix 4 provides details on the timescales associated with each of the stages in this process.

### **How do make an appeal or complaint?**

Please see appendix 1 for an overview of the Appeals and Complaints processes. In each case there is an informal route that should be followed in the first instance before formal processes are followed.

### **What documentation will I need?**

**Academic Appeal** – you will need to complete an Academic Appeal Application Form (see appendix 2) and attach any relevant evidence (please see the guidance notes provided on the form for details)

**General Appeal** – you will need to complete a General Appeal Application Form (see appendix 3) and attach any relevant evidence (please see the guidance notes provided on the form for details).

**Complaints** – there is no formal document that needs to be completed in the event of a complaint – you can put your complaint forward in a written format that suits you e.g. email or letter.

## Appeals/Complaints Process

Academic Appeals (with the exception of TU validated programmes)	General Appeals	Complaints
<p style="text-align: center;"><b>Informal</b></p> <p>Submit appeal to HE Quality Co-ordinator within 10 days of publication of results</p>	<p style="text-align: center;"><b>Informal</b></p> <p>Submit appeal to HE Quality Co-ordinator</p>	<p style="text-align: center;"><b>Stage 1 - Early Resolution</b></p> <p>Discuss the complaint with the relevant person (usually Programme Manager)</p>
<p style="text-align: center;"><b>Investigation</b></p> <p>Record made and communicated to student within 5 days</p>	<p style="text-align: center;"><b>Investigation</b></p> <p>Record made and communicated to student</p>	<p style="text-align: center;"><b>Investigation</b></p> <p>Record made and communicated to student</p>
<p style="text-align: center;"><b>Disagreement with outcome</b></p> <p>Complete and submit appeal form (within 5 days)</p>	<p style="text-align: center;"><b>Disagreement with outcome</b></p> <p>Complete and submit appeal form (within 10 days)</p>	<p style="text-align: center;"><b>Disagreement with outcome</b></p> <p style="text-align: center;"><b>Stage 2 – Formal Stage</b></p> <p>Submit complaint in writing to the HE Quality Co-ordinator</p>
<p>Receipt acknowledged within 3 working days</p>	<p>Receipt acknowledged within 3 working days</p>	<p>Receipt acknowledged within 10 days with a target completion date of investigation. Decision communicated in writing</p>
<p style="text-align: center;"><b>Formal</b></p> <p>Appeal Panel convened</p>	<p style="text-align: center;"><b>Formal</b></p> <p>Appeal Panel convened</p>	<p style="text-align: center;"><b>Stage 3 – Formal Review</b></p> <p>Complaint forwarded to the Dean of Higher Education for investigation</p>
<p>Decision communicated to student within 5 working days</p>	<p>Decision communicated to student within 5 working days</p>	<p>Decision communicated to student upon completion of investigation</p>
		<p>Please note – if the outcome of investigations are still not accepted by the complainant a review of the outcome can be requested via the Office of the Independent Adjudicator (OIA)</p>

Please see the individual Process documents for full details

## Academic Appeal Application Form

### Request for the Review of a Decision of a Board of Examiners Application Form - Guidance

- Please note that all applications relating to Academic Appeals should be submitted within 20 working days of the formal publication of results.
- The information provided within this form will be used to decide whether your request for a review of a decision of the College Board of Examiners should be considered further.
- No letter of appeal is required – this Application Form should provide all the information in relation to your request for a review.
- Forms can be submitted via email, posted or hand delivered (please see last page for details)
- If submitting by email please ensure that you attach any documentary evidence.
- If you are submitting this form in paper format please clearly label and attach any documentary evidence on separate sheet (s)
- Where photocopies of documents are submitted you may be asked to provide sight of the original documents in order to verify their authenticity
- You should complete all relevant sections as any omissions may result in a delay with your application being processed.

#### 1. Personal Details

<b>Name:</b> Please provide in full (as detailed on your student card)	
<b>Date of Birth:</b>	
<b>Student Number:</b> (As detailed on your student card)	
Address for Correspondence:	
<b>Telephone Number:</b> (Please provide the best number we can contact you on)	
<b>Email address:</b>	

#### 2. Course Information

<b>Programme of Study:</b> (e.g. FdA Horticulture)	
<b>Year of Study:</b> (e.g. year 1)	
<b>Mode of Study:</b> (full-time or part-time)	

#### 3. Assessment Appeal Information

<b>Date of publication of results:</b> (this is important information and must be included – this date can be found on your results letter)
<b>Please detail which results you are wishing to appeal against:</b> <i>(please tick box(es) as appropriate)</i>
<b>Award Classification</b> <i>(final year only)</i> <span style="float: right;"><input type="checkbox"/></span>
<b>Individual Module Results</b> <i>(please detail module titles below)</i> <span style="float: right;"><input type="checkbox"/></span>

#### 4. Your Preferred Outcome

Please indicate below what outcome you would like to see as a result of this application. *(e.g. do you want to be allowed a further attempt at a module or modules?)*

## 5. Support and Advice

If you have sought advice from the Students' Union or a Guidance Officer, could you please state the name of the person who provided you with support and advice with this application.

