

### 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> <li>Appeals will only be considered where there are valid grounds in line with this policy;</li> </ul>		
<ul> <li>All appeals must be evidence based; hearsay and opinion are not considered as evidence;</li> </ul>		
<ul> <li>After an appeals procedure has been followed there is no further right of appeal;</li> </ul>		
Exclusions from Grounds For Appeal:		
SNMCI does not consider the following as valid grounds for appeal:		
- Disagreement with a decision;		
<ul> <li>An appeal on the same grounds as a previously reviewed appeal;</li> </ul>		
<ul> <li>Issues that affect entire cohorts or groups of learners;</li> </ul>		
- Complaints about individuals (must be addressed under the College's policy and procedure for Le	arner Complaints	(QA 7.7).
- Complaints about established procedures (must be addressed under the College's policy and pro-		
7.7).		
- In the case of assessment, disappointment with an assessment result or a view that a higher mar	k should have bee	n obtained does not
constitute valid grounds for appeal; (QA 7.12: Assessment Appeals)		
Staff Involved:		
Statt involved:		
All staff members in the conduct of the appeals process.  Procedure Outline	Person/s	Records
All staff members in the conduct of the appeals process.	Person/s Responsible	generated to
All staff members in the conduct of the appeals process.	-	generated to ensure evidence
All staff members in the conduct of the appeals process.  Procedure Outline	-	generated to
All staff members in the conduct of the appeals process. Procedure Outline Applications to the College:	Responsible	generated to ensure evidence of follow through
All staff members in the conduct of the appeals process. Procedure Outline Applications to the College: - Where an applicant whose application for entry has been denied or whose application for	-	generated to ensure evidence of follow through Appeal Form
All staff members in the conduct of the appeals process. Procedure Outline Applications to the College: - Where an applicant whose application for entry has been denied or whose application for deferred entry has been denied, contacts the College wishing to make an appeal, s/he will be	Responsible	generated to ensure evidence of follow through
<ul> <li>All staff members in the conduct of the appeals process.</li> <li>Procedure Outline</li> <li>Applications to the College: <ul> <li>Where an applicant whose application for entry has been denied or whose application for deferred entry has been denied, contacts the College wishing to make an appeal, s/he will be sent (or directed to) QA 3.12: Deferrals, QA 7.11 :Appeal Procedure and Form FQA7.11 : General</li> </ul></li></ul>	Responsible	generated to ensure evidence of follow through Appeal Form
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<ul> <li>All staff members in the conduct of the appeals process.</li> <li>Procedure Outline</li> <li>Applications to the College: <ul> <li>Where an applicant whose application for entry has been denied or whose application for deferred entry has been denied, contacts the College wishing to make an appeal, s/he will be sent (or directed to) QA 3.12: Deferrals, QA 7.11 :Appeal Procedure and Form FQA7.11 : General Appeals;</li> <li>Appeals for Admissions must be received within 10 working days of this communication;</li> </ul> </li> </ul>	Responsible	generated to ensure evidence of follow through Appeal Form (FQA7.11) Minutes of
<ul> <li>All staff members in the conduct of the appeals process.</li> <li>Procedure Outline</li> <li>Applications to the College: <ul> <li>Where an applicant whose application for entry has been denied or whose application for deferred entry has been denied, contacts the College wishing to make an appeal, s/he will be sent (or directed to) QA 3.12: Deferrals, QA 7.11 :Appeal Procedure and Form FQA7.11 : General Appeals;</li> <li>Appeals for Admissions must be received within 10 working days of this communication;</li> <li>The completed form must indicate the grounds for the appeal;</li> </ul> </li> </ul>	Responsible Applicant Admissions	generated to ensure evidence of follow through Appeal Form (FQA7.11)
<ul> <li>All staff members in the conduct of the appeals process.</li> <li>Procedure Outline</li> <li>Applications to the College: <ul> <li>Where an applicant whose application for entry has been denied or whose application for deferred entry has been denied, contacts the College wishing to make an appeal, s/he will be sent (or directed to) QA 3.12: Deferrals, QA 7.11 :Appeal Procedure and Form FQA7.11 : General Appeals;</li> <li>Appeals for Admissions must be received within 10 working days of this communication;</li> <li>The completed form must indicate the grounds for the appeal;</li> <li>The appeal should be sent to the relevant decision making authority, in this case the Admissions</li> </ul> </li> </ul>	Responsible	generated to ensure evidence of follow through Appeal Form (FQA7.11) Minutes of
<ul> <li>All staff members in the conduct of the appeals process.</li> <li>Procedure Outline</li> <li>Applications to the College: <ul> <li>Where an applicant whose application for entry has been denied or whose application for deferred entry has been denied, contacts the College wishing to make an appeal, s/he will be sent (or directed to) QA 3.12: Deferrals, QA 7.11 :Appeal Procedure and Form FQA7.11 : General Appeals;</li> <li>Appeals for Admissions must be received within 10 working days of this communication;</li> <li>The completed form must indicate the grounds for the appeal;</li> </ul> </li> </ul>	Responsible Applicant Admissions Officer	generated to ensure evidence of follow through Appeal Form (FQA7.11) Minutes of

