



Complaints and Appeals Policy and Procedures

***Including Requests for
Re-Mark of Externally Marked
Assessment/Examination***

Introduction

This document sets out Laser Learning Awards' (LASER's) procedures for considering complaints and appeals, and includes requests for re-marks of externally assessed examinations.

This procedure is intended to ensure that any complaint or appeal received by LASER is dealt with quickly, fairly and effectively. LASER aims to resolve complaints and appeals promptly. However, these matters can be complex and may require scrutiny of extensive documentation, which in some cases may take some time.

LASER will consider complaints or appeals from individual learners or their advocates, groups of students or their representatives, or from a Centre or a group of Centres.

Please note that throughout this document, number of days does not include English public holidays, but does include weekends.

Complaints

LASER is committed to providing a high quality service and to maintaining the highest standards for its learners, Centres and other stakeholders. However, should a stakeholder (including a learner or Centre) be dissatisfied with the service they have received from LASER, a complaint may be made.

LASER does not wish to present any financial barrier to anyone wishing to make a complaint, and will therefore not make any charge to complainants unless it should be found that the complaint is either frivolous or malicious in its nature, in which case LASER reserves the right to charge a fee and/or to take other action against the complainant, which may include for example removal of the complainant's Centre's approval to deliver LASER qualification(s) and/or unit(s) of a qualification.

Complaints against a LASER Centre must always be made to the Centre in the first instance, and can only be accepted by LASER if the Centre's own Complaints Policy and Procedures have been exhausted. Such a complaint must be made within 14 days of reaching the end of the Centre's own Complaints Policy and Procedures. LASER reserves the right to charge additional visit fees plus travel expenses to a Centre where a visit is required as part of an investigation into a complaint against a Centre.

Complaints Procedure

Informal

Many issues can be resolved informally more quickly than needing to go through formal complaint proceedings, therefore in the first instance all complaints should be addressed either to the member of staff concerned, or to the Quality Manager, either by email or by telephone. Contact details can be found on the LASER web site www.laser-awards.org.uk.

Laser Learning Awards Complaints and Appeals Policy and Procedures



However, should the complaint remain unresolved, then formal proceedings should be followed as below.

Formal

All formal complaints should be made in writing (not by email)* and headed 'Formal Complaint', to the Quality Manager, LASER, The Runnymede Centre, Chertsey Road, Addlestone, Surrey, KT15 2EP. Should the complaint be against the Quality Manager, the complaint should be addressed to the Deputy Chief Executive Officer.

All complaints should be made within 14 days of the event occurring which gave rise to the complaint.

All complaints should state:

- The full name of the complainant.
- The complainant's contact details.
- If relevant, full details of the Centre/course/qualification/etc.
- A clear explanation of the nature of the complaint.
- Copies of any supporting documentation.

LASER will acknowledge the complaint within seven days of receipt, and will determine whether the matter falls within the scope of the LASER Complaints Policy as outlined above. Where the complaint is not within its scope, LASER will inform the complainant, giving the reasons why the complaint cannot be acted upon. If the complainant should follow an alternative complaints procedure, they will be advised as appropriate.

LASER will investigate the complaint and seek any information, evidence or documentation which may be required. Once all information is gathered, LASER will draw a conclusion which will be sent to the complainant within 28 days of receipt of the complaint. If this is not possible, for example if all the required evidence cannot be gathered in this time, then the complainant will be informed of the delay, within the same time frame. The conclusion will, if appropriate, identify any recommendation(s) or implication(s) of the outcome.

Appeals Against Complaint Conclusions

Should the complainant feel that the complaint has not been adequately addressed and be dissatisfied with the conclusion, an appeal may be made in writing (not by email)* and headed 'Formal Complaint – Appeal Against Conclusion', to the Deputy Chief Executive Officer, LASER, The Runnymede Centre, Chertsey Road, Addlestone, Surrey, KT15 2EP. Should the conclusion have been drawn by the Deputy Chief Executive Officer, the complaint should be addressed to the Chief Executive Officer.

