



## Learner Appeals and Complaints Policy

Policy owner	Policy date approved	Policy review date
Dionne Ruddock	January 2024	January 2026

### 1. Introduction

The Academy of Success is committed to ensuring all learners receive high quality training which supports personal development and career ambitions.

#### 1.1. Purpose and Scope

This policy is aimed at our learners, who are following a programme of study and/or assessment to gain qualifications or units as standalone. The policy ensures The Academy of Success deals with all appeals and complaints in a consistent and timely manner. It is important that both learners and center staff involved in the management, assessment and quality assurance of qualifications/units are fully aware of the contents of this policy and that learners are consistently reminded of the appeals procedure prior to and following assessment.

#### 1.2. Communication, Training and CPD

This policy is reviewed every two years and is in line with regulatory bodies. Once the policy is approved it is disseminated to The Academy of Success colleagues and trainees. New colleagues joining The Academy of Success as Trainers, Assessors, or in a Quality role are required to review this policy during their induction. Learners will be made aware of this policy during their induction and asked to confirm they have read and understood the contents in the documents.

Learners under 18 years of age should inform their parents/legal guardians about this policy.

Everyone involved in the appeal and complaint procedure can request training in relation to this policy and associated processes. Learners should request the training via email to their assigned Assessor.

Colleagues should request the training by informing their line manager via email or in their 1:1. The line manager should then inform the HR Representative who should arrange training at the convenient time. Training can be delivered on 1-2-1 basis or during CPD sessions to a wider audience.

### **1.3. Definitions Appeal**

- A request to reconsider a judgement decision made concerning learner progression, assessment, or work.
- Complaint – if a learner is dissatisfied with teaching, supervision, academic advice or other service provision during their course, they may submit a complaint.
- Learner – all learners and apprentices who are, or were recently, enrolled as a learner with The Academy of Success.

## **2. Internal and External Policies and Legislation**

This policy should be read alongside all relevant policies and procedures, especially on (but not limited to):

- Fair Access to Assessment Policy
- Whistleblowing Policy
- Malpractice and Maladministration Policy
- The Academy of Success Conflict of Interest Policy
- Equality Act 2010
- General Data Protection Regulation and/or Data Protection Act 2018

## **3. Monitoring**

### **3.1. Strategic Overview**

The policy is based on the principles of fairness and transparency. Regular monitoring by the The Academy of Success Senior Leadership Team of the policy and any associated processes will take place on a quarterly basis to ensure compliance with this policy. The policy is set out to ensure:

**3.1.1.** Timely resolution of appeals with an emphasis on local resolution at the earliest opportunity

**3.1.2.** Processes, decisions and reasons behind decisions are clear

**3.1.3.** Learners are supported when relevant. Learners will not suffer any disadvantage or recrimination because of making an appeal or complaint.

### **3.2 Confidentiality**

All information obtained will be held in accordance with Data Protection legislation. In submitting an appeal or complaint, the learner understands their appeal or complaint will be shared with the staff member responsible for conducting the investigation and the content of their appeal or complaint may need to be disclosed to relevant staff for the appeal or complaint to be investigated and resolution sought.

Learners should avoid disclosing unnecessary personal information in their appeal or complaint unless they feel that it is relevant to the issues raised. When a qualifying protected disclosure (as set out in the Employment Rights Act, ERA) 1996 is made, The Academy of Success will follow policies and procedures in accordance with Whistleblowing Policy and Malpractice and Maladministration Policy and other relevant procedures and policies.

The person making the protected disclosure will be protected from any form of unfair treatment that could result from the reporting of the wrongdoings.

### **3.3. Grounds for an appeal Procedural irregularity**

Procedures were not followed in accordance with Centre or Awarding Organisation guidelines.

Perversity of judgement: the decision clearly breaches natural justice.

Administrative irregularity: incorrect advice being given by a responsible staff member which materially affects the outcome or decision.

### **3.4. Process for Raising an Appeal**

Learners should raise informal academic appeal-related queries with the appropriate trainer as soon as they arise to allow them to be investigated and dealt with quickly.

This policy will be instigated if a learner remains dissatisfied with the response to the informal resolution. The Academy of Success expects that should a learner wish to formally appeal, they should be responsible for submitting the appeal themselves

## **Complaints Procedure:**

STAGE 0 – All appeals should be raised initially with the assessor or trainer to allow local resolution. In the case of non-resolution, the learner will escalate the appeal to stage 1 within five working days.

STAGE 1 - All appeals escalated to the Programme Delivery Lead will be acknowledged within five working days. The Academy of Success will investigate the appeal and aim to respond with an outcome decision within 20 working days. We will undertake an internal review of the appeal to reach an outcome. Failing a resolution, this will continue to Stage 2.

STAGE 2 - All appeals escalated to the Programme Delivery Manager will be acknowledged within five working days. The Academy of Success will investigate stage 1 and aim to respond with an outcome decision within 20 working days.

STAGE 3 – This is the final stage of the internal appeals process. All appeals escalated to the Deputy Director - Delivery will be acknowledged within two working days. The Academy of Success will investigate stage 2 and aim to respond with an outcome decision within 20 working days. Failing a resolution, The Academy of Success will notify the Awarding Organisation and follow their policies. 3

### **3.5. Process for Raising a Complaint**

Staff member acknowledges, listens to details of the complaint and makes an initial assessment as to the risk level of the complaint then attempts to reach a resolution. All details are recorded in Pro Monitor and the appropriate Line Manager is informed. If the risk is deemed to be low, the line manager will follow up periodically to ensure a satisfactory resolution. If the issue is not resolved, it will be escalated to the Quality Manager, then the Deputy Director - Delivery for investigation and resolution.

If the risk is deemed to not be low, the staff member escalates the complaint to the Quality Manager using the Cause for Concern form. The Quality Manager will investigate and attempt to reach a resolution.

The issue will be escalated to the Deputy Director - Delivery if it is not resolved. This is the final escalation stage. If the complaint is regarding the Quality Manager, this should be escalated immediately to the Managing Director of The Academy of Success.

### **4. Appeals & Complaints Limitations**

The Academy of Success reserves the right only to acknowledge appeals and complaints raised within five working days from the date of the event the appeal or complaint is made against (e.g. a learner can appeal the awarded grade within five

working days from the date the grade is made available to the learner). The Academy of Success reserves the right not to investigate any appeal or complaint made after the five working days period.