



## Appeals Policy and Procedure

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|--------------------------------------|--|
| ELT manager                          | Assistant Principal Quality, Learning & Teaching |
| Responsible officer                  | Quality & Registry Manager/Head of Centre        |
| Date first approved by BoM           | December 2010                                    |
| First Review Date                    | Reviewed Annually                                |
| Date review approved by BoM          | 28 June 2017                                     |
| Next Review Date                     | June 2021  |
| Equality impact assessment           | Yes  |
|                                      |  |
| Further information (where relevant) |  |

| Reviewer | Date       | Review Action/Impact   | BoM |
|----------|------------|--|-----|
| TM/BCS   | 15/03/2017 | Audit Amendment required for BCS - Any Learner wishing to escalate their Appeal to BCS must do so within 20 days of their assessment and will incur a cost. page 9 |     |
| TM/AC    | 21/03/2017 | Updated: Enhanced wording within the document to give clarity to the process as per the SQA Developed Authority Development visit                                  |     |
| TM/AC    | 13/03/2018 | Updated: Actions from Systems Verification Visit Point 6 Getting Help to Make Your Appeal and stage 3 page 10  |     |
| TM/AC    | 29/10/2018 | Updated: Links to UHI Regulations and WHC Policies reinstated as per C&G Systems Visit   |     |

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# 1 Purpose

This policy, together with its associated procedures, provides an appeals procedure to ensure that College policies and procedures are applied appropriately, fairly and consistently to all students.

Appeals procedures vary, depending on the type of qualification for which the appeal is being made. The overriding principle is that all appeals will be treated fairly and objectively.

- Appeals against assessment judgements will be considered by subject experts.
- Appeals against assessment arrangement decisions for candidates with disabilities and/or those with additional support needs will be considered by an assessment arrangements panel.
- Appeals against SQA's decision to refuse an exceptional circumstances consideration request in National Qualifications will be considered by a panel made up of Heads of Service who were not involved in the original decision.
- Appeals against grades awarded following exceptional circumstances consideration in National Qualifications will be considered by a panel made up of Heads of Service from SQA's Qualifications Development Directorate.
- Appeals against decision taken in processes (such as approval) or maladministration of SQA's published procedures, will be considered by the people who are responsible for managing those processes, and may also be referred to the Appeals Sub-Committee.

The procedures apply to all Awarding Bodies qualifications (including those that are subject to statutory regulation by SQA Accreditation Ofqual)

# 2 Scope

## Appeal decision will cover the following Policy and Procedures

- Student Disciplinary
- Student Attendance, Participation and Achievement
- Admissions
- Assessment
- Disclosure
- Information and Communications Technology (JANET Policy – Acceptable Use)
- Complaints
- and other decisions based on College regulations

## Students studying at Level SCQF 7 and above

If you are studying in West Highland College UHI on a HNC/HND or undergraduate degree course or a post-graduate degree course as part of the University of the Highlands and Islands, you should refer to:

[UHI Regulations – Section 18 Assessment Appeals Procedure](#)

# 3 Policy

West Highland College UHI will allow any student the right to appeal against decisions for Regulated or Non-regulated Qualifications.

## 4 Responsibilities

- The Quality & Registry Manager/Head of Centre is responsible for the implementation and development of this policy.
- All members of staff and students are responsible for the effective operation of this Policy.
- The Quality & Registry Manager/Head of Centre is responsible for monitoring its effectiveness.

## 5 Student Access to Information on the Appeals Process

Students will be able to access the information on the appeal process through the following:

- Student Induction
- Student Handbook
- Course Handbook
- Student Hub

## 6 Getting Help to Make your Appeal

We understand that you may be unable, or reluctant, to make an appeal yourself.

We are committed to making our service easy to use for all students. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help you access and use our services.

If you have trouble putting your appeal in writing, or want this information in another language or format, such as large font, please contact our student support services.

Our contact details

Please contact us by the following means:

Student Support Team:

T: 01397 874380

We can also give you this document in other languages and formats (such as large print).

## 7 Non-regulated qualifications (HNs, NQs)

Students undertaking non-regulated qualifications (HNs, NQs) have no further right of appeal against internal assessment decisions. The final decision rests with the Head of Curriculum.

## 8 Regulated qualifications – Escalation of Appeals

If you have gone through all the stages of West Highland College UHI internal assessment appeals procedure and remain dissatisfied with the outcome or the way in which we handled your appeal you can:

- Appeal to the awarding body
- Appeal to SQA Accreditation, Ofqual or Qualifications Wales (as

appropriate) if you feel that the centre and/or SQA (awarding body) has not dealt with your appeal appropriately

SQA Accreditation, Ofqual or Qualifications Wales (as appropriate) cannot overturn assessment decisions or academic judgements but may investigate the effectiveness of the centre and/or SQA's appeals process and require corrective action.

