



Appeals Policy and Procedure

Introduction

1. LSSW is committed to giving you the best participant experience possible. However, there may be occasions when you feel that you have grounds to appeal against an academic decision (for example, where a performance in an assessment was adversely affected by undisclosed mitigating circumstances, you may wish to challenge the result awarded by the Company).
2. As part of our commitment to a first-class participant experience, LSSW seeks to resolve academic difficulties between participants and the Company as fairly and effectively as possible. In order to understand the reason for the result or decision, we expect that efforts will be made by participants to informally seek resolution before engaging with formal appeal procedures. It is only when informal channels have been exhausted, or the case is reasoned to be too problematic to informally resolve, that procedures can be initiated to escalate appeals to a formal stage.
3. The Company expects participants to appreciate that appeals will not always result in their preferred conclusion. Regardless of the decision, you will be informed of the outcome of a formal appeal and the reasons for it.
4. LSSW hopes that participants acknowledge that this policy and procedure provide for a swift and fair assessment of their appeal; however, any feedback you may have on the process will be considered as part of our continual improvement efforts.

Definition of an appeal and scope of these procedures

5. An academic appeal is a request for a formal review of an academic decision submitted on specific grounds (which are detailed under Grounds for Appeal, [paragraph 41 below](#)). This includes, but is not limited to, reviews of: a decision on a mitigating circumstances claim; a mark awarded to assessment; a decision to terminate a participant's registration on academic grounds. Although similar in procedure, an appeal is distinct from a complaint: complaints seek to raise concerns about the quality or delivery you have received from any part of the Company.
6. Complaints, including those academic in nature (such as those relating to the quality of facilitation or delivery of a programme), are considered under a separate Complaints Policy and Procedure.
7. Where an incident does not clearly fall under any one policy, for example a case relating to both an appeal and a complaint which will need to be dealt with via two or more separate procedures, the Company will inform the participant which issue is being dealt with under which procedure and in which order they will be addressed or if they will be pursued concurrently.

Related Policies, Procedures:

8. The 'Academic Integrity Procedure' which can be found on our website is related to the Appeals Policy and Procedure:

Advice and guidance for participants

9. If an appeal is considered to be vexatious or frivolous then the appeal will be referred to the Company Chair or nominee for review and a response to the participant concerned. A letter will be sent to the participant appealing within 28 calendar days of the Company Chair or nominee making a decision. A frivolous or vexatious appeal can be characterised in a number of ways including, but not limited to, the following: Appeals which are obsessive, persistent, harassing, prolific, repetitious; Insistence upon pursuing unmeritorious appeals and/or unrealistic outcomes beyond all reason; Insistence upon pursuing meritorious appeals in an unreasonable manner; Appeals which are designed to cause disruption or annoyance; Demands for redress which lack any serious purpose or value.

10. Participants may wish to consult with their school Sponsor for advice when considering their appeal:

Who can appeal?

11. This Policy applies to all participants currently registered on an NPQ Programme leading to a National Award.

12. Appeals received from a third party (including a school) will be considered only with the express written permission of the person to whom the appeal relates giving the named third party power to act on their behalf; this permission must be supplied within the six week period from notification of the results in question.

13. You must submit your appeal within six weeks from notification of the results in question. Acceptance of any appeal submitted outside of this time limit will be at the sole discretion of the Managing Director.

14. Cases for appeal will only be accepted in writing, presented clearly and comprehensibly, which have valid grounds of appeal as outlined in this policy and procedure.

15. The submission of an appeal will not have a negative effect on a participant's academic position.

Disability

16. If you consider yourself to have a disability or learning difficulty, support is available to assist you with submitting a final assessment. Participants are advised to contact the Company at the start of any programme to avoid problems.

17. If you anticipate that it may be difficult to meet the deadlines expressed in this Policy because of a registered disability or learning difficulty, you should inform the Company, ideally before the relevant deadline elapses. Additional time may be granted for submissions that meet these grounds **at the discretion of the Managing Director.**

Time limits

18. It is expected that appeals will be completed and a decision provided to you within 30 calendar days from the date of submission.

19. LSSW will make every reasonable effort to meet the time limits as stated in this Policy. Where they are not met, we will provide a justifiable explanation to you. It should be recognised, however, that to ensure a thorough review of a submission, it may, by exception, be necessary to take a case beyond the standard time limit. In such circumstances, you will be notified of this in writing.

20. You should also be aware that time limits relating to the processing of appeal submissions may be reasonably extended during holiday periods when participants themselves and/or appropriate staff may not be always available.

21. All participants should be aware that failure to meet the appropriate time limits without a reasonable explanation may result in a case being concluded without further consideration.

22. Participants are expected to familiarise themselves with the key deadlines outlined in this Policy. Ignorance of these regulations does not excuse participants from adherence to them.

Confidentiality

23. Privacy and confidentiality will be respected at all stages of the appeal process.

24. All information submitted in relation to an appeal will be dealt with confidentially and will only be disclosed to other parties for the purposes of conducting an effective investigation and achieving a judgement of an appeal, or as required by law. Where something is disclosed that could have a safeguarding impact we reserve the right to liaise with appropriate professionals.

25. Participants have the right to expect that all those who respond to, investigate, or adjudicate on an appeal shall do so impartially. No individual will be permitted to be involved in a case in which they have a material interest, or, in which any actual or potential conflict of interest may arise.

Notification of illness or other factors before the examiners' decisions

26. If you consider that your performance in an assessment has been adversely affected by illness or other factors, you should contact the Company as soon as possible.

