Policy

Appeals Policy

EAST SCITT

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APPEALS PROCEDURE

Appeal against an Assessment or Examination Board decision

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1 – Purpose

The purpose of this policy is to set out clear procedures for dealing with appeals made by trainees against EAST SCITT, or candidates who have applied to an EAST SCITT programme who do not agree with the shortlisting or interview decision.

2 – Scope

This policy should be read in conjunction with the complaints and grievance procedure and the Assessment and QA policy.

Where an appeal is made an appeals committee will be assembled to consider the appeal. This will consist of:
- The SCITT Director
- The phase lead
- The assessor
- The chair of Strategic sub committee
- Members of the Assessment and Quality Assurance group.

This policy has been produced following the Office of the Independent Adjudicator's "The good practice framework: handling student complaints and academic appeals" published in December 2016 (www.oiahe.org.uk).

This policy covers:

1. Applicants who wish to appeal against a decision made during the recruitment and selection process including
    a. Appeals against being rejected prior to interview
    b. Appeals against being rejected following an interview
    c. Appeals against conditions in a conditional offer
2. Appeals by trainees against assessment decisions made by EAST SCITT staff

This policy does not cover appeals made in relation to academic outcomes in relation to the PGCE aspect of the course. In the event of appeals in relation to PGCE outcomes, the complaints and grievance procedure should be followed and the SCITT Director will advise of the appeals process with EAST SCITT's PGCE provider.

3 – General Principles

- EAST SCITT will, at all times, ensure compliance to the Equality Act 2010
- EAST SCITT are committed to dealing with complaints fairly and without delay and where possible, will resolve complaints informally
- EAST SCITT will ensure that all members of staff involved in the interviewing candidates and the assessment of trainees are trained in accordance with our recruitment and programme
- EAST SCITT expects all parties to act respectfully and fairly at all times and during the appeals process

- EAST SCITT will ensure that appropriate and impartial personnel are involved in the appeals process to ensure that there is no actual or perceived disadvantage
- EAST SCITT is committed to providing support to applicants and trainees to enable them to be successful.
- All appeal outcomes will be communicated in writing and without unnecessary delay
- Trainees are entitled to request a colleague, friend, family member or union representative to be present at any meeting pertaining to an appeal

4 – Definition and Examples

For the purpose of this policy an appeal is a formal request for a decision made by EAST SCITT to be changed.

Appeals against recruitment decisions

Applicants may appeal on the grounds that

a) There has been a procedural irregularity: a situation where an applicant believes EAST SCITT have not complied with their own policies and procedures
b) Where new material is presented that may have affected the decision made at the time. The applicant must provide reasonable justification for why the information was not made available at the time of the application
c) Evidence of bias or prejudice.

Appeals against assessment decisions

An appeal regarding the outcome of an assessment is defined as: *"A request for a review of a decision of an academic body with making decisions on student progress, assessment and awards" (OIA 2016)*

An appeal can be made under this policy in the following circumstances:

- A procedural irregularity or administrative error in the management of the assessment in the assessment process in the award of Qualified Teacher Status
- Bias or perception of bias in relation to the final grading
- Extenuating or mitigating circumstances where EAST SCITT were not made aware of which is a significant factor in the outcome of the assessment. There must be a good reason why EAST SCITT was not aware of this factor during the assessment period.

5 – Stages in the appeals process

Appeals against recruitment decisions

- Recruitment decisions, including shortlisting, are made by at least 2 members of the EAST SCITT team, including either the SCITT Director or phase leader alongside a team member from one of our partnership schools.
- Decisions are made using the EAST SCITT criteria as set out in the Recruitment Policy
- If unsuccessful on application, this will be recorded on the DFE Apply system. EAST SCITT will provide feedback on the application with reasons why the candidate has not been shortlisted for interview. Further feedback can be provided by email or phone on request.
- For applicants unsuccessful at interview, written feedback is provided through the DFE Apply system alongside a personalised email from the EAST SCITT Coordinator. Further feedback can be provided by email, phone or in person by request. This will outline the candidate's strengths and areas for development for future applications.
- Appeals against recruitment decisions must be made in writing to the SCITT Coordinator within 14 calendar days of the application decision.
- The SCITT Director will respond to all appeals against recruitment decisions within 7 calendar days of receipt of the appeal and will assemble an appeals panel.
- The appeals panel will comprise of experienced interviewers, not involved in the original recruitment decision. Documentation will be reviewed and the panel will make one of the following decisions:
    - The recruitment decision will be reversed and the candidate will progress to the next stage (for applications rejected prior to interview, they will progress to an interview stage. For applications rejected at interview, they will be recruited to the programme)
    - The decision is upheld and the applicant does not progress further
    - An applicant rejected at interview may be invited to interview again with a different interview panel
    - Applicants will be informed of the outcome of an appeal within 21 calendar days of the appeal being made.