All appeals against complaint conclusions should be made within seven days of receiving the conclusion.

The appeal against complaint conclusions should clearly set out the reasons for continued dissatisfaction.

Appeals against complaint conclusions will be investigated by a member of LASER staff who was not involved in the original investigation. A final decision will be made to conclude

Laser Learning Awards Complaints and Appeals Policy and Procedures



the matter, and the complainant informed, within 14 days of receipt of the appeal against the complaint conclusion.

**Where a complaint genuinely cannot be made in writing, other means of communication will be accepted in order to prevent any potential discrimination to complainants.*

Appeals

Appeals may be made as follows:

Appeal Type	Timescale for Appeal	Fee**
Appeal by a Centre against a decision concerning its application to offer LASER qualification(s) and/or unit(s) of a qualification.	Within 14 days of the Centre having its request declined	£300
Appeal by a Centre against removal of its approved status to deliver LASER qualification(s) and/or unit(s) of a qualification.	Within 14 days of the Centre receiving notification of withdrawal of its approval	£300
Appeal by a Centre or individual against the outcome of an investigation into alleged malpractice and/or actions taken as a result of malpractice.	Within 14 days of the Centre receiving notification of the outcome	£300
Appeal by a Centre against the contents of a quality reviewer report or conduct during a quality reviewer's visit, whether planned or unannounced.	Within 14 days of the visit/of the Centre receiving the report (as applicable)	£150
Appeal by a learner against an internal assessment decision, only once the Centre's own Appeals Process has been exhausted.	Within 14 days of the learner receiving the final outcome of the Centre's Appeal Process	£50
Appeal by a Centre or learner against an external assessment result - this constitutes a re-mark of the original submitted paper(s).	Within 14 days of the learner receiving notification of results	£25
Appeal by a Centre against the decision to decline its request for reasonable adjustment arrangements.	Within 14 days of the Centre having its request declined	£25

****Fees** must be paid in advance of any appeal process beginning, and will be refunded in full if the appeal is upheld (in the case of a re-marked paper, if the paper is re-graded ie a fail is re-marked as a pass). Travel expenses will also be charged if it is necessary to visit the Centre during the course of the appeal.

Appeals should always be made as soon as possible after the event, and timescales above are absolute maximums.

Appeals Procedure

All appeals should be made in writing (not by email)***. Appeals should be sent to the Quality Manager, LASER, The Runnymede Centre, Chertsey Road, Addlestone, Surrey, KT15 2EP, and be marked 'Appeal Against...' with the relevant appeal type from the table above, along with the relevant fee in full, or an agreement to pay the fee once payment details are provided by LASER, upon receipt of the appeal.

Stage One

All appeals should state:

- The appellant's full name.
- The appellant's contact details.
- If relevant, full details of the Centre/course/qualification/exam/etc.
- A clear explanation of the reasons for the appeal.
- Copies of any supporting documentation.

LASER will acknowledge the appeal within seven days of receipt. LASER will also determine whether the matter falls within the scope of the LASER Appeals Policy as outlined above. Where the appeal is not within its scope, LASER will inform the appellant giving the reasons why the appeal cannot be acted upon, and will return the fee if already submitted. If the appellant should follow an alternative appeals procedure, they will be advised as appropriate. Where the appeal is within scope, if the fee has not been submitted with the appeal, LASER will advise the appellant of how to make the payment.

Where the appeal falls within the scope of LASER's Appeals Policy as outlined above, within 14 days of receiving the appeal and/or cleared payment in full (whichever is the later), LASER will seek relevant information and documentation from both the appellant and from any other parties, for example quality reviewer, external assessor, marker.

Within 14 days of receiving the full documentation, LASER will consider whether the evidence presented is sufficient to reach a decision. If it is not, further documentation may be requested from relevant parties, and/or further clarification from the appellant.

In the case of a re-mark of an externally assessed examination, a marker who did not carry out the original marking will be asked to re-mark the paper(s).

