

Appeals Policy and Procedures

Version number 6.0

1. Scope of the Policy

- 1.1** The Policy applies to all learners engaged on Law Training Centre courses
- 1.2** The policy sets out
- the appeal process for appealing an assessment decision made by Law Training Centre
 - guidance on appealing an assessment or policy decision made by an external awarding body
 - the appeal process for appealing a disciplinary decision made by Law Training Centre.

2. Purpose

- 2.1** The aims of this policy are to:
- enable a learner to enquire, question or appeal (when grounds for appeal exist) against an assessment decision
 - facilitate a learner's right of appeal to an external awarding Body, where appropriate
 - enable a learner to enquire, question or appeal (when grounds for appeal exist) against any disciplinary action taken against them
 - to standardise and record any appeal to ensure openness and fairness
 - to protect the interests of all learners and the integrity of the qualification.

3. Policy Implementation

- 3.1** To achieve the aims of the policy, Law Training Centre will:
- a. have a clear appeals procedure and inform the learner of this during each course induction.
 - b. consider appeals submitted by learners through its Academic Governance structure. Appeals will be considered by the relevant group
 - c. record, track and validate any appeal
 - d. forward the appeal paperwork to the external awarding body (as applicable) when a learner considers that a decision continues to disadvantage her/him after the internal appeals process has been exhausted
 - e. keep appeals records for inspection by the external awarding body (as applicable) for a minimum of 5 years
 - f. take appropriate action to protect the interests of other learners and the integrity of the qualification, when the outcome of an appeal questions the validity of other results
 - g. monitor appeals to inform quality improvement.

4. Guidance to Learners on Appealing an Assessment Decision made by Law Training Centre

- 4.1** If you feel that your work has been assessed inaccurately or unfairly by Law Training Centre, you may use Law Training Centre Appeals Procedure to have this work reassessed.
- 4.2** An Appeals Process flowchart can be found at Appendix 1 of this Policy.

4.3 Preliminary steps

- 4.3.1** Law Training Centre has procedures for internal double marking or moderation of all modules and scrutiny by an Internal Verification Examiner, as well as an External Verification Examiner appointed by the Awarding Body (as applicable to the qualification). Prior to submitting an appeal, if you are unsure why you were awarded a particular mark for an assessment, you should contact exams@ltkent.co.uk, who will arrange for the assessor to provide further feedback as appropriate.
- 4.3.2** The appeal must be submitted within 10 working days of the date of the email notifying you of the result of your assessment. Please enclose a copy of this with your appeal.

4.4 Grounds of appeal

- 4.4.1** Appeals will not be accepted under any circumstances against 'academic judgement' of markers i.e. because you disagree with a mark or because you have been awarded a lower mark than you hoped to achieve.
- 4.4.2** There are only three grounds of appeal that will be considered:
- **Ground 1:** Circumstances affecting the learner's performance of which the body in question was not aware when its decision was taken, and which could not reasonably have been presented at the time.
 - **Ground 2:** There was a procedural error/irregularity or other inadequacy on the part of Law Training Centre
 - **Ground 3:** There exists evidence of prejudice or bias on the part of the examiners or body in question

4.4.3 Ground 1:

Circumstances affecting the learner's performance of which the body in question was not aware when its decision was taken, and which could not reasonably have been presented at the time.

- a.** Learners intending to lodge an appeal on this ground should note that, for an appeal to succeed, you will need to offer an explanation and/or evidence in relation to all three elements:
- *Circumstances affecting the learner's performance* - Evidence of the circumstances should be submitted, with a clear explanation of the period, and items of assessed work that were affected.
 - *...of which Law Training Centre was not aware at the time the decision was taken* - An appeal will not have strong grounds where Law Training Centre was already aware of the circumstances described and made its decision in the knowledge of those circumstances.
 - *...which could not reasonably have been presented to Law Training Centre* - It will also be necessary to explain why the circumstances could not have been presented to Law Training Centre at the time it made its decision.
- b.** In relation to personal mitigating circumstances, an appeal can only be considered where the learner has been unable to follow the normal procedure for submitting an Extension Request or Reasonable Adjustments claim, and it would not have been reasonable to have expected them to have done so. An example might be where there is evidence that the learner was in hospital or was suffering from mental health difficulties which meant that they were unable to submit a claim at the appropriate time. It is not sufficient for you to say that you were unaware of the procedure for making a claim, or you chose not to do so. Therefore, it is clearly in your interests to submit exceptional circumstances claim via the Reasonable Adjustments Process at the relevant time, rather than relying on the Appeals Process.