See [The Appeals Process: Information for Centres](#)

## 9 Further Appeals

### Appeal on Procedures

Any student who wishes to appeal further against the operation of the appeal procedures (but not the decision itself) can do so in writing to the Vice Principal at West Highland College UHI, Carmichael Way, Fort William, PH33 6FF

A review of the documentation will be undertaken to check compliance with College policy and procedures. If the Vice Principal deems that the procedures have not been followed and that this may have had a bearing on the outcome of the appeal this may require a re-hearing to be convened by a different panel of staff.

A judgement will be provided in writing, normally within four weeks.

### Appeals undertaken on behalf of students.

The Head of Centre can appeal on behalf of students for the following:

#### **Assessment arrangements for disabled students and/or those with additional support needs**

A centre can appeal on a student's behalf if the head of centre disagrees with SQA's decision on approving assessment arrangements in internal and external assessments

#### **Exceptional circumstances (NQ external assessment only)**

They believe that SQA's decision to refuse the reason for an Exceptional Circumstances Consideration Service (ECCS) request, based on all the evidence available to SQA at the time, is wrong,

or

they believe that SQA's decision on the grade awarded to a student following consideration of an exceptional circumstance case, based on all the evidence available to SQA at the time, is wrong

#### **Decisions in cases of malpractice (internal or external assessment for all qualification types).**

The centre has conducted an investigation, the student disagrees with the outcome and has exhausted the centre's appeals process

SQA has conducted an investigation and the students disagrees with our decision

The sole ground for any appeal is that SQA's decision, based on all the relevant evidence available to SQA at the time, was wrong.

To prove that a decision was wrong, the centre must demonstrate either that the decision was unreasonable or that there was a breach of procedural requirements/maladministration by SQA.

On how to appeal refer to [The Appeals Process: Information for Centres](#)

## **10 Bursary Appeals**

Appeals against bursary decisions should be made in accordance with the Bursaries Policy.

## **11 Review**

This policy may be reviewed earlier than planned in order to ensure continued compliance with Awarding Body requirements.

## **12 Alternative Policy Formats & Reasonable Adjustments**

Alternative formats are available i.e. large print

Students with disabilities and/or extended learning support needs would be supported by the relevant support staff or work with their key worker.

## **13 Retention of Evidence**

In the case of an appeal to SQA against an internal assessment result in a regulated qualification, WHC UHI must retain records until the appeal has been resolved (including all materials and student evidence). Thereafter, assessment and internal verification records for appeals cases should be retained for six years thereafter, unless there is a legitimate reason to retain records for a further period.

In the case of an appeal against an internal assessment result for non-regulated qualifications; WHC UHI must retain assessment and internal verification records until appeal has been resolved.

## **13. Data Protection**

To comply with the law, personal information must be collected and used fairly, stored and disposed of safely, and not disclosed to any other person unlawfully.

Refer to WHC UHI Data Protection Policy

## **14 References**

The Appeals Process: Information for Centres

WHC UHI Complaints Handling Policy and Procedure

WHC UHI Positive Behavior Management Policy and Disciplinary

Procedure

WHC UHI Admissions Policy and Procedure

WHC UHI Assessment Policy

WHC UHI Malpractice Policy and Procedure

# Student Regulated and Non-Regulated Assessment Appeals Procedure

West Highland College UHI recognises that all students have the right to appeal against any decision made by their assessor.

## Stage 1 – Informal

Students can appeal against an assessment decision, the appeals process begins with a preliminary informal stage where the student raises their concern with their assessor within 4 weeks of receiving their results.

- **Timeline** - The student will be informed of the decision in writing within 10 working days from the date of discussion undertaken by the Assessor.

Details of the appeal will be recorded on a student appeal form and will include the following:

- The nature of the appeal
- People involved at each stage
- Dates of meetings
- Outcomes of the meetings.

## Stage 2 – Informal

If the student is dissatisfied with the response from their Assessor, or feel that they cannot approach the Assessor, the appeal will be referred to the internal verifier. The submission of the appeal by the student must be presented to the Internal Verifier within 1 week of receiving the response from the Assessor to the informal appeal.

- **Timeline** - The student will be informed of the decision in writing within 10 working days on receiving the response from the assessor.

