



ACADEMIC COMPLAINT AND APPEALS PROCEDURE

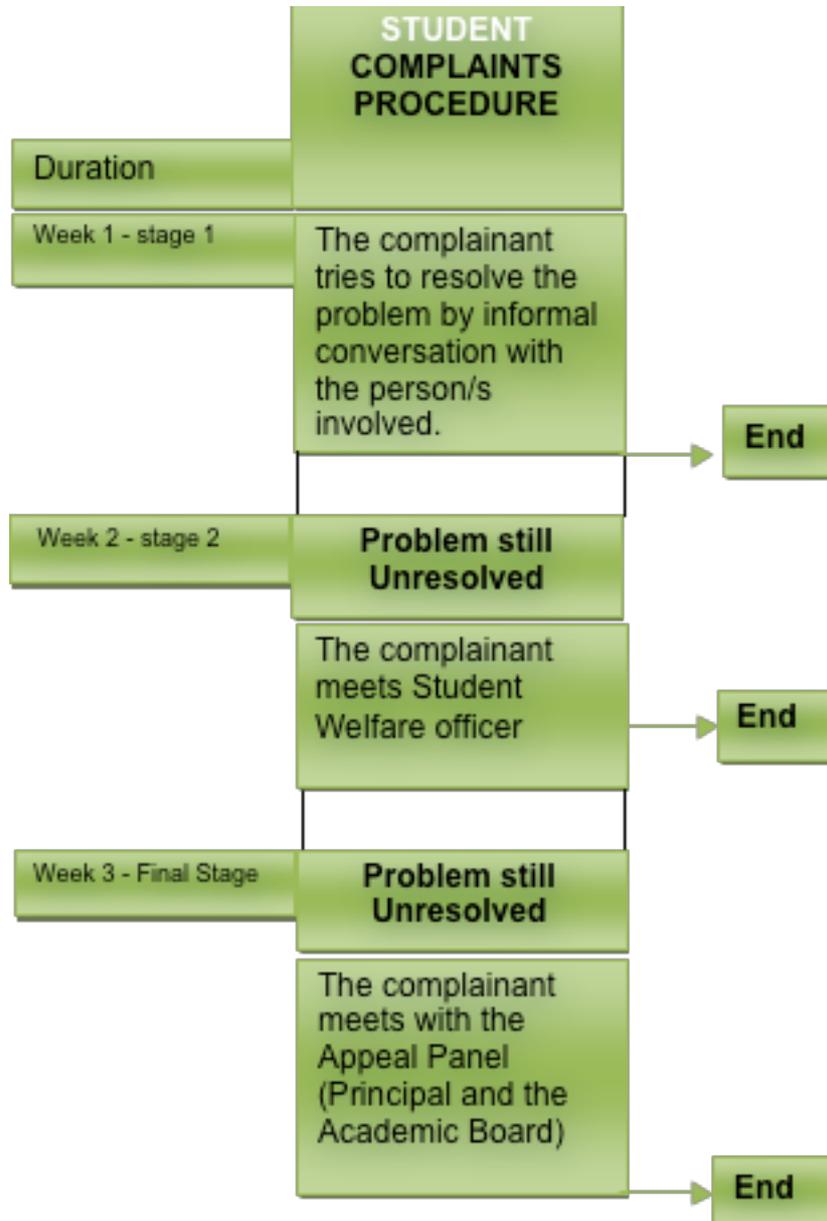
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Complaints/ Appeals Procedure



STAGE 1 – INFORMAL PROCEDURE

A student who has a complaint must, in the first instance, discuss the matter with the appropriate staff in the academic department. The relevant lecturer and the student may be the likely choice for this initial discussion. This should be done within 7 working days of receiving the result of any assessment.

This initial discussion will not alter the student’s right to follow the formal procedure (detailed above) but will represent an early opportunity for ambiguities to be resolved and circumstances taken into account prior to decisions being taken on the assessment.

STAGE 2 – FORMAL PROCEDURE

If the matter is not resolved through the informal procedure, a student who wishes to appeal should do so in writing setting out the reasons for the appeal and including documentary evidence. This should be sent to the Student Welfare Officer (SWO).

On receipt of the formal appeal, the SWO will investigate the appeal normally within 7 working days of receipt of the appeal. The investigation could involve interviews with the lecturer, the internal moderator and the student. Following the investigation, the decision of the manager will be confirmed in writing to the student within five working days of the investigation being concluded, together with information on how the appeal has been investigated. The result of the appeal also will be submitted to the relevant staff and to the Manager Programmes (academics) if it has been a party to the appeal.

If the student is dissatisfied with the decision communicated they may appeal directly to the Director (at Manchester Consultancy, the Principal of the School holds the chair), but only on the grounds of administrative irregularity.

If an administrative irregularity is raised and the matter is referred to the chair of Academic board firstly; the chair shall determine if the appeal is valid. The decision of the chair is final in this respect.