4.4.4 Ground 2:

There was a procedural error/irregularity or other inadequacy on the part of Law Training Centre

- a.** An appeal may be considered where the learner believes that the award or mark is incorrect because Law Training Centre has made an error.
- b.** It is not enough to show that an error has taken place. It will be necessary for you to show that the error resulted in an incorrect decision being made.
- c.** If the error is clearly demonstrable, and/or it is accepted on the part of Law Training Centre that a learner has been disadvantaged because of an error, it can often be corrected without the necessity to go through the formal appeals process, so learners are advised to seek urgent advice from their tutor in the first instance.

4.4.5 Ground 3:

There exists evidence of prejudice or bias on the part of the examiners or body in question

- a.** An appeal brought on these grounds should clearly identify the individual(s) considered to have shown prejudice or bias against you and should be supported by evidence.

- b. As stated above an appeal cannot be made against a matter of academic judgement. If you are dissatisfied with a mark awarded to you, you are advised that the correct route is for you to follow up on this within Law Training Centre and inquire whether any feedback/further clarification can be provided on the basis for the mark awarded. Since this is a matter of academic judgement, however, you should not have any expectation that a mark will be changed.

4.5 Appeals Process

4.5.1 Stage 1 – Informal Stage

- a. You should in the first instance discuss with the tutor or assessor who made the original decision and who provided you with feedback.
- b. The assessor will discuss with you the reasons for making their assessment decision.
- c. If you are still not satisfied with the decision received you should proceed to stage 2.

4.5.2 Stage 2 – Initial Formal Stage

- a. The appeal must be submitted on the relevant form within 10 working days of the date of the letter/ email notifying you of your assessment. Please enclose a copy of this with your appeal. Forms received after this date will be considered only if there are exceptional reasons why you could not comply with the relevant deadlines which must be accompanied by supporting evidence.
- b. Your tutor or assessor will refer the matter to their nominated internal verifier/standards moderator or to the Student Services Team.
- c. This person will check your work against the standards set by the Awarding Body and will communicate their decision to you.
- d. If you are still not satisfied after Stages 1 and 2 of the Procedure have been completed, proceed to Stage 3.

4.5.3 Stage 3 – Panel Stage

- a. Inform the Student Services Team that you are not satisfied for the decision with clear written submissions as to why you take the view that any of the grounds of appeal are made out despite the decisions provided to you at stages 1 and 2.
- b. The Student Services Team or lead internal verifier/standards moderator will organise an Appeals Panel for consideration of your appeal.
- c. The Complaints and Appeals Review Panel shall meet within the proceeding 10 working days.
- d. The Appeals Panel will consist of the Director of Education (or nominated person), the Qualification Manager for the appropriate subject area and the Quality Assurance and Accreditation Officer.
- e. Law Training Centre aims to complete the Academic Appeals Process within 50 working days. If this timeframe is not achievable, you will be informed about a delay at the earliest opportunity.
- f. The decision of the Complaints and Appeals Review Panel will be final.

4.5.4 Stage 4 – External Appeal

- a. If you are still not satisfied with the decision received from Stage 3, you have the right to contact the Awarding Body for your qualification (e.g. SQA NALP, CILEX) and request that they investigate the matter further. Contact details of the specific Awarding Bodies can be found on the Law Training Centre website under Accreditations.
- b. If you decide to approach the awarding body with regards to your case, there would be an expectation that you have exhausted all avenues with Law Training Centre first. This also applies to applications to OfQual.