Once LASER is satisfied that all relevant documentation is present, a conclusion will be reached, and the appellant informed in writing. The conclusion will, if appropriate, identify any recommendation(s) or implication(s) of the outcome.

If an appeal is upheld, fees paid will be refunded in full.

If a visit to a Centre is necessary in relation to an appeal or complaint, this will be at the cost of the Centre concerned.

Laser Learning Awards Complaints and Appeals Policy and Procedures



Stage Two

If the appellant is dissatisfied with the conclusion, this should be referred in writing*** to the Deputy Chief Executive Officer, LASER, The Runnymede Centre, Chertsey Road, Addlestone, Surrey, KT15 2EP, and be marked 'Stage Two Appeal Against...' with the relevant appeal type from the table above.

All stage two appeals should be made within seven days of receiving the stage one conclusion.

The reasons for dissatisfaction with the conclusion should be clearly stated.

Stage two appeals will be investigated by a member of LASER staff who was not involved in the original investigation.

A decision will be made, and the appellant informed, within 14 days of receipt of the stage two appeal.

Independent Review

If the appeal remains unresolved or if the appellant remains dissatisfied with the decision, the appeal may be referred in writing (not by email)*** to the Chair of LASER's Board of Trustees for final independent review. The Board of Trustees Chair may be substituted by another member of the Board of Trustees or of the Quality Committee if necessary.

The Board of Trustees Chair, or representative, will undertake the review with two independent individuals who may be drawn from the Board, and/or from the Quality Committee, and who have had no involvement in the appeal.

The Board of Trustees Chair, or representative, will undertake the final review and respond to the appellant within 28 days. The decision of the Board of Trustees Chair, or representative, is final.

Trident Awards reserves the right to charge a further fee for an independent review.

****Where an appeal genuinely cannot be made in writing, other means of communication will be accepted in order to prevent any potential discrimination to appellants.*

Outcomes of a Complaint or Appeal

If the outcome of the complaint or appeals process highlights the possibility of compromising the integrity of other awards, a full investigation will be carried out. Where relevant, the issue will be reported to the regulatory authority/ies, and LASER will co-operate with any remedial action required.

Laser Learning Awards Complaints and Appeals Policy and Procedures



This may involve a further review of the work of learners at the Centre, a review of the qualification and its units, and/or other actions identified by LASER and/or any regulatory authority/ies.

Irrespective of the outcome of the complaint or appeal, recommendations may be made and/or requirements put in place, to address concerns/issues that are identified during the complaints or appeals process. LASER will ensure that any such recommendations and/or requirements are actioned, and Centres are required to co-operate with LASER where relevant to ensure that this happens.

Monitoring and Evaluation of Complaints and Appeals

LASER will report all complaints and appeals to its Quality Committee meetings and in turn to its Board of Trustees meetings. These reports will cover the number and nature of complaints and appeals submitted, and their outcomes.

Relevant records and data will be shared with the regulatory authorities where required.

Vexatious Correspondence or Behaviour

LASER staff have the right to work without fear of abuse, intimidation, or harassment. Threatening or abusive correspondence or behaviour will not be tolerated under any circumstances, and LASER staff will not engage with persistent or harassing contact from complainants or appellants. Should this kind of behaviour occur, LASER will treat it as vexatious.

Vexatious behaviour includes, but is not limited to:

- Abusive, intimidating or threatening written or telephone correspondence.
- Abusive, intimidating or threatening communication or physical behaviour in a face to face meeting.
- Persistent repeated contact without providing any new information or evidence, or harassment of any kind.
- Making unreasonable demands on LASER staff, eg outside the remit of the investigation.
- Making accusatory or malicious remarks about or against LASER, LASER staff or representatives, or LASER Centres.

Vexatious behaviour will be reported to the Deputy Chief Executive Officer or Chief Executive Officer to be dealt with appropriately, which may include reporting to the police where an offence has been committed. All vexatious reports will be reported to the LASER Quality Committee and to the Board of Trustees.