learner appeals Policy

AC004

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## Purpose & Scope

* 1. These regulations apply to taught programmes delivered at the Chequers Academy, and distance learning programmes. These procedures should not be used to challenge a decision pertaining to cases of academic misconduct as there is a separate policy which should be referred to.
	2. This procedure may be used by students who wish to appeal against a final decision of an Assessment Board or equivalent body which affects a student’s academic status or progress in the qualification. This includes the following:
		1. the mark awarded for any unit of assessment.
		2. the overall outcome of a module or programme of study.
		3. failure at any stage of a programme of study.
		4. a requirement that the student interrupt his or her studies on grounds of unsatisfactory progress or failure to meet academic or professional requirements.
		5. a decision that the student be expelled from Chequers Academy or be withdrawn from his or her programme of study on the grounds of unsatisfactory progress or failure to meet academic or professional requirements or arising from poor attendance.
		6. a decision not to allow resubmission of an assessment for a qualification.
	3. Throughout this regulation, use of the term ‘Assessment Board’ shall be interpreted as a body constituted by Chequers Academy and/or a partner institution which is empowered to make decisions about student progress and awards.

## Grounds for Submitting and Academic Appeal

1. 1. Students or recent graduates may submit an Academic Appeal on the following grounds:
		1. That circumstances affected the appellant's performance of which, for good reason, the Assessment Board or equivalent body (including assessors at OSCE examinations) may not have been made aware when the decision was taken and which might have had a material effect on the decision [Note: if students wish to appeal on such grounds, they must give credible and compelling reasons with supporting documentation why this information was not made available prior to the decision being made].
		2. That there was a material administrative error or procedural irregularity in the assessment process or in putting into effect the regulations for the programme of study of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred.
	2. An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a student’s academic performance or professional competence will not be accepted.

## Learner Procedure

* 1. It is the responsibility of a learner to notify their nominated Tutor at the earliest opportunity if there are any extenuating circumstances which might have a bearing on their assessment performance, so that, wherever possible, this may be brought to the attention of the Internal Quality Assurer (IQA) at the appropriate time. It is also the learner's responsibility to check his or her examination results.
	2. Appeals should be made in writing to the IQA within 14 days of the examination board – deadlines for appeals will be published on the website. If an application is received within the specified time limits but is insufficiently detailed to enable the IQA to form a judgment, the learner should be asked to provide the necessary additional information.
	3. If after consulting with the nominated tutor, if the IQA is satisfied that no case is established, the learner should be notified in writing of that decision within 20 working days of receipt.
	4. Learners will have the right to appeal directly to the EQA (External Quality Assurer) at the awarding body within 20 working days of the assessment if they are not satisfied with the outcome of the appeal raised with the Centre.

## Committee Procedure

* 1. If the IQA decides to establish an Appeal Committee consisting of the Medical Education Lead and Quality Assurance Lead, the learner must first be given notice in writing of that decision and invited to opt either for the appeal to be dealt with: (a) with an investigation and written report, or; (b) at an oral hearing.
	2. Where the case is investigated, the learner will be required to submit evidence by a specified date. Comments made by the IQA will be supplied to the learner, with an invitation to submit any response to those comments by a specified date.
	3. Where there is to be an oral hearing, the learner should be informed of the date, time and place of the hearing with at least 5 working days’ notice.
	4. They should be asked to confirm in writing not later than three days in advance of the hearing whether a friend or adviser will be present and their name/position. It is important to note that the friend or adviser is to provide support to the appellant and will be expected not to be directly involved with or contribute verbally to the meeting. Where friend or advisor involvement occurs, Chequers Academy reserves the right to end the oral hearing and continue in the appellant’s absence.
	5. The IQA should inform the learner of the membership of the Committee (if applicable) in advance of the hearing. If the learner objects to any member, the reasons for that objection should be provided in writing to the IQA. The Chairman of the Committee (Medical Education Lead) will then determine whether that member should be excluded from consideration of the case. If the learner objects to the Chairman, the IQA should be informed in writing and the members shall determine whether the learner’s objection should be upheld.
	6. If the learner fails to attend the hearing, the Committee may, if it is satisfied that due notice has been given, proceed in the learner's absence based on the material available to it.
	7. After the meeting of the Appeals Committee, the Centre Contact will notify the learner in writing of the decision within 14 working days of the meeting.