Deadline

27. You should submit an appeal as soon as possible and any delay in submitting an appeal will need to be fully explained and may be grounds for rejection. Normally, you should make a formal appeal within 2 weeks of being notified of the relevant results.

Overview of the three stage Appeals Process

28. The Company's internal participant appeals procedure consists of up to three stages:

1. Early Resolution
2. Formal Appeal
3. Review stage

1. Early resolution

- The Company aims to resolve most appeals at this stage, via face to face discussions with the participant.
- Initially the participant will raise the issue directly with relevant staff in the Company to seek resolution
- If this initial discussion is not sufficient to resolve the issue, the participant may submit a formal appeal

2. Formal appeal

- Enacted only if the participant remains dissatisfied with the outcome of stage 1 or resolution was not possible due to the character, complexity or seriousness of case.
- A Company Director will deal with the Appeal
- The Director will seek responses to the appeal from relevant staff.
- Participants will be provided with a written outcome at the conclusion of this stage.

3. Review stage

- Enacted only if the participant remains dissatisfied and makes an appeal to the Chair for a review of the process of stage 2.
- The review stage is not an automatic reconsideration of the issues raised but of the processing of the appeal at Stages 1 and 2.
- An Appeal review panel may be convened at the discretion of the Chair.
- The participant will be provided with a written outcome at the conclusion of this stage.
- A Completion of Procedures letter will be issued at this stage.

Time limits

29. We seek to deal with all appeals as swiftly as possible. Normally Stage 2 appeals will be resolved within 28 calendar days; if an appeal is particularly complex and goes through Stages 2 and 3, we would seek to resolve it within a maximum time period of 56 calendar days.

Our time limits for the completion of an appeal from submission to completion are provided as follows:

Stage Timescale

30. Early Resolution N/A

Submission of formal appeal Start of Appeal Formal Stage Up to 28 calendar days

Submission of request for review of original appeal Within 14 calendar days

Review Stage Normally within 28 days but up to 42 calendar days

31. Although the Company aims to operate within the time limits as set out above we accept a degree of flexibility may be required in some cases, such as when the Company closes for Christmas

and Easter holidays. Any extension or alteration to the time limits requested by a student must be fully justified and the Head of Academic Services or nominee's decision whether to allow any changes will be final.

Stage 1. Early Resolution

32. When you wish to raise an appeal, initially you should do so informally, by discussing your concerns with your Sponsor and an LSSW Associate.

33. It is anticipated that by seeking to understand the decision, the reasons behind it and the implications therein. No results can be changed following this discussion, but it may help in clarifying to you whether an appeal is an appropriate step to take.

34. There is no prescribed method as to how responses to early resolution queries are conveyed to you, but it may take the form of explanatory meetings or email correspondence. If appropriate, the Company may provide detail on how the decision was reached.

35. You should be mindful that any formal appeal must be initiated within six weeks of notification of the decision or result in question. Therefore you should ensure that attempts at an early resolution are sought and completed within these six weeks to safeguard the option to begin a formal appeal, should you choose to do so.

36. If you are dissatisfied with the outcome of the informal approach, you should submit a letter of appeal.

Stage 2. Formal stage

37. The Formal stage is started when:

You decline to engage with early resolution and initiate the formal process in line with this policy. Early resolution was attempted but you remain dissatisfied and initiate the formal process in line with this policy; The issues raised are complex and will require detailed investigation.

38. Participants who decline to engage with early resolution may be asked to provide an explanation as to why they did not pursue this option. On receipt of an appeal which has not been through Stage 1 of the process, it will be considered for the formal stage only when the possibility of early resolution has been considered. This is the point at which the deadlines for the formal stage will commence.

How to submit a formal appeal?

39. Appeals must be made within six weeks of the date of notification of results and submitted including all evidence you wish to be considered. You should retain copies of the letter and any evidence supplied for your records.

40. Appeals should be submitted by e-mail to: admin@leadingschoolssouthwest.org.uk

Grounds for appeal

41. An appeal will only be considered if it meets one of the following grounds. The appeal letter must state on what grounds the appeal is lodged and include any relevant evidence.

a) if an apparent case is sufficiently established that your assessment was adversely affected by illness or other mitigating circumstances which you were unable, or for valid reasons unwilling, to inform the Company about before it reached its decision;

b) If an apparent case is sufficiently established that there has been an administrative error. Such error could include, for example: omission of an assessment or mark; incorrect aggregation of assessment marks; incorrect application of any special assessment criteria;

c) If an apparent case is sufficiently established that the assessment and/or assessment decision was not conducted in accordance with the relevant regulations or not conducted in accordance with the assessment criteria, and that the subsequent mark could have been affected as a result.

42. It is not possible for participants to appeal against the academic judgement of Assessors.

Academic judgement is defined as the considered view of an appropriately qualified and experienced subject specialist on your academic performance. This could relate to: the award of marks for an assessment, research methodology and ethical practices.

43. In addition, appeals on the basis of administrative error will not normally be heard where the evidence consists solely of the student's belief that their performance merited a higher mark than that awarded. An appeal may however be considered on the basis of possible administrative error where you can supply clear evidence that an individual mark appears to be unrepresentative (for example by comparing an individual result with your overall mark profile).

Consideration of appeal 4

4. Upon receiving an appeal an LSSW Associate will be appointed as case handler and will consider whether the appeal is within the time limit and has sufficient grounds.

LSSW Policy.