Do you give the College permission to discuss your case with the above person? (please tick the appropriate box)

Yes

No

## 6. Grounds for Appeal

Please indicate whether you are applying on grounds of **Incapacity**, **Maladministration** and or **Breach of Regulations** by ticking the appropriate box(es) and completing the corresponding section.

It is important that you provide as much information as possible.

### 6.1 Incapacity

I wish to make an application on the grounds that my academic achievement or progression was affected by *incapacity* which clearly prevented me from submitting a Mitigating Circumstances Form in time for due consideration by the relevant Mitigating Circumstances Panel, or I was genuinely unable to divulge such information before the Examination Committee/Board reached its decision.

Please outline the *incapacity* that prevented you from submitting your Mitigating Circumstances Form in time:

What were your mitigating circumstances?

Please explain the impact/effect these circumstances had on your academic performance:

Please list the evidence you have provided in support of this:

### 6.2 Maladministration

I wish to make an application on the grounds that, based on evidence produced by myself or another person, my performance in an examination (or other assessment) was adversely affected by a material administrative error contributable to the College or to an agent acting on behalf of the College (**Maladministration**).

Please state the nature of the material administrative error and your evidence to support this?

What documents are included?

### 6.3 Breach of Regulations

I wish to make an application on the grounds that my performance was adversely affected because an examination (or other assessment) was not conducted in accordance with the current published Institute and University Regulations or the regulations for the academic programme (**Breach of Regulations**).

Which of the College's published regulations are relevant to your case?

Please give the title of the document and indicate the appropriate paragraphs or page numbers.  
(You should note that all course documents are freely available for students to read on the College's website)

**How did your assessment not comply with regulation(s) and what evidence/argument do you have to support this?**

**What documents are included?**

#### 7. Declaration

**I declare that the information provided on this form and accompanying documentation is correct to the best of my knowledge.**

**I give consent that information contained in my application can be disclosed to those parties involved in my case. I also understand that anonymised data from this application will be used for statistical reports of the College and all information provided in this form and accompanying documentation will be used in compliance with the Data Protection Act 1998. I confirm that I have read the Academic Appeals Regulations.**

**Signed:**

**Date:**

#### Checklist

Before returning this form we advise that you have checked the following:

- You have read and understood the Academic Appeals Regulations
- You have completed all relevant sections on the Application Form
- You have clearly identified the ground(s) under which you are applying
- You have clearly labelled any accompanying sheets
- You have included all relevant documentary evidence to support your application (Please note that any evidence submitted late will only be accepted in exceptional circumstances)
- You have signed the Application Form (if submitting this electronically)

**Please submit this form to:**

HE Quality Co-ordinator  
Higher Education Development Office  
University Centre  
Park Lane  
Leeds  
LS3 1AA

## General Appeals Application Form

### Request for the Review of a Decision Application Form - Guidance

- The information provided within this form will be used to decide whether your request for a review of a decision made on behalf of the College should be considered further.
- No letter of appeal is required – this Application Form should provide all the information in relation to your request for a review.
- Forms can be submitted via email, posted or hand delivered (please see last page for details)
- If submitting by email please ensure that you attach any documentary evidence.
- If you are submitting this form in paper format please clearly label and attach any documentary evidence on separate sheet (s)
- Where photocopies of documents are submitted you may be asked to provide sight of the original documents in order to verify their authenticity
- You should complete all relevant sections as any omissions may result in a delay with your application being processed.

#### 8. Personal Details

<b>Name:</b> Please provide in full	
<b>Date of Birth:</b>	
<b>Student Number:</b> (if relevant, as detailed on your student card)	
Address for Correspondence:	
<b>Telephone Number:</b> (Please provide the best number we can contact you on)	
<b>Email address:</b>	

#### 9. Course Information (if you are a student)

<b>Programme of Study:</b> (e.g. FdA Horticulture)	
<b>Year of Study:</b> (e.g. year 1)	
<b>Mode of Study:</b> (full-time or part-time)	

#### 10. Appeal Information

Please detail which decision wishing to appeal against: *(please tick box(es) as appropriate)*

Admissions

Bursary

Other – please detail

#### 11. Your Preferred Outcome

Please indicate below what outcome you would like to see as a result of this application. *(e.g. do you want a bursary decision to be overruled?)*

#### 12. Support and Advice

If you have sought advice from the Students' Union or a Guidance Officer, could you please state the name of the person who provided you with support and advice with this application.

Do you give the College permission to discuss your case with the above person? (please tick the appropriate box)

Yes

No

### 13. Grounds for Appeal

Please outline the grounds under which you feel that the decision needs to be reconsidered (e.g. if your bursary has been cancelled due to not being up-to-date with your work and yet you have evidence that proves all work was submitted)

It is important that you provide as much information as possible.

What evidence have you attached to support this?

### 14. Declaration

I declare that the information provided on this form and accompanying documentation is correct to the best of my knowledge.

