



Leeds City College

Higher Education

General Appeals Process

Owner: HEDO

Introduced: June 2015

Next review: July 2016

Endorsed by: HE Committee & HE Academic Board

Leeds City College Higher Education General Appeals Process

1. Compliance with Regulations

All appeals shall be conducted in accordance with these regulations and the precepts set out in the Quality Assurance Agency UK Quality Code for Higher Education: Chapter B9: Academic Appeals and Student Complaints (April 2013) as embodied in the regulations approved by the Leeds City College Governing Body, and shall seek to uphold the principles of fairness, consistency, equity and equal opportunities.

2. Impartiality of Decision-Makers

In order to ensure impartiality in the dealing of General Appeals all appeals will be considered by a panel, chaired by the Dean of Higher Education. No person shall be permitted to take part in the making of a decision regarding an appeal where s/he has an interest through being a member of the same academic department in which the appellant is registered.

3. Distinction Between Appeals and Complaints

This process, applies to all, except academic appeals, and could include those relating to the following:

- Admissions decisions;
- Bursary payment decisions;
- Programme approval decisions (LCC validated programmes only)
- Approval of External Examiners;

Other matters of complaint involving a student and the college will be referred to as complaints and will be considered under the Leeds City College HE Complaints process.

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 the appellant on his/her programme of study, including the award of any qualification as a result of that progress.

4. Grounds for Review

A General Appeal can be considered at the request of an individual in the following circumstances:

- Where an individual feels that a decision has been made without taking into consideration all pertinent information;
- Where an individual feels that a decision has been made which may be considered to be in breach of Equality of Opportunity;

The handling of all appeals should normally be completed within 90 days of the start of the formal stage, in accordance with the OIA guidelines.

5. Privacy, Confidentiality and Data Protection

All evidence submitted by an appellant in support of an appeal should be treated with respect for the privacy of the appellant, and should be confidential to those members of staff concerned with the matters raised in the appeal.

Exceptionally, the appellant may request in writing to the Academic Registrar that information which s/he specifies is not disclosed (save to the appeal panel).

Where the Chair determines that exceptional circumstances do not exist, the Chair (or nominee) must inform the appellant in writing of that decision and the reasons for it, and must provide the appellant with the opportunity to have a summary of the evidence, which balances the request for confidentiality against the ability of the College to respond to the appeal, disclosed. If the appellant is unable to accept either option the appeal shall be deemed to have been withdrawn by the appellant

Any member of staff involved with an appeal in any capacity will ensure that the Data Protection Act 1998 is complied with at all times

6. Fair Treatment

No individual submitting a formal or informal Appeal under this Procedure, whether successfully or otherwise, will be treated less favourably by any member of staff than if the Appeal had not been brought. All staff involved in handling any stages of an Appeal have a duty to ensure that any decision they make regarding assessment of evidence, or the way a student is treated, must not be influenced by the submission of an Appeal Application. If evidence to the contrary is found, the member of staff may be subject to action under the Staff Disciplinary Procedure.

Where an individual believes that consideration of an Appeal is likely to affect the relationship between a student and a member of staff, all parties will be expected to continue that relationship in a professional manner. Only in exceptional circumstances will the Dean of Higher Education consider agreeing to a request for alternative working arrangements whilst the Appeal Application is being investigated.

7. Advice and Guidance

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).

The Higher Education Development Office (HEDO) can only provide advice to students and staff on the operation of these Regulations.

Academic staff will not be able to provide advice to students on individual Appeals applications.

8. The Informal Process

If an individual considers that he/she may have grounds for an appeal against a non-academic decision he/she is normally expected to, in the first instance, attempt to obtain informal resolution of the case by undertaking informal discussion with the HE Quality Co-ordinator.

The Informal Stage does not negate an individual's right to submit an Appeal Application Form and any application must be submitted in accordance with the guidance provided within the form. informal process. If the Dean of Higher Education is unable to confirm that an informal process had taken place, then a student's application will be considered in accordance with Paragraph 6.5.

At the conclusion of the Informal Stage, the HE Quality Co-ordinator or nominated representative will contact the individual, confirming in writing the decision of the Informal Stage. A copy of the documentation must be provided to the individual to serve as a record of the outcome. A copy must also be kept on file, and copies may be circulated, in confidence, to members of academic staff involved in the investigation of the facts relevant to the application. In the event that agreement has not been reached, a student may submit a formal Appeal Application Form within **10 working days** from the conclusion of the Informal Stage. (See Paragraph 10).

9. Submitting an Application for an Appeal

Individuals submitting a formal Appeal will find a General Appeal Application form on the VLE or can request this from HEDO. An example of the form can be found [here](#).

The Higher Education Development Office (HEDO), on receipt of the application, will have the right to request further clarification and/or information from the student prior to referring the application to the relevant Chair of the General Appeals Panel.

Incomplete applications or applications that do not meet the criteria will normally be rejected. The decision on whether, exceptionally, to accept incomplete applications or applications that do not meet the criteria will be at the discretion of the Chair of the General Appeals Panel. The decision of the General Appeals Panel is final.

All sections of the Appeal Application Form must be completed as fully as possible, following the guidelines issued in the form. Comments in support of the application should be confined to matters directly related to the grounds for the application. The application must be supported by documentary evidence.

Individuals are advised to retain a copy of their documentation and the General Appeal Application Form. Documents supplied as part of the application process will not normally be returned. Where photocopies of documents are submitted, the individual may be required to provide the HE Registrar Co-ordinator with sight of the original documents in order to verify their authenticity or, in exceptional cases, ask for their authenticity to be notarised by a public notary.

10. Formal Process

The formal process is initiated by the submission of an Appeal Application Form in accordance with Paragraph 10.

Receipt of an General Appeal Application Form will be acknowledged by the Higher Education Development Office (HEDO) within 3 working days.

The Higher Education Development Office (HEDO) shall normally, within **3 working days**, circulate the General Appeal Application Form and supporting documentary evidence, to the Chair of the General Appeal Panel.

Following a review of the application the Chair will instruct the HE Registrar Coordinator to convene a panel. This should be within 10 working days of receipt of the application. The constitution of the panel should normally be:

- The Dean of Higher Education (the Chair)

- The HE Academic Registrar
- A member of Academic Staff, independent of the process.

The quorum for a General Appeals Panel is two members, and a Secretary shall also be in attendance.

The General Appeals Panel will consider the individual's application and supporting evidence and reach a decision.

To assist in this process, the General Appeals Panel may request further information from the where necessary. This information should normally be provided to the Secretary of the General Appeals Panel within **5 working days** of the request. Where the General Appeals Panel agree that the application does not meet the grounds for Appeal based on the evidence submitted, it shall dismiss the application.

If the members of the Appeal Panel agree that there appears to sufficient evidence to uphold the appeal they will determine the action that needs to be taken.

The individual will normally be informed of the decision, and the reasons behind the decision, of the General Appeals Panel within **5 working days** of the meeting in writing.

11. Monitoring and Evaluation

Statistical data relating to the number of informal and formal appeals, including a summary of its decisions, will be included in the Scheme's Annual Report.