



The Youth Development Academy

Academic Appeals and Student Complaints **Policy**

Areas covered:

Complaints Procedure

Internal Appeals Procedure

Context

The Youth Development Academy (TYDA) aims to provide an open, accountable and fair service to everyone associated with the academy.

In furtherance of this aim there is a structured procedure for both academic appeals and student complaints. These procedures are '**the basis of effective appeals and complaints processes.**' You should use these procedures if you are a student of the Academy, a member of staff, a visitor or an associate of the Academy, and wish to complain or appeal a decision.

1. Complaints Procedure: Information, advice and guidance

There is the right to complain and to have it considered and investigated. The aim is to learn from any mistakes and the complaints procedure is seen as a very important part of the academy's continuous improvement plans.

The academy will always try to deal and resolve a complaint within the timescales given in this procedure, but sometimes it may not be possible to do this if the complaint is complex and difficult to review. However, the Academy will always try to keep in touch with the complainant. If the Academy is unable to tell the complainant the exact outcome, it may be because it is confidential between an individual and the Academy.

Stage 1 – Informal Procedure

Students currently studying at the Academy and unhappy about a course, are advised to speak to the course tutor. The student may also want to speak to any of the following members of staff:

- The Internal Verifier responsible for quality assurance of your course.
- The Welfare Officer.

If you are not a student at the Academy, you should contact the Academy and explain your complaint about the service or information you have received, which will then be passed on to the person who is best positioned to help.

Stage 2- Formal Procedure

If the complainant prefers not to speak to someone, or is still dissatisfied after speaking to someone, a formal complaint can be made in writing.

To do this you can fill in the complaint form available at the reception/website portal. Please ensure that you complete the personal details section and give an accurate account of the complaint, as well as any actions you would like to suggest that the Academy should take.

Please put the form in a sealed envelope and address it to the Welfare Officer, if the complainant's wish is for the complaint to be dealt with in private and confidentially.

What students can expect to happen?

The aim is to resolve complaints informally at the first point of contact with the person making the complaint. When a formal complaint is received through the procedure stated above, the Academy will phone and send an acknowledgment in writing within three working days of receipt of the complaint.

The complaint will be investigated by the relevant department and a response given within eight working days. If the complaint is particularly complex an estimated timescale as to when to expect to receive a response will be given. If the Academy **agrees** with the complaint the complainant will be advised in writing and given an explanation,

If the Academy **does not agree** with the complaint you will be advised in writing, and your right to appeal will be explained.

Stage 3 – Appeals Procedure

If the complainant receives a decision and is not happy with the outcome, an appeal to the Principal may be made. The complainant should contact the Welfare Officer who will advise writing a letter or sending an email stating that the Academy wishes to appeal against the decision; the complainant will not need to

tell the Academy about the complaint as the details will already have been passed internally.

The Academy Principal will review the complaint and decide if the decision is upheld. The complainant may be asked to come to a meeting at the Academy to discuss the complaint and also invited to bring a friend or family member to accompany them to the meeting.

The Academy Principal will review and respond to the complainant within ten days from the date on the appeals letter.

Stage 4 – After Appeals Procedure

If the complainant is still dissatisfied with the outcome of the complaint, the complainant is advised to contact the appropriate agency that monitors the Academy's compliance with its published standards and quality. The complainant will be advised of the agency contact details and complaints procedure to assist in taking the complaint further.

Action, monitoring and enhancement

The Academy will monitor the efficiency and effectiveness of the current structure in July/August each year as part of its Annual Policy Review.

The Academy is very aware of the importance of the process in developing an effective relationship with its learners. Students must feel they have an effective 'voice' and that the procedure is accessible and transparent. The procedure must be visibly 'conducted in a timely and fair manner'.

2. Internal Appeals procedures, design and implementation

Aim

The quality assurance of assessment decisions or approval of outcomes is based on impartial, reliable and valid judgments and the Academy aims to ensure that the decisions affecting the learners are processed fairly. Nevertheless, there may be incidents when decisions taken by the Academy are questioned. To allow a learner to enquire about, or submit, an appeal to the Academy, against assessment decisions or other decisions, the Academy has a clear and transparent procedure for the learner to follow. All appeals to the Academy must be authorised by the Quality Nominee.

Guidance on appeals procedure.

The Academy is required to have a centre policy on appeals concerning all qualifications. It is essential that the policy is communicated to all staff and learners.

This appeals policy must be read in conjunction with the relevant awarding organisation procedures. For appeals made against the Assessor's/Internal Verifier's decision, the appeals procedure will focus on whether the Assessors/Internal Verifier:

- used procedures that were consistent with the requirements of the regulators;
- applied the procedures correctly and fairly in arriving at judgements.

