



Learner Appeals Procedure

| Version 1.4 – January 2024 |

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Introduction

1. Purpose

Learners may appeal against decisions of Staff Power Group, including those about assignments, projects, reports, examinations, or any other marks or outcomes. The appeals procedure depends on whether the appeal relates to summative assessments (exams) or to formative assessments or other matters. For appeals on matters not covered in this chapter, for example disciplinary actions, learners are asked to consult learner support. (An application form for learner appeals can be obtained from a member of staff or by e-mailing training@staffpowergroup.com)

2. Scope:

This policy is aimed at learners, who are using, or have used, any of the products or services offered by Staff Power Group, and want to submit an appeal regarding:

- The results of assessments
- Decisions regarding an enquiry
- Decisions regarding Reasonable Adjustments and Special Considerations
- Decisions relating to any action to be taken against a learner or a centre following an investigation into malpractice or maladministration, or decisions relating to Recognition of Prior Learning
- The way in which a complaint has been handled
- When to use this policy

Appeals can be made by individual learners or a cohort of learners.

3. Grounds for Appeal

Learners may appeal if it is believed that:

- The assessor was inappropriate in administering the assessment.
- The learner was not given a fair opportunity to provide evidence to be assessed against the assessment criteria.
- An unavoidable circumstance arose, which was outside the control of the learner, and resulted in the learner being unable to meet the assessment criteria as stated.

4. Appeals Procedure

Any appeal against an assessment decision should adhere to this process:

Stage 1 - Informal stage

Usually appeals can be resolved informally, and those who believe they have valid grounds for appeal against an admission decision should raise the matter, in writing, prior to the start date of the course, with the relevant member of staff citing under which ground the appeal is made and providing evidence to support the appeal. The member of staff must respond to this informal appeal within 10 days of receipt of the letter. If the appeal is not resolved to the satisfaction of the appellant through this informal means the member of staff should provide clear advice on the formal procedure.

Stage 2 – Formal stage

If the appeal is not resolved to the satisfaction of the appellant through this informal means, he/she should then complete a formal appeal form available by e-mailing: training@staffpowergroup.com and forward it, within 28 days of the original date of informal appeal, to the Directors, setting out the grounds for appeal. The request should explain why the appellant remains dissatisfied and, what he/she would hope the outcome to be.

Upon receipt of an application the Directors will acknowledge receipt of an appellant request for an appeal hearing within 10 days and appoint an adjudicator to investigate the admissions appeal.

Stage 3 - Adjudication

On receipt of the request of formal appeal the adjudicator shall within 7 days:

- i. determine whether the application meets the criteria for an admission appeal;
- ii. notify the appellant in writing of the receipt of their application informing them whether the application meets the criteria for an appeal, as above, and will be forwarded to Stage 4, or whether it does not meet the criteria and is denied.

Stage 4 – Investigation

Once the adjudicator has determined an appellant application for an admission appeal has grounds they shall within 14 days:

- i. where relevant, notify the validating awarding body to invoke their appeals procedure within their specified notification period,
- ii. request an investigation and report from the Directors to the appeal,
- iii. if relevant set up an appeal panel,
- iv. inform the appellant and member staff in writing of the details of the Appeal Panel,
- v. forward the relevant documentation to the appellant, appeal panel or to the relevant awarding body appeals adjudicator.

- i. The Chair shall advise the panel and both parties about the proceedings.
- ii. The appellant has the right to present their appeal to the panel and respond to the findings of the investigation.
- iii. The staff representative has the right to present their findings to the panel and answer the appellant's presentation.
- iv. The deliberations of the Appeal Panel must be made without either the appellant, and companion or representative, or the staff representative in situ.
- v. The Chair of the Appeal Panel shall give written notice to the appellant of the decision within 10 days of the hearing. Verbal notification may be given at the time of the appeal hearing but this must not override the requirement of written notice.

The Appeals Panel shall decide either:

- i. that it upholds the original admissions decision; or
- ii. that the admissions decision is to be reconsidered in favour of the appellant in the light of the findings of the investigation. The Chair of the Appeals Panel shall give written notice to the appellant of the decision.

The deliberations of the Appeals Panel shall be confidential.

5. Appeal Outcome

Following a successful outcome of an appeal, the learner may have the opportunity to:

- Resubmit their assessment submission without charge.
- Have their assessment mark amended as agreed with the External Assessor/Verifier.

6. Policy Review

Policy Commencement Date	Jan 2024
Policy Version	Version 1.4
Date of Review	January 2024
Signature	L. Johnston