

INTO London Academic Appeals Procedure (based on that of the University of Gloucestershire)

Version 1.0

1. Introduction

1.1. A student shall have the right to appeal once against a decision of a Board of Examiners.

1.2. Before considering whether or not there are grounds for appeal, it is essential that the student consults with the Chair of the appropriate Board of Examiners, or a delegated representative (the Centre Director of INTO London), to see if any informal resolution of the matter can be achieved.

1.3. Students should be assured that they will not suffer any disadvantage or recrimination as a result of making an appeal in good faith.

1.4. The University's Academic Appeals Procedure is based upon a set of Assessment Principles and is in line with the Quality Assurance Agency's (QAA) UK Quality Code for Higher Education (Chapter B9).

1.5. For collaborative programmes undertaken in or with a partner institution, but where academic authority lies with the University, a variation of the following procedure may exist. However, the procedures will meet the University's general principles governing appeals, and will be in line with the QAA Code of Practice mentioned above.

1.6. Where an academic appeal is related to the award of an external body, these procedures may be subject to reasonable variation to conform with the regulations of that body.

2. Advice and Guidance

2.1. Independent, non-judgemental advice on these procedures is available from:

- The Head of Student Services at INTO London

3. Grounds for Appeal

3.1. Appeals are considered only if they are based on the following grounds:

a) that, at the time of the assessment, there existed circumstances which adversely affected the student's performance and which the student was unable to communicate to the Board of Examiners before it reached its decision. In making such a case, the student shall provide valid documentary evidence where appropriate. *Retrospective medical certification will not be accepted as valid;*

b) that there has been an administrative error or procedural irregularity during the conduct of the relevant assessment of such a significant nature as to have materially affected the approved grade or mark awarded.

4. Students Must Note That:

4.1. Disagreement with the academic judgement of a Board of Examiners in assessing the merits of an individual piece of work or in reaching any assessment decision based on the marks, grades or other information relating to a student's performance, cannot constitute grounds for an academic appeal.

4.2. In this context, alleged inadequacy of tuition or any other arrangements during the programme of study will not constitute grounds for an academic appeal.

4.3. The University and INTO London have established complaints procedures to address issues that may arise during a programme of study and expects these to be resolved as and when they occur.

5. Initial Procedure for the Consideration of an Academic Appeal

5.1. If, after consulting with the Chair of the Board of Examiners or his/her representative, the student wishes to proceed with an appeal, the student must:

5.2. Within 10 working days of the publication of the results, give notice in writing to the Programme Manager (Validated Provision) of INTO London of an intention to appeal.

5.3. Within a further 10 working days, submit a written case in full to the Programme Manager (Validated Provision) of INTO London using the form available on the University website or from Academic Support at INTO London, which must be accompanied by appropriate documentary evidence to support the grounds for appeal.

5.4. Notification of the appeal will be communicated to the Chair of the Board of Examiners by the Programme Manager (Validated Provision) of INTO London, who will request any comments or other relevant information which may assist the Academic Appeals Group in consideration of the case.

6. Academic Appeals Group

6.1. An Academic Appeals Group consisting of the Centre Director (or nominee), a Programme Manager, the Head of Student Services and an Officer of the Academic Support Team will meet at the earliest opportunity to discuss the appeal and will reach a decision with the following possible outcomes:

6.1.1. There is sufficient evidence for the student's appeal to be upheld and the Academic Appeals Group recommends reconsideration by the Board of Examiners;

6.1.2. Advice is given to the student that the Academic Appeals Group considers that there is either:

a) Not a *prima facie* case for appeal but which the student may wish to be considered further by an Academic Appeals Review Group.

b) There is insufficient evidence for the Academic Appeals Group to uphold the appeal at this point and it is recommended that this be considered further by an Academic Appeals Review Group.

c) The appeal is rejected as invalid because it is made against the academic judgement of the examiners, or is made outside the published deadlines or for other good reason identified by the Academic Appeals Group

6.2. The Programme Manager (Validated Provision) will inform the student of the outcome of the Academic Appeals Group **within 5 working days** of the meeting.

6.3. The decision of the Academic Appeals Group will be communicated to the Chair of the Board of Examiners at the same time as the student is informed.

7. In the event of a successful appeal

7.1. The Board of Examiners will be advised by the Academic Appeals Group that it considers there are *prima facie* grounds for reconsideration of the original decision and the Board of Examiners will be required to reconsider its decision.

From this stage forward – the Academic Appeals Procedure is per the version published on the University of Gloucestershire website. Please refer to the University of Gloucestershire website for further information.

