



## **POLAP 7 Appeals Policy**

All College policies and procedures adhere to the guidelines and ethos of Equality and Diversity

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| <b>Date of Origin</b> | <b>Last Updated</b> | <b>Proposed Review Date</b> | <b>EQIA Date</b> | <b>DPIA Date</b> | <b>Responsibility for Review</b>                         |
|-----------------------|---------------------|-----------------------------|------------------|------------------|--|
| August 2015           | August 2023         | August 2025                 | August 2018      |                  | Assistant Principal:<br>Education and Student<br>Success |

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## **1 Purpose and Benefits**

The purpose and benefits of this policy are to allow students to have any decision which they consider unfair, reviewed.

## **2 Policy Statement**

New College Lanarkshire is committed to providing opportunities for learning in a caring and supportive environment which respects the individual. The Appeals Policy and Procedure are designed to allow students to request the review of a decision which has been made and which they consider to be unfair.

At all stages of any appeals process, due consideration will be given to the individual needs of the student as appropriate, taking into account age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation. Further details and advice on individual needs are available from the Student Adviser.

It is the policy of New College Lanarkshire to allow students to appeal decisions made in the areas of Internal Assessment or Student Behaviour (appeals about student support funds and requests for fee refunds are dealt with separately). Every effort should be made to settle the basis of the appeal informally in the first instance. If no agreement is reached at the informal stage, then the formal Appeals Procedure should be followed.

This Policy and related procedure are written to ensure that there are clear and fair guidelines for dealing with appeals made by students. It is designed to provide a framework to ensure that all students and staff are aware of:

- What constitutes the basis for an appeal in New College Lanarkshire
- The role of informal discussions in settling an appeal
- The procedure involved in the formal appeals process

Where students are attending College but are still the responsibility of a partner school (e.g. early school leavers, school link or other partnership programme), this policy and associated procedure and will be applied for appeals related to Internal Assessment. Note however that, in line with the College's Learner Behaviour Policy and Procedure, all Student Behaviour issues, associated discussions and consequent appeals remain the responsibility of the partner school, and all such students are to be referred in the first instance to the School/College Partnership Coordinator or School Development Manager.

Where students are under the age of 16, then any appeals process is to be communicated to the student's school and to the student's parent or parent's representative by the School/College Partnership Coordinator or School Development Manager. The student must be accompanied by the student's parent or parent's representative at any Appeal Hearing.

### 3 Responsibilities

- 3.1 **All students** accept the Appeals Policy as a pre-requisite for enrolment at the College. The policy and procedure will be explained at Induction and further information will be available on the MyNCL or from the Student Adviser.
- 3.2 **All members of staff** are responsible for implementing the Appeals Policy and Procedure by ensuring students have the opportunity to discuss informally any problems they have in accepting decisions made in the College with regard to Internal Assessment or Student Behaviour. If informal discussions do not resolve the issue, staff should ensure that students have access to this Appeals Policy and Procedure.
- 3.3 Where a decision has been made which relates to a student who is under the age of 16, and where such a decision is being questioned, the student is to be referred in the first instance to the **School Development Manager**, who is responsible for discussing the situation with the student and with the partner school or local education authority (LEA) as appropriate. The partner school/LEA is then responsible for organising communication with the student's parent or parent's representative.
- 3.4 The **Student Adviser** is responsible for providing assistance to College staff and students in their attempts to settle any potential appeal in an informal way.
- 3.5 The **Assistant Principal: Education and Student Success** is responsible for co-ordinating Appeal Hearings.
- 3.6 The **Assistant Principal: Education and Student Success** is responsible for collating and maintaining records of Appeal Hearings.

### 4 Scope of the Policy

#### **Who does this policy and procedure cover?**

This Policy and Procedure applies to all students at New College Lanarkshire, including those still enrolled as pupils at secondary school.

This Policy and Procedure applies if a student considers that a decision made by the College is unfair, and wishes to request a review of that decision.

### **What does this policy and procedure cover?**

This Policy and Procedure may be applied in respect of decisions which have been made by the College with regard to Internal Assessment and Student Behaviour.

This Policy and Procedure does not cover appeals to external awarding bodies or if your course is run in collaboration with another HEI – appeals in such cases will be conducted in accordance with the appeals policy and procedure of that organisation.

This Policy and Procedure does not cover student appeals against Bursary, EMA, Childcare Funding or Discretionary (Hardship) funding decisions. Appeals on funding should be made in writing to the Student Funding Manager for consideration by the Student Funding Appeals Panel.

For further information see Student Funding Policies or any member of the Student Funding team who will guide you as to the correct process for raising an Appeal. Students who have withdrawn from a course and who wish to enquire about possible refund of fees should be directed to Finance who will progress the enquiry via the college Refund and Withdrawal Policy.

## **5 Monitoring and Review**

This policy and the supporting procedure will be reviewed every three years or following material change in awarding body requirements, legislation, relevant codes of practice or any other factor that alters the application of the policy.

## History of Changes

| Date          | Page Number/Paragraph/Section                                    | Description of Change   | Rationale for Change                              |
|---------------|--|---|---|
| 1 August 2021 | Front Page   | Update College logo   | Internal requirement - updated branding           |
| 1 August 2021 | Front Page   | Update job title at "Responsibility for Review"   | Internal requirement – updated staffing structure |
| 1 August 2021 | All pages  | Learner(s) changed to student(s)  | Internal requirement – consistency of terminology |
| 1 August 2021 | Page 4, Section 2 – Policy Statement – 3 <sup>rd</sup> paragraph | Second half of sentence updated to reflect different staff/staff responsibilities. Previously read: "..... is understood to include the Business Development Manager and the Workforce Development Manager" | Internal requirement – updated staff job titles.  |
| 1 August 2021 | Page 5 – Section 3, 3.1  | Reference to the College Intranet changed to MyNCL.   | Internal requirement – updated terminology.       |
| 1 August 2021 | Page 6 – new section 5 – Monitoring and Review                   | New section to provide information about the monitoring and review process for this policy and the associated procedure.  | Internal review – to enhance the policy.          |
| 1 April 2022  | Front page   | Depute Principal: Student and the Curriculum to Assistant Principal: Education and Student Success  | Responsibility For Review                         |
| 1 August 2022 | All pages  | CQA 10 changed to POLAP 7   | Internal review                                   |
| 1 May 2023    | Section 2  | 3 <sup>rd</sup> paragraph removed (job title terms)   | Internal review                                   |
| 1 May 2023    | Section 3.3  | School/College Partnership Co-ordinator removed   | Internal review                                   |