STAGE 3 – APPEALS PANEL

Should the chair of the Academic board deem the grounds for appeal to be valid, they shall establish an appeals panel. This panel should consist entirely of members from academic partners not involved in the case to consider the appeal. The panel should consist of:

- a) Principal
- b) Students' nominee
- c) Lecturer
- e) External Moderators (Rotary Club Committee Member) and Professional Accountant

The student must be given written notice of the date and place of the hearing and his/her rights under this procedure at least seven days prior to the hearing. Members of the appeals panel must receive the following documentation at least five working days before the date of the hearing:

- a) A copy of the unit or programme assessment requirements
- b) The results of all the students taking the particular assessment
- c) A copy of the student's letter of application for the hearing, together with supporting documentary evidence
- d) A copy of the appeals procedure.

The chair will inform the student in writing of the outcome of the hearing no later than five working days after the hearing has taken place.

RIGHTS AND POSITION OF STUDENTS

The student shall have the right, upon request, to receive in advance of the hearing, all papers circulated to members of the appeals panel, except any documents deemed by the chair to be confidential to the appeals panel. A copy of the appeals procedures shall be sent to the student with the notice of a hearing.

The student, and any other person(s), cited in the appeal, each accompanied if so desired by a representative, has the right to appear before and be heard by the appeals panel.

RIGHTS OF LECTURERS AND PROGRAMME ASSESSMENT AND PROGRESSION BOARDS

A lecturer whose decision is being appealed against and/or the programme assessment and progression board involved in making a decision about a student that has been appealed against, shall have the right to be represented at the hearing of an appeals panel. It shall be the duty of the chair of the board to determine who shall represent the programme assessment and progression board at such hearings.

PROCEDURE AT A HEARING

The procedure to be followed at a hearing shall be determined by the chair in consultation with other members of the appeals panel at the commencement of the hearing. According to the circumstances, the parties to the appeal may be seen separately (in whatever order is deemed appropriate) or together.

POWERS AND TERMS OF REFERENCE OF AN APPEALS PANEL

An appeals panel, acting on behalf of Principal, shall consider and determine requests for a review of a decision of a lecturer or Student Welfare Officer. An appeals panel shall not have powers to deal with appeals arising from disciplinary matters or from allegations of cheating or plagiarism.

An appeals panel shall have the power to require the attendance of any member of staff providing that a reasonable period of notice is given for such attendance, and shall be given access to any records and documents which it regards as crucial to its operation.

In cases of withdrawal, the appeals panel shall have the authority to revoke or confirm the decision to withdraw the student from a programme. Such a revocation shall entitle the student either:

- a) To proceed on the programme
- b) To repeat the failed part of the programme at the earliest opportunity.

This is based upon whichever the appeals panel judges to be in the best interest of the student. However, in exercising its powers, an appeals panel can neither condone nor compensate a failure (neither of these powers can properly be exercised either by a programme Manager for awards). These

provisions are subject to the continued availability of the programme in a suitable form.

In cases of appeals against an assessment decision, if the appeals panel decides for the student then the lecturer concerned will be notified and must reconsider his/her decision. The lecturer, in undertaking such reconsideration, shall have regard to the report of the appeals panel, and to the recommendations contained therein.

In appeals against withdrawal where the assessment decision leading to the withdrawal also becomes subject to the appeal, the appeals panel shall decide separately on the two appeals. Whenever there is no unanimous agreement, decisions of the appeals panel shall be by majority vote.

If, after reconsideration, in cases of appeals against an assessment decision, the lecturer confirms his/her original decision, the appeals panel may be reconvened at the request of the student or the chair of the appeals panel to consider further the position of the student. In such an event the appeals panel shall meet in private and, if it is the panel's opinion that due and proper account has not been taken of its decision and/or recommendations, it shall have the power to annul the whole assessment, or any part of it, in relation to the student concerned.

Any such amendment of an assessment will give the student the right of being assessed again in the whole assessment, or any part thereof. This further assessment shall be conducted as though the cancelled assessment had not taken place.

The appeals panel shall have the right to make recommendations and observations to the Principal concerning any matters of detail or principle arising from a hearing.

REPORTING PROCEDURE AND CONFIDENTIALITY OF HEARING

The proceedings of appeals hearings shall be confidential to the parties involved. A report of the decision shall be communicated to the Principal together with any specific recommendations or observations that the appeals panel decides to make to its parent body.

A report of the hearing, prepared by the chair, shall be made available to the members of the appeals panel and to the other parties involved, including the chair of the programme assessment and progression board, if appropriate, who may in turn circulate it to her/his board if decisions taken about a student are subject to reconsideration. The report shall be confidential to those persons to whom it is circulated.

INDEPENDENT APPEAL PANEL (IAP)

If the School is unable to resolve your complaint or appeal then you can appeal to the Independent Appeal Panel (IAP) within THREE MONTHS of the complaint being lodged with School as per the UK UNIVERSITY ONLINE-complaints procedure. The contact details of the IAP can be obtained from the Student Welfare Officer (SWO) either by email or telephoning the School at 0161 273 4745

The panel will consist of two external members who are not employed by the School or in any way affiliated with the operations of the School directly or indirectly.

These two members will be

- Accountant –Optimum Value Added Limited Director

The decision of the Independent Appeal Panel will be final.