- The appeals process cannot set aside the rules for applicants who appeal for special treatment.		Records
The function of the appeals process is to ensure the rules are applied fairly.		
- The decision of the appeals panel is final;		Appeal Form
<ul> <li>The decision will be recorded and kept by the Admissions Office;</li> </ul>		(FQA7.11)
<ul> <li>The decision will be communicated to the applicant by the Admissions Officer;</li> </ul>	Admissions	
	Officer	Minutes of panel
Appeals: Enrolled Learners:		
- Where a learner wishes to <b>appeal</b> a decision of any Board or Committee of the College, the	Learner	Letter
appeal must be received in writing, using the proper appeals form (FQA7.11) within 5 working		Appeal Form
days of the original decision being communicated;		(FQA7.11)
- 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;	DQAA	
<ul> <li>If the DQAA deems that there are no valid grounds, the appeal is rejected.</li> </ul>		
<ul> <li>The DQAA notifies the learner in writing of the decision and the rationale for it.</li> </ul>		Recorded
<ul> <li>The completed form must indicate the grounds for the appeal;</li> </ul>	DQAA	decision
<ul> <li>Appeals may be submitted only by the appellant;</li> </ul>		Letter to Learner
<ul> <li>Appeals submitted by a third party will not be considered;</li> </ul>		
<ul> <li>The grounds for appeal that may be considered are as set out below:</li> </ul>	Relevant	
• Evidence that SNMCI did not follow an established procedure in the making of a decision.	Committee	Documented new
<ul> <li>Circumstances or information of which the original decision-making body was unaware</li> </ul>		grounds for
and a valid reason why that information was not available at the time.		review
<ul> <li>Evidence of substantive bias by one or more of the decision-makers in arriving at a</li> </ul>		
decision.		Decision
- In the case of a Review the original decision can be reviewed by the original decision maker/s if		Documented
any of the grounds above are valid;	Relevant	
- Any decision will be passed on to the learner as soon as possible;	Committee	
- In the case of an Appeal, the DQAA convenes the Appeals Committee (an independent group who		Documented new
will have had no previous involvement in the relevant decision or with learner on the matter)		grounds for
- The appeal will be considered impartially; (QA 7.13: TOR Appeals Committee)	DQAA	Appeal
- 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;	Appeals Committee	TOR: Appeals Committee
<ul> <li>All decisions will be recorded and kept by the DQAA;</li> <li>Decisions will be communicated as quickly as possible to the learner, by the Chair of the Appeals</li> </ul>		
Committee;	Chair	Correspondence
See QA 7.13: TOR Appeals Committee		

#### **Policy Control Sheet**

Policy	QA 7.11: Learner Appeals	
Version	3.0	
Adopted/Effective	August 2020	
Supersedes	2.0	
Monitoring/ Next Review Date	Every 2 years /August 2022	
Responsible Officer(s)	DQAA; Admissions Officer; Head of Examinations and Registrations;	
Designated Reviewer(s)		
Scope	All Programmes	

## References

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SNMCI Policy area	7) Support for Learners: QA Vol 2
Developed with reference to	QQI (2016) Core Statutory Quality Assurance Guidelines
	QQI (2016) Statutory Quality Assurance Guidelines developed for Independent/Private Providers coming
	to QQI on a Voluntary Basis
	Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), May 2015
Related SNMCI Policies / Forms	FQA 7.11: Appeal Form

### Revision

Revision	Revision Description	Originator	Approved By
Number			
2.0/08/2020	General Revision for blended learning	Office of DQAA	AB