INTO London Student Complaints Procedure (based on that of the University of Gloucestershire)

Version 1.3 (replacing Section 70-73 of the 2013 *Collaborative Provision Operational Manual*)

The below is an extract from University of Gloucestershire's Assessment Handbook 16-17:

4. Programmes delivered by a Collaborative Partner Organisation

4.1 Students studying at Collaborative Partner organisations who are enrolled on University of Gloucestershire awards should follow the Collaborative Partner's complaints procedure, as set out in the *Student Terms and Conditions of Admission*. Collaborative Partners organisations are responsible for investigating both academic and non-academic student complaints initially and, where possible, resolving them under their own procedures.

4.2 If a student is still unhappy with the outcome of an academic-related complaint after completing the Collaborative Partner's procedures, they may ask to have the matter reviewed by the University under this procedure. Academic-related complaints may include alleged inadequacies in the provision of a programme of study, tuition, supervision, learning support materials etc. In these circumstances, the student should submit a Student Complaints Form to the Governance and Secretariat Services Team within 10 working days of the final decision of the collaborative partner organisation.

4.3 The University will not review non-academic complaints which have exhausted a Partner's procedures. Non-academic complaints normally relate to alleged inadequacies in other non-academic services provided to students.

The below is adapted from University of Gloucestershire's Assessment Handbook 16-17:

STUDENT COMPLAINTS PROCEDURE

1. Introduction

Within this procedure, by 'student', we also mean applicant who is not yet enrolled.

1.1. For the purpose of this procedure, and in line with the Quality Assurance Agency's *UK Quality Code for Higher Education (UK Quality Code)*, a complaint is defined as the: *'expression of a specific concern about matters that affect the quality of a student's learning opportunities.'*

1.2. INTO London World Education Centre is committed to providing a high quality educational experience, fully supported by a range of academic and administrative services and facilities.

1.3. The University welcomes the opportunity to correct mistakes, clarify misunderstandings and to respond positively and constructively on any occasion when students feel the need to express dissatisfaction with a particular service or other aspect of University provision.

2. Principles

2.1. The procedure is based on the principles of fairness and transparency and is in keeping with the *UK Quality Code*, and the Office of the Independent Adjudicator for Higher Education's *Good Practice Framework for Handling Complaints and Academic Appeals*. The procedure is set out to ensure:

- timely resolution of complaints, with an emphasis on local resolution at the earliest opportunity
- processes, decisions and the reasons behind them are clear and there is opportunity for independent review
- students are supported

2.2. The *UK Quality Code* sets out the principles for addressing complaints on academic matters by students in higher education with a requirement that 'Higher education providers have fair, effective and timely procedures for handling students' complaints and academic appeals'. In this spirit, it is anticipated that the majority of student complaints will be resolved as early as possible through informal dialogue between staff and students at a local level and to the satisfaction of all parties.

2.3. Information about complainants and individuals against whom complaints are made will be dealt with sensitively and will be kept confidential, except where the disclosure is necessary to progress the complaint or implement a decision on the complaint, or where it is required by law or in the public interest. If there are elements of a student's appeal which are particularly sensitive and they have concerns about their confidentiality, they are welcome to raise this with the Centre Director and/or Head of Student Services, who will discuss how disclosure can be minimised.

2.4. INTO London World Education Centre will make reasonable adjustments at any stage of the proceedings to accommodate the needs of students.

2.5. Students making complaints will not suffer any disadvantage or discrimination as a result of making a complaint in good faith. However, if a complaint is judged to have been made frivolously, vexatiously or with malice, disciplinary action may be taken against the student.

2.6. INTO London World Education Centre expects all parties in a dispute to act professionally, respectfully and within the spirit of its policies and codes of conduct throughout all stages of the Complaints Procedure.

2.7. INTO London World Education Centre will monitor the operation of the Student Complaints Procedure in such a way as to assist in the maintenance and continuous improvement of service standards.

2.8. INTO London World Education Centre does not pay any expenses incurred by a student as a result of a complaint.

3. Who can make a Student Complaint?

3.1. The Student Complaints Procedure may be used by anyone who is, or was, an applicant and anyone who is, or was, an enrolled student. This includes those accepted to study, those registered as students and those who recently left the institution. Please note that Section 8 of this procedure outlines specific timescales within which complaints must be lodged.

3.2. Where issues of complaint affect a number of students, those students may submit a complaint as a group. Students submitting a group complaint are expected to show how they have been personally affected by the matter which is the subject of the complaint. In order to manage the progression of the complaint in such circumstances, the group must agree in writing that they

nominate one student to act as the spokesperson for those students complaining. Any complaints affecting a module or programme and its delivery as a whole should be raised with the relevant Programme Manager as soon as they arise.

3.3 INTO London World Education Centre will only accept a complaint from the student and not from someone else on the student's behalf, e.g. from a parent, spouse or agent. In exceptional circumstances, at the discretion of the Centre Director, a third party may submit a complaint on a student's behalf if the student provides written consent and a reason deemed acceptable.