4.5.5 Stage 5 – Appeal to OfQual

- a. If you are still not satisfied with the decision received at Stage 4, you have the right to contact the qualification regulator (Ofqual). There are limitations on what Ofqual can deal with, and when. Ofqual's website states:
- *“We expect you to have already complained to the awarding organisation before coming to Ofqual. We also expect that the awarding organisation will have had an opportunity to resolve your complaint. You can complain to us about:*
 - *an awarding organisation's alleged failure to comply with our regulations, see below*
 - *for examples*
 - *the award of a regulated qualification by a recognised awarding organisation*
 - *issues that could undermine public confidence in regulated qualifications.*
 - *When you complain to us, we ask that it is within twelve months of the action you are complaining about, and that you have completed all stages of the awarding organisation's complaint process. But, when the matter appears to us to be urgent or in the wider public interest, we may choose to look at a complaint*
 - *before the awarding organisation's final decision.”*

More information about OfQual can be found at the OfQual website.

5. Guidance to Learners on Appealing an Assessment or Policy Decision made by an external awarding body

5.1 Assessment or policy decisions made by an external awarding body are outside of the control of Law Training Centre and Law Training Centre does not have any input in the decisions made. To appeal an assessment or policy decision made you must follow the procedure set out by the relevant external awarding body.

5.2 The procedure for each is as follows:

- CILEX Legacy/CPQ:** CILEX appeals policy, procedures and form can be located here.
- CIPS:** The assessment review and appeals policy is located here.
- NALP:** The appeals policy is located here. Appeals must be submitted to NALP through Law Training Centre and so please contact our Student Services Team to process your appeal ensuring you adhere to any timescales set out in the policy.
- Propertymark:** The appeals policy is located here.
- SQA/CLC:** Assessment decisions are made by Law Training Centre. Please follow the process set out in Part 3 of this policy. To appeal a policy decision of SQA please see contact information here or for the CLC here.
- SQE:** The appeals policy is located here.

5.3 If you are unsure of the procedure to follow, please contact the Student Services Team for support.

6. Guidance to Learners on Appealing a Disciplinary decision made by Law Training Centre

6.1 Learners may appeal against any decision made in terms of disciplinary action. The justification for appeal may only be if the learner feels that

- a. Law Training Centre's policies were not followed satisfactorily, or
- b. the punishment applied was a disproportionate response to the learner's actions.

If this is the case the following process will be followed.

6.2 Appeals process

6.2.1 Stage 1 – Informal Stage

- a.** You should appeal to the Quality Assurance and Accreditations Officer (QA&AO) with supporting evidence.
- b.** The appeal will be considered by the QA&AO and Director of Education within 10 working days to determine whether your case meets grounds for an appeal.
- c.** If it is deemed that you have grounds for appeal., your case will be referred to the Complaints and Appeals Review Group. Law Training Centre will confirm if not and you will be notified of the justification for rejection of the appeal within 10 working days.