Details of the appeal will be recorded on a student appeal form and will include the following:

- The nature of the appeal
- People involved at each stage
- Dates of meetings
- Outcomes of the meetings

## Stage 3 – Formal – Non-Regulated Qualification

If the matter is not resolved through the informal stages, a formal appeal should be submitted in writing by the student to the Head of Curriculum. The letter should be sent to West Highland College UHI, Carmichael Way, Fort William, PH33 6FF

- **Timeline** - The student will be informed of the decision in writing within 10 working days of the Head of Curriculum receiving the formal appeal in writing. The final decision rests with the Head of Curriculum for WHC UHI.

Details of the appeal will be recorded on a student appeal form and will include the following:

- The nature of the appeal
- People involved at each stage
- Dates of meetings
- Outcomes of the meetings

Students undertaking non-regulated qualifications (HNs, NQs) have no further right of appeal once the internal assessment appeals procedure has been exhausted. The final decision rests with the Head of Curriculum.

#### **Stage 4 – Formal – Regulated Qualification**

Vocational qualifications subject to regulation by SQA Accreditation or Ofqual

##### **External Assessment**

The Head of Centre can appeal on behalf of a candidate against a decision in an external assessment where this forms part of a sector skills councils assessment strategy. WHC UHI can appeal by requesting a review of the decision, providing that SQA awarding body is solely responsible for this external assessment. The following process will be undertaken.

- The member of staff who is responsible for the area under discussion should first contact the SQA manager within 10 working days to agree a time to discuss the matter. If, after this discussion, the member of staff is not satisfied, the head of centre can raise an appeal.
- The appeal must be submitted to an SQA Director, in writing, by the head of centre, or his or her representative, and must be made within 15 working days of the date of the discussion with the SQA Manager.
- The letter should be sent to the Corporate Office at SQA's Glasgow office and should be clearly marked as an appeal.
- The appeal must include a written account of why the head of centre thinks that SQA's decision is wrong, and this account must address the reasons given by SQA and must include the candidate's evidence for other relevant units. Any other evidence that is submitted in support of the appeal must be relevant to the case being made.
- The SQA Director considering the appeal may seek additional information to assist their review of the case. They may consult experienced subject specialists who were not involved in the original decision when considering appeals against assessment judgement to help review the evidence
- The SQA Director will inform the Head of Centre in writing of the decision within 15 working days of receiving the written appeal and will give the reasons for the decision.

##### **Internal Assessment**

Student/s can appeal against the Centre's internal assessment decision to SQA. Students must have exhausted West Highland College UHI appeals process before appealing to SQA, and provide evidence that they have followed this process. It is expected that students will only appeal directly to SQA in exceptional circumstances.

Students should submit appeals in writing to SQA within 15 working days of receiving written notification from the outcome in Stage 3. The letter should be sent to the Corporate Office at SQA's Glasgow office where the following process will be undertaken.

- The appeal must include a written account of why the student thinks that the centre's decision is wrong and must include the student's evidence to support their case.
- SQA when considering the appeal may seek additional information to assist their review of the case. They may consult experienced subject specialists who were not involved in the original decision when considering appeals against assessment judgement to help review the evidence.

SQA will inform the candidate and the centre in writing of the decision within 15 working days of receiving all the information relevant to the appeal and will give the reasons for the decision.

The above process will encompass any other Awarding Body requirements where West Highland College UHI is approved to deliver qualifications.

- Any Learner wishing to escalate their Appeal to BCS must do so within 20 days of their assessment and will incur a cost.

## Student Internal Assessment Appeal Form

|  |                            |
|--|----------------------------|
| <b>Student Name:</b>   | <b>Appeal Start Date:</b>  |
| <b>Assessor Name:</b>  | <b>Head of Curriculum:</b> |
| <b>Nature of Appeal:</b>   |                            |
| <b>1<sup>st</sup> Stage - Informal<br/>(Assessor Notes) Date:</b>  |                            |
|  |                            |
| <b>Outcome:</b>  |                            |
| <b>2<sup>nd</sup> Stage Appeal - Informal<br/>(IV Notes) Date:</b>   |                            |
|  |                            |
| <b>Outcome:</b>  |                            |
| <b>Proceed to 3<sup>rd</sup> Stage - Formal      YES <input type="checkbox"/>      NO <input type="checkbox"/></b> |                            |
| <b>3<sup>rd</sup> Stage – Formal<br/>(Panel Notes) Date:</b>   |                            |
|  |                            |
| <b>Outcome:</b>  |                            |

|                            |  |              |  |
|----------------------------|--|--------------|--|
| <b>Completion Date:</b>    |  |              |  |
| <b>Student Signature:</b>  |  | <b>Date:</b> |  |
| <b>Assessor Signature:</b> |  | <b>Date:</b> |  |
| <b>Head of Curriculum:</b> |  | <b>Date:</b> |  |