
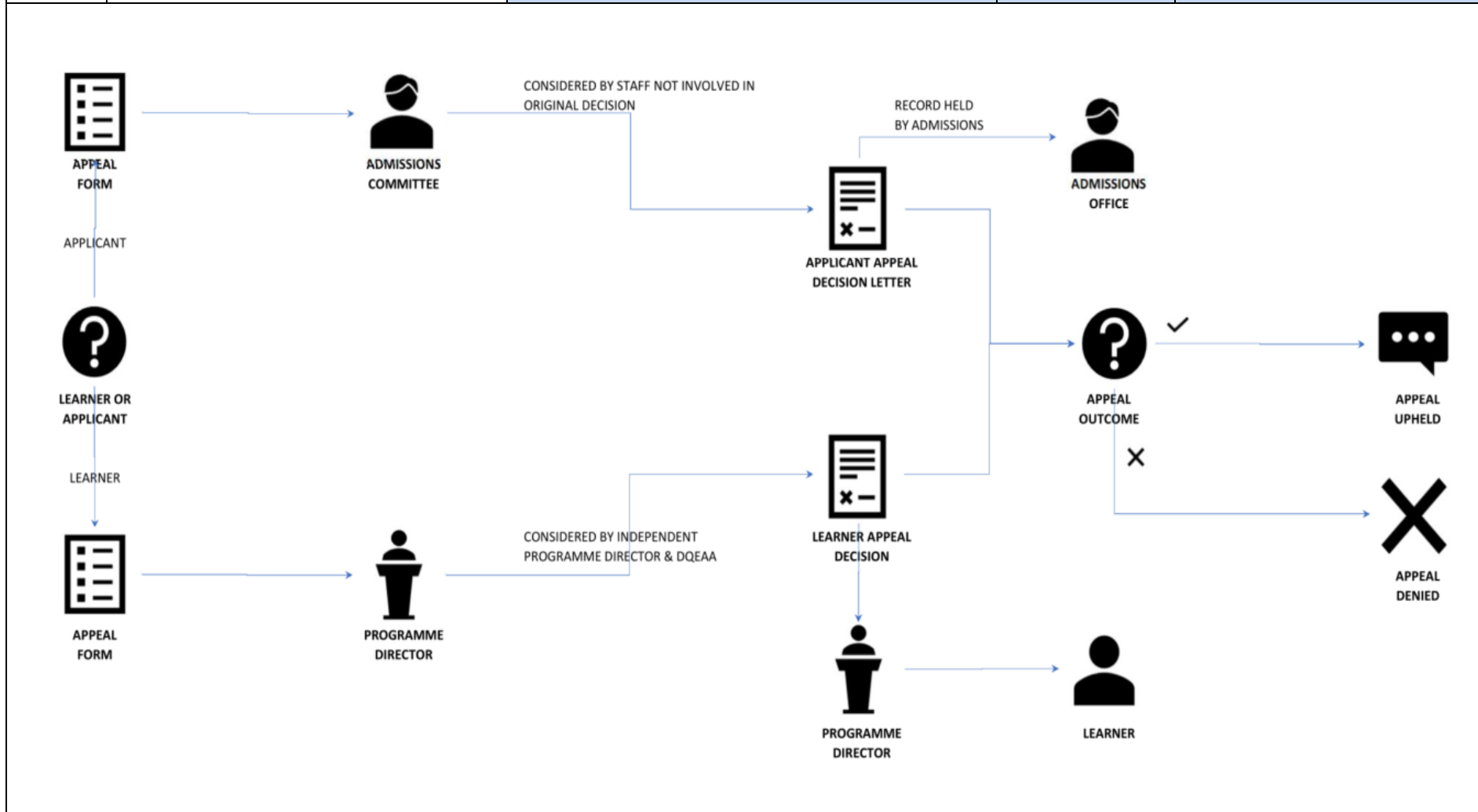


#	POLICY TITLE:	POLICY AREA:	VERSION:	DATE ADOPTED :
	7.11 LEARNER APPEALS:	3) PROGRAMMES OF EDUCATION AND TRAINING	3.0	AUGUST 2020



Introduction and Context

- This policy sets out the principles, circumstances, grounds and possible outcomes of an appeal by a learner against a decision made by the College.
- The policy applies to learners wishing to appeal decisions made by the College.
- The policy also applies to all staff members in the conduct of the appeals process.