I give consent that information contained in my application can be disclosed to those parties involved in my case. I also understand that anonymised data from this application will be used for statistical reports of the College and all information provided in this form and accompanying documentation will be used in compliance with the Data Protection Act 1998. I confirm that I have read the Academic Appeals Regulations.

Signed:

Date:

### Checklist

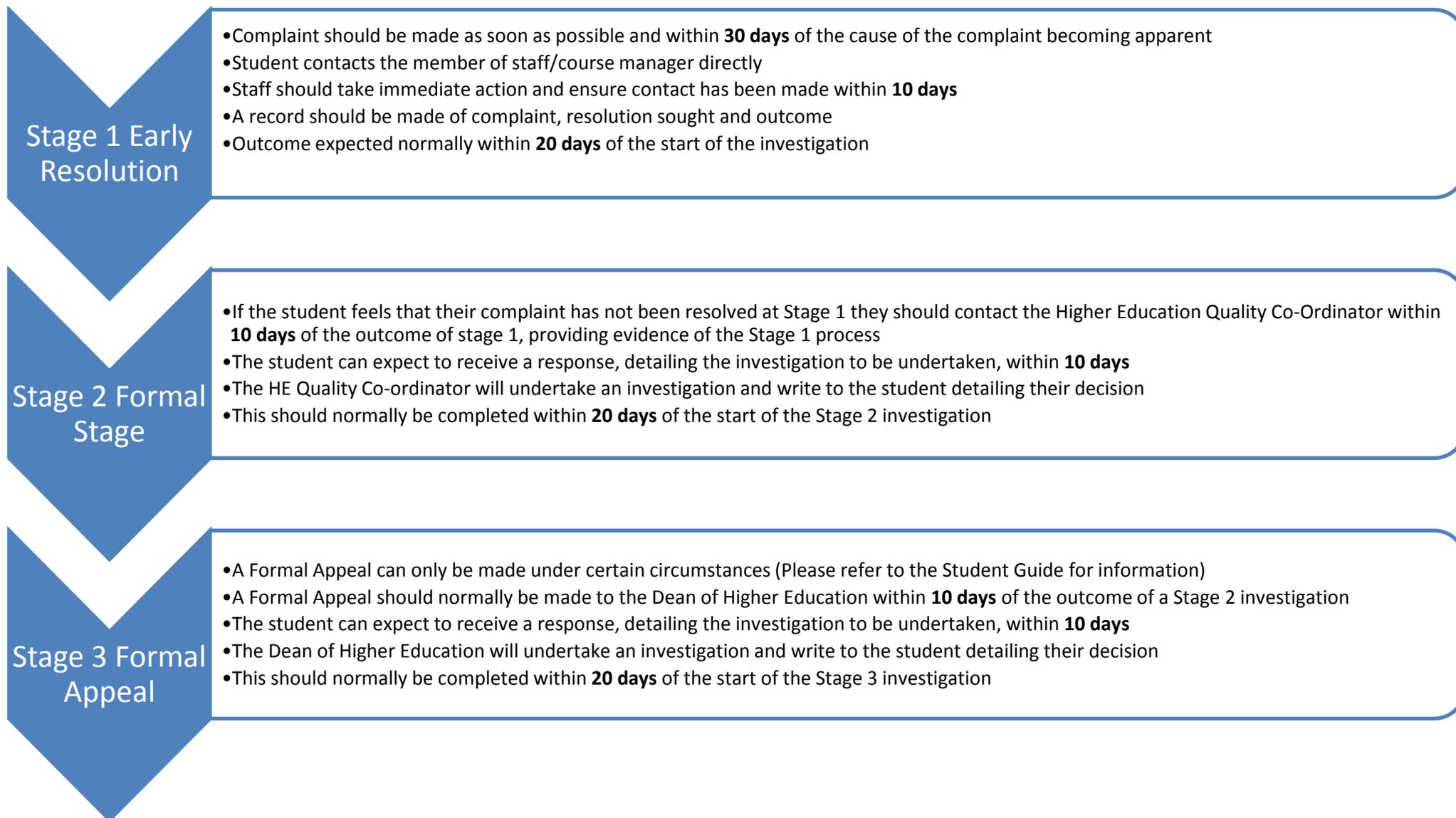
Before returning this form we advise that you have checked the following:

- You have read and understood the General Appeals Regulations
- You have completed all relevant sections on the Application Form
- You have clearly described the ground(s) under which you are applying
- You have clearly labelled any accompanying sheets
- You have included all relevant documentary evidence to support your application (Please note that any evidence submitted late will only be accepted in exceptional circumstances)
- You have signed the Application Form (if submitting this electronically)

### Please submit this form to:

HE Quality Co-ordinator  
Higher Education Development Office  
University Centre  
Park Lane  
Leeds  
LS3 1AA

## Higher Education Student Complaints Process



In the unlikely event of the student still remaining dissatisfied after Stage 3 they have the right to request a review of the outcome with the Office of Independent Adjudicator (OIA) within 3 months of the notification of outcome of Stage 3.