In respect of assessment outcomes, the appeals process investigates procedures and is not concerned with making judgments about the learners' work. Appeals do not inevitably involve the re-marking or reassessment of the learner's work, but a review of the learner's work may be ordered if the outcome of the appeal authorises such a decision.

An appeal from an individual learner must first go through the internal appeals procedures of the Academy before the appeal is submitted to the awarding organisation. The Quality Nominee is required to submit the appeal on behalf of the learner to the awarding organisation. When reviewing an individual learner appeal, the awarding organisation will consider whether the procedures followed by the Academy were consistent with the Academy Appeals Procedure.

During an appeal, the Academy shall retain all evidence relating to the appeal case. If the appeal involves the work of a learner the Academy shall retain the work of the complete cohort. The Internal Verifier will keep all documentation regarding an appeal for a minimum of eighteen months. The course administrators must also keep documentation relating to a learner's appeal or an appeal to the Internal Verifier for a minimum of eighteen months.

Procedure

Stage 1 – Informal Assessor’s Appeal

The appeals procedure involves a review of the appeal by the Assessor(s). The Assessor(s) will make enquiries based on the nature of the appeal and on this evidence decide if any further work relating to the appeal should be authorised. For the majority of cases the appeal can be resolved at this stage.

The Learner must complete and present the appeals application form within seven working days after receiving the assessment results from an assignment.

The Assessors will communicate the outcome of their decision to the Learner either immediately or no later than seven working days.

The Assessor will consider the appeal and will subsequently:

- provide the Learner with a clear explanation/reiteration of the assessment decision following re-evaluation of the evidence;
- amend the Learner's assessment record, if appropriate;
- give feedback to the Learner on the outcome of the decision.

In cases where the Learner remains dissatisfied after notification of the outcome of Stage 1, the Learner may progress to Stage 2 by submitting a written request to the Internal Verifier within seven working days of receipt of the outcome of Stage 1.

Stage 2: Internal Verifier Appeal

Stage 2 of the appeals procedure permits the Learner to present the case to the Internal Verifier.

The Internal Verifier will consider an appeal for Stage 2 provided that:

- the appeal application is submitted by the assessor and recorded on the Academy appeals application form;
- the appeal is submitted within the time limit of seven working days of receipt of the outcome of Stage 1;
- the assessor's Stage 1 appeal process has been exhausted.

The internal Verifier will consider the appeal by evaluating:

- the Learner evidence and associated records;
- the Assessor's rationale for the decision;
- the opinion of another Assessor;
- the opinion of the Learner.

The Internal Verifier will communicate the outcome of the decision to the Assessor within seven working days. A report of the decision and outcome will be sent to the Learner within ten working days from receipt of the appeals application form.

Stage 3: Senior Management Panel

In the event of Stages 1 and 2 being exhausted without a satisfactory resolution, Stage 3 of the appeals procedure may be invoked.

The Learner must make their appeal in writing to the Academic Director within 7 working days from receipt of the outcome in Stage 2.

The Academic Director will nominate a senior member of staff and another experienced member of the teaching staff to lead the enquiry provided that they have played no part in the original assessment process. The investigation will take into account the written submission from the applicant and will include a check on the awarding organisation procedures that were followed in arriving at the assessment decision, and whether those procedures were compliant with the Code of Practice and applied fairly.

The procedures which are open to investigation include the full range of processes involved in, and leading to, the award of grades. The appeals process is not directly concerned with making judgements about the quality of learners' work since this is the responsibility of the Assessor and Internal Verifier.

An appeal investigation does not generally involve a further review of the Learner's work, but such action may be authorised.

The Internal Verifier involved in Stage 2 must forward relevant details to the appeals panel and these should include:

- Appeal Application Form;
- assessment and evidence records;
- all correspondence and feedback given to the Learner at Stages 1 and 2.

After the investigation the appeal will either be rejected (disallowed) or upheld (allowed). If the appeal is upheld (allowed) any necessary further work on the Learner's scripts or results will be undertaken. Any such work will always be carried out in full compliance with the Code of Practice and JCQ agreed procedures.

The outcome of the appeal will be formally reported back to the Learner and Internal Verifier in writing within 7 working days of the appeal being received at Stage 3.

Stage 4 – Academic Board Appeals Panel

If the Learner is dissatisfied with the outcome of stage 3 they have the right to forward their case to the Academic Board Appeals Panel. If the Learner wishes to proceed to the formal hearing they must inform the Academy in writing within seven working days of receiving the outcome letter in Stage 3.

Following receipt of notification to proceed to a formal hearing the Academy will convene a panel within ten working days. The panel will comprise of at least three individuals who have not previously been involved in the case; a member of the senior leadership team, the Quality Nominee and an independent person. The independent person might be a member of the Academic Board and/or an experienced member of the assessment and verification team.