3.4 Student complaints which are received anonymously are not normally accepted but may be accepted at the discretion of the Centre. However, students who wish to raise a concern anonymously should be aware that this could impede the investigation and communication of the outcome. If a member of staff receives an anonymous complaint, he/she will be expected to seek advice from the Centre Director as to how the complaint should be dealt with.

3.5 Students have the right to be accompanied by, supported or advised at any stage of the procedure by another member of the INTO London World Education Centre community (i.e. a person who is a currently enrolled student or a member of staff). If a student is under 18 years of age they must be accompanied by a parent, guardian or a member of staff from Student Services.

5. Types of Complaints that can be submitted using this Procedure

5.1 Complaints can be academic or non-academic in nature. Academic-related complaints may include alleged inadequacies in the provision of a programme of study, tuition, supervision, learning support materials, etc. Non-academic complaints normally relate to alleged inadequacies in other services provided to students such as a failure to provide appropriate reasonable adjustments related to a disability, or failure to meet contractual or other legal obligations.

5.2 If a student wants to complain about the service another organisation provides on behalf of INTO London World Education Centre (e.g. catering services), they are advised to contact that organisation directly, as they will normally be best placed to investigate and resolve any problems that arise. Where the Centre engages the services of other organisations, it aims to ensure that organisation has appropriate complaints procedures in place.

5.3 Please note that there is a separate Academic Appeals Procedure which enables students to request the review of a decision by a Board of Examiners regarding matters of student progression, assessment and awards.

5.4 There may be times when what is expressed as a complaint contains within it an academic appeal and vice versa. Where this is the case, the Centre Director (or nominee) will determine whether a complaint or academic appeal should be reclassified (at whatever stage they may have reached). This decision will be made in consultation with the student and they will be advised of the alternative procedure which will be used to consider their case.

5.5 INTO London World Education Centre recognises that students may raise multiple issues which do not fall neatly into the category of either a complaint or an academic appeal. In these circumstances, the student will be informed which issues will be considered under which procedure and they will be directed to the alternative procedure as appropriate, to allow all issues to be considered. This may require one procedure to be suspended pending the completion of the other or, alternatively, the Centre may, with the agreement of the student, decide to consider the matters together. Students will be advised of the effects, if any, of following two procedures at once, particularly where one procedure may be suspended until the other is completed.

5.6 Where there is significant overlap, the Centre may decide to consider matters together, if the student agrees to this. For example, if an appeal includes matters that could also be dealt with under other procedures, such as the Student Complaints Procedure, a joint investigation may be carried out. In such cases, the student will be informed where responsibility for the overall investigation lies and who will issue the final decision.

6. Types of Complaints that cannot be submitted using this Procedure

6.1 The Student Complaints Procedure cannot be used for any of the following matters:

- Complaints about other students;
- Matters relating to assessment performance and issues of academic judgement, except where there is a complaint about a service provided which needs to be resolved before an academic appeal decision can be made;
- Matters relating to Supported Study Procedures;
- Complaints which relate to whistleblowing, Freedom of Information or of personal harassment or bullying;
- Complaints about the service of another organisation or contractor who provide a service on behalf of the Centre, where students should contact the appropriate organisation directly;
- Complaints from members of the public.

7. Advice and Guidance

7.1 For independent, non-judgemental advice and guidance, students may find it helpful to ask for advice and guidance on their intended complaint. If students have any questions about how the complaints process works, they should contact Student Services (for advice on academic complaints) and Academic Support (for advice on non-academic complaints).

8. Timescales

8.1 To enable the Centre to investigate and resolve complaints in a timely manner, students should raise issues of complaint as soon as they occur and make reasonable attempts to resolve the matter informally at a local level. If the matter is not resolved and the student wishes to pursue a formal complaint, this should be raised **no later than three months** after a student has completed the year of study in which the complaint arose, or within three months of the date of withdrawal or the beginning of an approved leave of absence from their programme of study, whichever is earlier. Student complaints received after this period will only be accepted at the discretion of the Centre and where there is good reason supported by evidence for late submission.

8.2 The Centre is committed to dealing with complaints as quickly as possible, and to complete the processing of a formal complaint and any associated review within **90 calendar days**. Within that 90 calendar day timeframe, students must meet any deadlines for the submission of documentation and attending meetings. There may occasionally be circumstances when the timeframe needs to be extended for different stages of the procedure for good reason, particularly if the complaint is complex, extensive, or was submitted at a time when key staff are away from the Centre. If this is the case, the student will be notified and regularly informed of progress.

8.3 The Centre defines a 'working day' as Monday to Friday excluding bank holidays and other days when the Centre is closed.