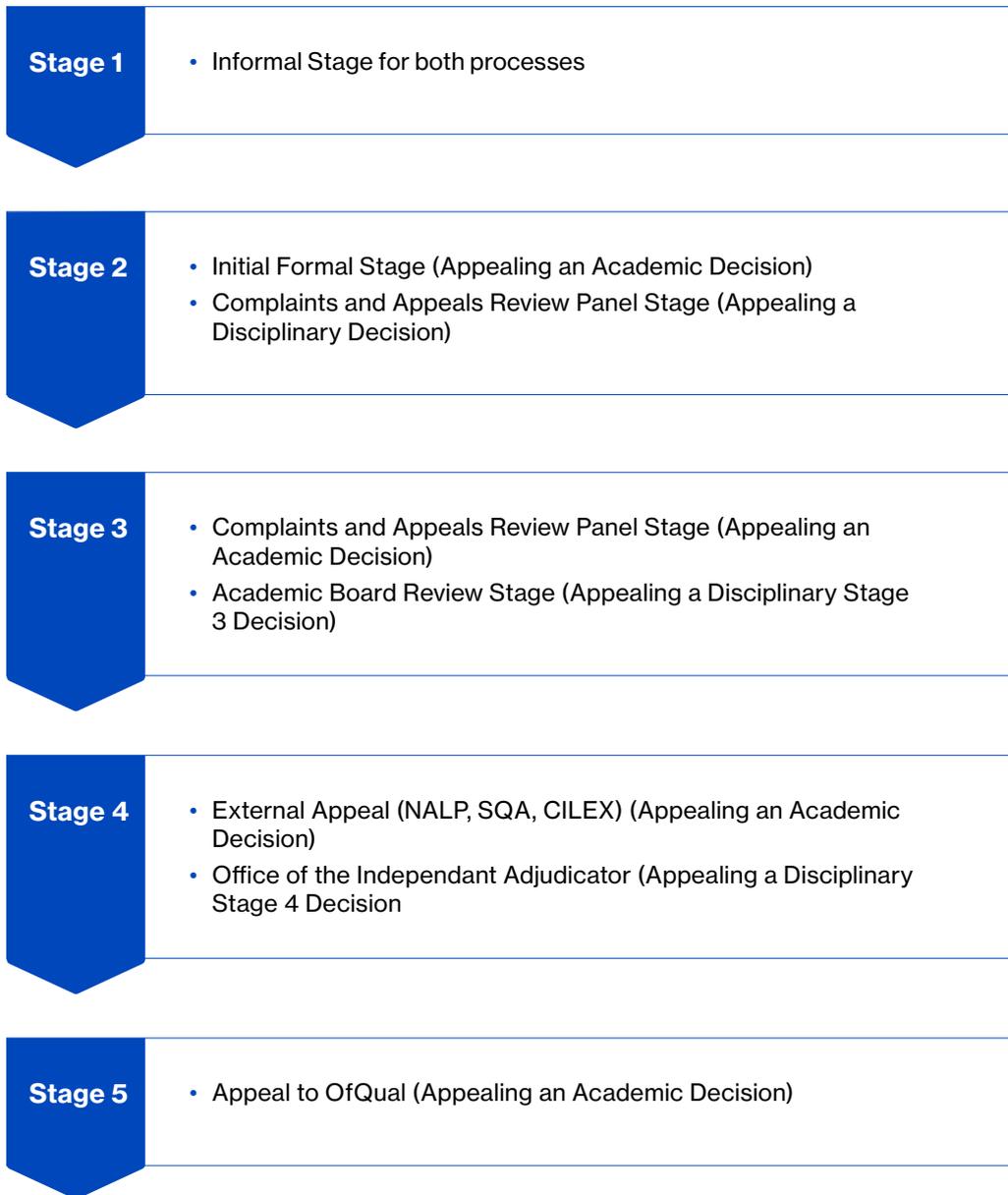
6.2.2 Stage 2 – Complaints and Appeals Review Panel Stage

- a.** If there are grounds for an appeal, you will be informed of the time period within which it will be considered. Additional evidence may be required ahead of consideration by the Complaints and Appeals Review Panel and if this is the case, the timescale will only begin once we have received all the requested information.
- b.** The Complaints and Appeals Review Panel will consider the appeal based on the information available and their decision will be communicated to you within 5 working days. If your appeal is upheld, you will be notified of the outcome and any remedial action taken.
- c.** If you are still not satisfied with the decision, you have 10 working days from receiving notification of the outcome to request escalation to the Academic Board Review Panel. You must clearly explain how our appeals process has failed to address your concerns.

6.2.3 Stage 3 – Academic Board Review Stage

- a.** The Academic Board Review Panel will be chaired by an individual who has had no previous direct involvement with the appeal and will undertake formal consideration of your appeal.
- b.** The Review Panel will consider the information and if it is accepted, has the power to overturn the outcome determined by the Complaints and Review Panel. It may also refer the appeal back to the Complaints and Appeals Review Panel for further investigation and reconsideration of new evidence.
- c.** If your appeal is accepted, or partly accepted, and you remain dissatisfied with the outcome you can request a completion of procedures letter from us. This will confirm that all our internal procedures have been exhausted and will advise you how to seek independent review with the external awarding body (if applicable).

Appendix 1 – Appeals Flow Chart



Approved by	Eve Dullabh	Approval signature	<i>Eve Dullabh</i>
Date signed	06/2025		