Both the Assessor and the Learner will be given an opportunity to hear each other's submissions to the panel.

The panel's findings will be formally reported back to the learner within five working days of the hearing. The letter will include the outcome of the appeal and the rationale behind the decision made.

The decision of the Appeals Panel will be the final internal decision; however a learner can refer a decision to the awarding organisation.

All records of the request for the appeal, the evidence, deliberations of the panel and the result will be kept in a confidential file, held by the Examinations Officer. The Academy will notify the relevant awarding organisation of any outcome of an appeal if it has implications for the awarding organisation.

Appeals to an Awarding Organisation

How to appeal

The Academy Principal or any private Learner should submit a written request for a Stage 1 Appeal to the relevant awarding organisation.

Appeals must be made within fourteen days of receiving the outcome of the enquiry about results. This time scale is determined by the regulators and does not make allowance for the time the centre may be closed for holidays.

The Academy Principal or private Learner submitting the appeal must set out as clearly as possible the nature of the concern.

The Code of Practice issued by the Regulator states that appeals should focus on whether an awarding organisation has:

- Used procedures that were consistent with its Code of Practice
- Applied its procedures properly and fairly in arriving at judgements.

When an application for an appeal is received, awarding bodies have various mechanisms for deciding whether it will be accepted or not. Some awarding organisations will refer the application to a committee or sub-committee, while in others a senior officer may make the decision.

The decision whether or not to accept the appeal is based on:

- The grounds of the appeal put forward by the Academy or Learner
- Whether an appropriate investigation has been carried out.
- The timescale of the application

If an appeal is not accepted, the reason(s) for this will be given.

Full details on the awarding organisation appeals procedure will be given to the Learner on request from student welfare department.

The Youth Development Academy General Complaint Form

This form will assist you in filing a complaint. You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (*) must be provided, whether or not the form is used.

1. *Please state your name and address:

Name: _____

Address: _____

Telephone Number: Home: () _____ Mobile: _____

Student ID Number:

2. What are the most convenient time and place for us to contact you regarding this complaint?

If we cannot reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____

Telephone Number: _____

3. *Please explain the circumstances of your complaint as clearly as possible: what happened, why you believe it happened and Indicate who was involved. Be sure to include how other persons were involved or witness to your complaint (Please use additional sheets if necessary)

4. Please list below any persons (witnesses, fellow employees or students, supervisors, or others) if known, whom we may contact for additional information to support or clarify your complaint.

Name: _____

Address: _____

Telephone Number: Home: () _____ Mobile: _____

5. Do you have other information that you think is relevant to our investigation of your complaint?

6. Please tell us your desired resolution.

7. Have you (or known other person) raised this complaint before?

Yes _____ No _____

If so, what are the details? _____

8. *We cannot accept a complaint if it has not been signed. Please sign and date below:

Name and Signature

Date

Please feel free to add additional sheets to explain the present situation to us. We may need to contact you to obtain your consent to disclose your name, if necessary, in the course of any investigation.

Please mail the signed complaint form (please make a copy for your own records) to the Welfare Officer, The Youth Development Academy.

The Youth Development Academy General Complaint Internal Report Form

The investigator's findings will be formally reported back to the Complainant within 8 working days of receiving the written complaint. The letter to the Complainant will include the outcome of the investigation and the rationale behind any decisions made.

| | | | |
|---|---|--|---------------|
| Complainant's Name: | | | |
| Date of Complaint: | | | |
| Date Complaint Investigated: | | | |
| Person Investigating the Complaint: | | | |
| Authorising Manager: | | | |
| Investigation notes: include interviews with the witnesses, other staff/student involved. | | | |
| (Please write here if the decision is to reject or uphold the complaint. Provide a rationale for the decision and state what remedial action will be taken) | | | |
| <u>Recommendations for future practice or policy review (continue on a separate sheet if necessary)</u> | | | |
| Decision/ Outcome: | Complainant satisfied and accepts the decisions? | Yes/No | |
| Signature of Investigator: | | Date: | |
| Signature of Authorising Manager: | | Date: | |
| Signature of Complainant (only if appropriate?) | | Date: | |
| Date Complaint Resolved/Letter Sent: | | Date: | |
| Does the Complainant wish to appeal against the decision? | Yes/No | Is the complaint file completed, closed and passed to HR? | Yes/No |