Note: It does not apply to Assessment Appeals (See QA 7.11)

Policy Statement:

- Learners may formally challenge decisions of any decision –making Board or Committee of the College e.g Admissions Committee, RPL Committee, Complaints Committee, Disciplinary Committee;

Grounds For Appeal:

SNMCI considers the following as valid grounds for appeal:

- Evidence that SNMCI did not follow an established procedure in the making of a decision.
- Circumstances or information of which the original decision-making body was unaware and a valid reason why that information was not available at the time.
- Evidence of substantive bias by one or more of the decision-makers in arriving at a decision.

Definitions:

SNMCI uses the following definitions:

Review: A review is an appeal where a learner formally requests the maker of a formal decision, or a person acting on their behalf, to review that decision, i.e., to reconsider the formal decision in light of concerns expressed by the appellant under one or more of the three grounds of appeal as listed above;

Appeal: An appeal is where a learner formally requests that the decision or judgement of a lower authority is referred to a higher authority (i.e., the Appeals Committee) for the reconsideration of the decision in light of concerns expressed by the appellant under any of the grounds listed above;

Principles of the Appeals Process:

- All appeals are treated fairly and the conduct of an appeal must be transparent;
- A **review** (as described above) can be considered by the original decision-maker/s;
- An appeal must be made in writing within five working days of the issue of a decision.
- No member of the Appeals Committee can have had any previous involvement in the case being considered and anyone nominated to consider an appeal must declare any 'conflict of interest';
- There are stated Terms of Reference for the Appeals Committee (QA 7.13);

<ul style="list-style-type: none"> - The appeals process cannot set aside the rules for applicants who appeal for special treatment. The function of the appeals process is to ensure the rules are applied fairly. - The decision of the appeals panel is final; - The decision will be recorded and kept by the Admissions Office; - The decision will be communicated to the applicant by the Admissions Officer; 	Admissions Officer	Records Appeal Form (FQA7.11) Minutes of panel
<p>Appeals: Enrolled Learners:</p> <ul style="list-style-type: none"> - Where a learner wishes to appeal a decision of any Board or Committee of the College, the appeal must be received in writing, using the proper appeals form (FQA7.11) within 5 working days of the original decision being communicated; - The appeal should be sent to the Director of Quality and Academic Affairs (DQAA) who will review the application for completeness and convene The Appeals Committee as required; - If the DQAA deems that there are no valid grounds, the appeal is rejected. - The DQAA notifies the learner in writing of the decision and the rationale for it. - The completed form must indicate the grounds for the appeal; - Appeals may be submitted only by the appellant; - Appeals submitted by a third party will not be considered; - The grounds for appeal that may be considered are as set out below: <ul style="list-style-type: none"> o Evidence that SNMCI did not follow an established procedure in the making of a decision. o Circumstances or information of which the original decision-making body was unaware and a valid reason why that information was not available at the time. o Evidence of substantive bias by one or more of the decision-makers in arriving at a decision. - In the case of a Review the original decision can be reviewed by the original decision maker/s if any of the grounds above are valid; - Any decision will be passed on to the learner as soon as possible; - In the case of an Appeal, the DQAA convenes the Appeals Committee (an independent group who will have had no previous involvement in the relevant decision or with learner on the matter) - The appeal will be considered impartially; (QA 7.13: TOR Appeals Committee) - The appeals process cannot set aside the rules for applicants who appeal for special treatment. 	<p style="text-align: center;">Learner</p> <p style="text-align: center;">DQAA</p> <p style="text-align: center;">DQAA</p> <p style="text-align: center;">Relevant Committee</p> <p style="text-align: center;">Relevant Committee</p> <p style="text-align: center;">DQAA</p>	<p style="text-align: center;">Letter Appeal Form (FQA7.11)</p> <p style="text-align: center;">Recorded decision Letter to Learner</p> <p style="text-align: center;">Documented new grounds for review</p> <p style="text-align: center;">Decision Documented</p> <p style="text-align: center;">Documented new grounds for Appeal</p>