Should an applicant be able to demonstrate that the appeals panel has not addressed the grounds for the appeal, they must contact the Chair of Strategic sub committee within 14 calendar days of the appeal decision. They must outline their argument in response to the appeals decision in detail. The chair of the board will assess the argument, decision and grounds for appeal. A decision will be made and this decision will be final. The applicant will be informed of this in writing.

Appeals against assessment decisions

Appeals against assessment decisions can only be made in relation to the award of QTS. Any other complaints about formative assessment procedures and decisions should be made using the complaints and grievance procedure.

EAST SCITT aims to avoid the need for formal appeals by keeping trainees informed of their progress throughout the training year and communicate clearly if the award of QTS by the end of the course is unlikely.

The process for an appeal against an assessment decision is outlined below:

1. Clarification stage
2. Formal appeal
3. Independent external review.

Stage 1: Clarification

Trainees should contact the SCITT Director or phase leader in writing to outline their concerns in relation to an assessment decision and an award of QTS not being made at the end of the course. Within 5 working days, the SCITT Director or phase leader will invite the trainee in for an informal meeting to clarify the reasons why an award of QTS has not been made and discuss any concerns the trainee has in relation to this decision. The SCITT Director and/or phase leader may offer to extend a trainees' training period to enable them to meet the Teachers' Standards and be awarded with QTS.

Stage 2: Formal Appeal

A formal appeal against an assessment decision must be made, in writing using the Appeals form, to the SCITT Director within 7 days of the decision. Trainees must outline the reason for their appeal with evidence to support why the assessment decision has been made in error. The appeals form can be requested from the SCITT Coordinator.

The SCITT Director will review the appeal and:

- Review the assessment procedure in relation to the trainee
- Check that the appeal is made on the grounds outlined in this policy
- Ensure that the appeal has been made within the correct timeframe
- Call a meeting with those involved in the assessment process (usually the SCITT Tutor, mentor and phase leader) to discuss the assessment decision
- Review assessment documentation and evidence in relation to the decision
- Write to the trainee informing them of their decision.

The possible outcomes are:

- The appeal is upheld and the trainee is awarded QTS
- The appeal is dismissed.

The trainee will be informed of the decision in writing within 14 days of the formal appeal being made.

Stage 3: Internal review

A trainee may make a request for a review of the Director's decision within 7 days of receiving the decision.

A review may include:

- A review of the procedures outlined above
- A consideration of the outcome and if it was reasonable
- A review of new evidence which was not provided at stage 2

It will not rehear the complaint or involve further investigation.

When a review is required, the SCITT Director will assemble an Appeals Committee consisting of a member of Strategic sub committee (they will be the Appeals Committee chairperson), an EAST SCITT Senior leader, who was not involved in the initial appeal, a member of the Assessment and QA group. No member of EAST SCITT involved in the initial assessment will be involved in the internal review. The committee will consider the way the appeal was handled in Stage 1 and Stage 2. A hearing will be called and the trainee will be invited to attend the hearing. The trainee must be given 10 days' notice of the hearing date.

- Trainees will be offered the opportunity to be accompanied by a friend, family member, or representative from a Teaching Union or Students' Union.
- The trainee will be provided with information about the composition of the Appeals Committee, a copy of the evidence to be considered and information about the support that is available to them including contact details.
- The committee will consist of two members of the Governance Board and at least 1an EAST SCITT Senior leader. They will consider the evidence and there will be an opportunity for the trainee and SCITT Director to make a presentation.
- A record of the meeting will be taken recording the date, people in attendance and a brief summary of the meeting by the EAST SCITT Coordinator.

The committee may:

- Overturn the decision and recommend a remedy
- Uphold the decision

The Appeals Committee will inform the trainee, in writing, of their decision with reasons within 3 working days of the committee hearing. The trainee will be informed of their right to refer the complaint for external review.

Stage 4: Independent external review (OIA)

A trainee may request a formal review to the Office of Independent Adjudicators. This must be used as a final stage and after all previous complaints and appeals procedures have been exhausted.

An appeal to the OIA must be made within 12 months of the decision of the Appeals Committee.

6 - Confidentiality

The appeal is kept as confidential and within EAST SCITT and relevant governance boards. Appellants who notify the EAST SCITT Director that information has been included of a highly confidential and personal nature will, if requested, be informed in advance of the names of persons to whom the information will be disclosed.

Papers will be kept on confidential file for up to two years. After that, with the exception of a copy of the notification to a trainee of the final decision, they may be destroyed.

Review date for the procedure

This Procedure will be reviewed and agreed by the EAST SCITT Director who will inform the Strategic sub committee at its next meeting.