THE PROCEDURES FOR SUBMITTING A COMPLAINT

9. Stage 1 – Immediate Local Resolution

9.1 The Centre believes that a complaint should be addressed quickly. In order for this to happen, students are expected to attempt to resolve issues or concerns directly with the appropriate member of staff best able to deal with it as soon as possible. For example, this may be the module teacher or Programme Manager for academic-related complaints or an appropriate member of staff or manager in the relevant Department for non-academic complaints.

9.2 Informal resolution enables the Centre to resolve as quickly as possible concerns which are straightforward and require little or no investigation. Concerns raised at this stage can be handled by a face-to-face discussion with the complainant or by asking an appropriate member of staff, to help them deal with the matter. If the responsibility for the matter raised lies within the staff member's area of work, every attempt should be made to resolve the concern in consultation with the student where appropriate. If responsibility lies elsewhere, the staff member should liaise with the relevant area to facilitate swift resolution.

9.3 Staff should make every effort to resolve complaints informally but, in the interests of the student, may suggest use of the formal (Stage 2) complaints procedures if they regard the matter to be highly complex, believe that a solution cannot be reached within the required timeframe for informal resolution (**ten working days**), or that only part of the complaint can be resolved at this stage.

9.4 Where it is evident to the student or to staff that a concern will need to be considered at the formal stage of the procedures, the student should be directed promptly to Stage 2 of the Student Complaints Procedure.

9.5 Students must have tried to resolve the issue informally at a local level first wherever possible before moving to the formal stages of the procedure.

10. Stage 2 – Formal Complaint Resolution

10.1 If the complaint is not resolved informally to the satisfaction of the student at Stage 1, the student has the right to pursue a formal complaint by submitting a Student Complaint by email (sent to the relevant Programme Manager for academic complaints or to the HoSS for non-academic complaints).

10.2 It is a requirement that within a Student Complaint that students be precise about their concern(s), how they have attempted to resolve the matter informally at a local level, and what resolution they are seeking. Wherever possible, the email should be accompanied by evidence to support the issues of complaint. This may be for example, copies of relevant correspondence. Advice on how to write the complaint can be obtained from Student Services (for advice on academic complaints) and Academic Support (for advice on non-academic complaints).

10.3 It is the responsibility of the student to ensure that they raise all relevant issues and that they provide all the necessary information and supporting documentation at the point of submission. The Programme Manager / HoSS may ask the student to provide further information or evidence and will set an appropriate time limit for this to be made available by the student.

10.4 Students should expect to receive an acknowledgement to their formal complaint within three working days of receipt. If you have not received an acknowledgement within five working days, please contact the Programme Manager / HoSS to check that your complaint has been received.

10.5 Stage 2 of the procedures allows for the complaint to be investigated by a Complaints Officer on behalf of the Centre. Upon concluding their investigation, the Complaints Officer will make a recommendation to the Centre Director on what action should be taken, normally **within one calendar month** of receiving the Student Complaint. They may recommend that, in the interests of the student, partially unresolved matters should be considered at a Stage 3 Review.

10.6 The student will be provided with a written outcome of the conclusion of Stage 2. If the complaint is upheld, the student will be informed what action is to be taken, or any recommendations that have been made. If the complaint is partially upheld or is dismissed, the student will be informed of reasons for the decision.

10.7 Students will also be advised on how they may proceed if they remain dissatisfied following Stage 2.

For students enrolled on University of Gloucestershire Programmes

For Stage 3 (Formal Complaint Review) please see the Student Complaints Procedure as published on the University of Gloucestershire website and refer to Sections 11 and 12 for further information.

For students enrolled on Language Programmes (Academic & General English)

If students are not satisfied with the outcome of a complaint made within the Centre, they can make a further complaint via the Joint Quality Committee.

ESCALATION WHEN YOU ARE UNSATISFIED WITH THE OUTCOME OF A COMPLAINT OR APPEAL

At present, INTO London students, even those enrolled on Higher Education programmes, **do not** have recourse to the Office of the Independent Adjudicator for Students in Higher Education, nevertheless, these procedures for Mitigating Circumstances, Appeals and Complaints do have regard to the OIA's guidance, as well as to the expectations of the Quality Code and the ISI's PFE Scheme.

POINTS OF ESCALATION

- 1) For students enrolled on credit-bearing Awards – the University of Gloucestershire.
- 2) For students enrolled on non-credit language programmes – the Joint Quality Committee.
- 3) Where a complaint submitted is in respect of the Centre Director, the Director of Operations and Policy (UK) for INTO University Partnerships will act in the Centre Director's place.

TIMELINES

Timescales for the resolution of Appeals and Complaints will have regard to those set down in:

Office of the Independent Adjudicator for Students in Higher Education, The Good Practice Framework: Handling Student Complaints and Academic Appeals, Revised Ed, OIAHE, Dec. 2016