**The Youth Development Academy
Appeal Application Form (stage 1)**

*To be completed by the learner within 7 working days of receiving the assessment decision
for an assignment/unit assessment*

| | | | |
|---|--|---------------------------------|--|
| Course Title and Level: | | | |
| Unit No. & Title: | | | |
| Learner's Name: | | | |
| Learner's ID No: | | | |
| Learner's Home Address: | | | |
| Date of Appeal: | | | |
| Unit Assessor Name: | | | |
| Reason for Appeal (to be completed by the learner) | | | |
| (Please write here why you think that the assessment decision is not correct) | | | |
| | | | |
| Signature – Learner: | | Date Handed to Assessor: | |
| Signature - Unit Assessor: | | Date Appeal Received: | |
| Signature - Unit Assessor: (if second assessor is involved) | | Date Appeal Received: | |

**The Youth Development Academy
Appeal Application Form (stage 1)**

*To be completed by the learner within 7 working days of receiving the assessment decision
for an assignment/unit assessment*

Units Assessor's decision following re-evaluation of the assessment decision of
assignment/assessment evidence

Decision

(Unit Assessor writes here why (s)he thinks that the assessment decision is correct or why
it needs to be amended and reviewed)

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| Signature – Learner: | | Date Handed to Assessor: | |
| Signature - Unit Assessor: | | Date re-assessed work is received by the Learner. | |
| Does the Learner accept the decision? | Yes/No | Does the Learner wish to proceed to the stage 2? | Yes/No |

The Youth Development Academy
Appeal Application Form (stage 2)

To be completed by the second assessor and internal verifier within 10 working days of receiving appeals stage 2.

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| Learner's Name: | |
| Date of Appeal: | |
| Date of Stage 2: | |
| Name of Unit Assessor: | |
| Name of Second Assessor: | |
| Name of Internal Verifier: | |
| Second Assessor's decision following assessment of the learners assignment/assessment evidence | |
| (please write here your assessment decision of the learners evidence) | |
| Internal Verification following the assessment decision. | |
| (please write here verification decision for the second Assessor) | |

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|---------------------------------------|--------|--|--------|
| Signature of second Assessor: | | Date: | |
| Signature of Internal Verifier: | | Date: | |
| Signature of Learner: | | Date: | |
| Does the Learner accept the decision? | Yes/No | Does the Learner wish to proceed to stage 3? | Yes/No |

The Youth Development Academy

Appeal Application Form (stage 3)

To be completed by the staff involved in the investigation within 7 working days of receiving appeals stage 3.

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| Learner's Name: | |
| Date of Appeal: | |
| Date of Stage 3: | |
| Name(s) of Management involved: | |
| Name of Curriculum Staff(s) involved | |
| Management decision following re-evaluation of decisions made in stages 1 and 2. | |
| (Please write here if the decision is to reject or uphold the appeal. Provide a rationale for the decision and state what action the Learner is permitted to take if further evidence is required) | |

| | | | |
|--|---|--|--------|
| | | | |
| Decision Made: complete on the statements: | Grade to remain unchanged: ----- | Grade to be changed to: ----- | |
| Signature of Management: | | Date: | |
| Signature of Curriculum Staff: | | Date: | |
| Signature of Learner: | | Date feedback given to Learner: | |
| Does the Learner accept the decision? | Yes/No | Does the Learner wish to appeal to the Academic Board? | Yes/No |

The Youth Development Academy

Appeal Application Form (stage 4)

The panel's findings will be formally reported back to the Learner within 5 working days of the hearing. The letter will include the outcome of the appeal and the rationale behind the decision made.

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|--|--|
| Learner's Name: | |
| Date of Appeal: | |
| Date of Stage 4: | |
| Academic Board Member One: | |
| Academic Board Member Two: | |
| Academic Board Member Three: | |
| Unit Assessor: | |
| Learner's family or Friend Name: | |
| Academic Board's decision following convening an Appeals Panel. Include notes of interviews with the Learner, unit Assessor and other staff involved in stage 4 appeals. Also include any assessment records used to make the final judgement. | |
| (Please write here if the decision is to reject or uphold the appeal. Provide a rationale for the decision and state what action the Learner is permitted to take if further evidence is required) | |
| <u>Recommendations for future practice or policy review (continue on a separate sheet if necessary)</u> | |

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|--|-------------------------------------|---|--------|
| Decision Made: complete on the statements: | Grade to remain unchanged: ----- | Grade to be changed to: ----- | |
| Signature of Academic Board person number 1: | | Date: | |
| Signature of Academic Board person number 2: | | Date: | |
| Signature of Academic Board person number 3: | | Date: | |
| Signature of Learner: | | Date feedback given to Learner: | |
| Does the Learner accept the decision? | Yes/No | Does the Learner wish to appeal to the Awarding Organisation? | Yes/No |

Policy Review

This policy will be reviewed on an annual basis, or if there is a change in legal or other business related requirement.

| Review date | Description | Reviewed by | Next Review date |
|--------------|--|-------------|------------------|
| 29 July 2019 | Academic Appeals & Students Complaints Policy | SMT Team | 27 July 2020 |