## Outcomes

* 1. Successful appeals will not normally result in the award of additional marks for an assessment unless the Appeals Panel determines that the work submitted should be re-marked, in which case the mark may go up or down, depending upon the academic judgement of the assessors. Re-marking will follow standard Chequers Academy procedures and regulations.
	2. In rare cases where a student has successfully appealed an assessment that they passed, the student will normally be given the choice to retain their original mark or undertake re-assessment. If re-assessment is undertaken, the mark for the reassessed work shall stand, even if it is worse than the mark originally achieved.
	3. Where an academic appeal has not been resolved to a learner’s satisfaction, there is an opportunity to make an application for a review under the Learner Complaints Procedure.

## Monitoring

* 1. We will maintain and review the records of all learners in order to monitor the progress of this policy.
	2. Monitoring may involve:
		1. the collection and classification of information regarding the race in terms of ethnic/national origin and sex of all learners.
		2. the examination by ethnic/national origin and sex of the distribution and success rate of learners; and
		3. recording enrolment and training records of all learners, the decisions reached and the reason for those decisions.
	3. The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and learners.

## Policy Review

* 1. This policy will be reviewed on a three-year cycle. However, where legislation is updated, the policy will be reviewed accordingly.

## Document Control

### Confidentiality Notice

This document and the information contained therein is the property of Chequers Health Group Ltd.

This document contains information that is privileged, confidential or otherwise protected from disclosure.

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### Document Revision and Approval History

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| --- | --- | --- | --- | --- |
| **Version**  | **Date**  | **Created By / Updated By**  | **Approved by**  | **Comments** |
| 1 | 01/09/2024 | J. MacGregor |  | New policy release |

As with all Polices, protocols and procedures, this policy is a working document and may be changed from time to time. Any changes will be communicated accordingly within the organisation

## Policy Screening

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| Policy Title: Learner Appeals Policy |
| Policy Content: For each of the following check whether the policy under consideration is sensitive to people of a different age, ethnicity, gender, disability, religion or belief, and sexual orientation? The checklist below will help you to identify any strengths and weaknesses of the policy and to check whether it is compliant with equality legislation.  |
| 1. Check for DIRECT discrimination against any minority group of LEARNERS:  |
| Question: Does the policy contain any statements which may disadvantage people from the following groups?  | Response  | Action required  | Resource implication |
| Yes  | No  | Yes  | No  | Yes  | No  |
| 1.0  | Age?  | No | No | No |
| 1.1  | Gender (Male, Female and Transsexual)?  | No | No | No |
| 1.2  | Learning Difficulties / Disability or Cognitive Impairment?  | No | No | No |
| 1.3  | Mental Health Need?  | No | No | No |
| 1.4  | Sensory Impairment?  | No | No | No |
| 1.5  | Physical Disability?  | No  | No  | No  |
| 1.6  | Race or Ethnicity?  |  No |  No |  No |
| 1.7  | Religious Belief?  | No  | No  | No  |
| 1.8  | Sexual Orientation?  | No  | No  | No  |
| TOTAL NUMBER OF ITEMS ANSWERED ‘YES’ INDICATING DIRECT DISCRIMINATION = 0  |

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| --- |
| 2. Check for INDIRECT discrimination against any minority group of LEARNERS:  |
| Question: Does the policy contain any conditions or requirements which are applied equally to everyone, but disadvantage particular people because they cannot comply due to:  | Response  | Action required  | Resource implication  |
| Yes  | No  | Yes  | No  | Yes  | No  |
| 3.0  | Age?  | No | No | No |
| 3.1  | Gender (Male, Female and Transsexual)?  | No | No | No |
| 3.2  | Learning Difficulties / Disability or Cognitive Impairment?  | No | No | No |
| 3.3  | Mental Health Need?  | No | No | No |
| 3.4  | Sensory Impairment?  | No | No | No |
| 3.5  | Physical Disability?  | No  | No  | No  |
| 3.6  | Race or Ethnicity?  |  No |  No |  No |
| 3.7  | Religious, Spiritual belief (including other belief)?  | No  | No  | No  |
| 3.8  | Sexual Orientation?  | No  | No  | No  |
| TOTAL NUMBER OF ITEMS ANSWERED ‘YES’ INDICATING DIRECT DISCRIMINATION = 0  |