**Access to HE: Student Complaint / Appeal**

*All appeals and complaints about the outcome or conduct of your Access course should be sent
to LASER no later than* ***31 August 2021*** *but you are advised to start this process as soon as possible after receiving your results. Guidance on the grounds for making an appeal can be found in the* [*Appeals Guide*](https://www.laser-awards.org.uk/wp-content/uploads/2019/04/Access_Student_Appeals_Guide.docx)

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| **Name of College** |  |
| **Access Diploma Course Title** |  |
| **Student Name** |  |
| **Type of Complaint / Appeal*****(\*delete as appropriate)*** | \*In Year Awards Board / Final Awards Board / Post Final Awards Board Appeal / Appeal to LASER[[1]](#footnote-1)\*Complaint / Appeal |
| **Unit title(s)*****(if relevant)*** |  |
| **Subject Lecturer(s) other staff member*****(if relevant)*** |  |
| **Part 1: Student Appeal / Complaint** |
| **Nature of Appeal / Complaint[[2]](#footnote-2) (*Delete as Appropriate)*:**1. **Evidence of administrative or procedural error**
2. **Evidence of extenuating circumstances that, for good reason, could not be notified prior to the incident and / or Awards Board**
 |
| **Student Statement (please attach supporting evidence)[[3]](#footnote-3):** |

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| **What measures have been undertaken to resolve the issue(s) and in what time frame (include dates where possible):[[4]](#footnote-4)** |

**Student Declaration:**

*I confirm that to the best of my knowledge the evidence I have submitted is a true record of the events which I seek to lodge an appeal / complaint in relation to:*

**Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Part 2: Centre / Provider Response:**

This form should be completed by the Access Co-ordinator or a member of the Senior Management Team with responsibility for Quality (as appropriate). Depending on the nature of the appeal / complaint the outcome described below will have been reached involving members of the in-year ‘Awards Board’ which may include the LASER External Moderator, the Centre / Provider’s Access Internal Moderator and other members of the Access Course Team.

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| Please respond to the points included within the student’s statement of appeal or complaint (above):  |
| Please detail the actions undertaken in managing the appeal or complaint detailed in the student statement providing dates of, and actions undertaken by whom (including for example, Tutors, Access Co-ordinators, Internal Moderators or External Moderators or AVA representatives as appropriate): |

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| What is the outcome of the internal investigation of the Appeal / Complaint: |
| If appropriate has extra time for submission (or resubmission) been granted in the circumstances?**Yes / No**Are there any organisational or procedural factors which were taken in relation to the outcome? **Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)****Role:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**Part 3: Final Awards Board Response / Outcome:**

**This section only needs to be completed if the appeal / complaint has either not been resolved satisfactorily in Part 2 above or if the appeal / complaint is made directly for consideration by the Final Awards Board.**

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| **What is the decision of Awards Board in relation to the Student Appeal / Complaint?[[5]](#footnote-5)** |
| **Give a summary of the reasons for the above decision:** |
| **I confirm that the above decision has been undertaken in conformation with the provisions of the QAA Grading Scheme and that all relevant parties are aware of (or will be made aware of within the relevant timeframe) the decision of the Final Awards Board. The student must be notified of the outcome of the appeal in the relevant timescale.****Chair of the Awards Board \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_****Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  |

Any further appeal by a student must be made using the LASER Access Student Complaints procedure (see guidance notes below). This can be downloaded from the [LASER Access Student web page](https://www.laser-awards.org.uk/access-to-higher-education/for-students/existing-students/)[[6]](#footnote-6)

***Guidance:***

These procedures are designed in the first instance to support internal appeals / complaints made by students to the centre / provider offering a LASER validated Access Diploma course. Student appeals / complaints can only be made directly to LASER once all the relevant internal procedures have been exhausted.

***Internal Appeals / Complaints***

The **LASER** **Complaint / Appeals Form** should be completed as a record of **any** student complaint / appeal. This form is a generic form and can be used for appeals or complaints undertaken as a result of a variety of circumstances. Complaints or appeals can be made **‘in-year’** but only appeals are allowable at the **Final Awards Board** meeting. Both complaints and appeals can be undertaken ***after*** the Final Awards Board meeting has taken place (**Post Final Awards Board Appeals / Complaints)**. Any appeal or complaint should be undertaken at the earliest reasonable point in time though (and **no more** than 30 days of the event triggering the appeal).

Students are advised to ensure that they associate all evidence relevant to any appeal or complaint with this form (photocopies or scanned documents will suffice). Evidence supplied must be appropriate to the nature of the appeal or complaint and should clearly be applicable to the case being forwarded. Where possible the student narrative should refer to evidence explicitly and explain any contextual issues arising such that the evidence is clearly linked to the nature of the specific appeal / complaint. For example, where medical evidence is employed it must clearly provide valid and appropriate detail which supports the specific case being made and should not be general and unrelated to the circumstances of the complaint. Alternatively, if there is some other form of evidence being employed in mitigation then this must be clearly linked to the circumstances of the appeal / complaint. Where Complaints or Appeals relate to a specific timeframe any evidence used should also explicitly support the circumstances alleged in relation to that specific time frame. Complaints or Appeals which remain unsupported by valid and appropriate evidence will not be considered. Students are also asked to emphasise facts when they are detailing points of appeal or grievance and should not engage in unnecessary reference to opinion or emotive argument which cannot be substantiated by evidence.

***External Appeals / Complaints direct to LASER as the AVA***

Where a student has exhausted all the centre / provider’s relevant appeals procedures a complaint / appeal may be made directly to the AVA using the LASER Access Student Complaints procedure. This can be downloaded from the [LASER Access Student web page](https://www.laser-awards.org.uk/access-to-higher-education/for-students/existing-students/)[[7]](#footnote-7).

***QAA & LASER regulations in relation to appeals / complaints***

The regulations in relation to the formal Awards Board Appeals can be found in the QAA Grading Scheme Handbook: Section E (8) (pp.5-6) [[8]](#footnote-8). Appeals can only be made in terms of:

*‘Evidence of administrative or procedural error’ [or]*

*‘Extenuating circumstances that, for good reason, could not be notified prior to the Final Awards Board’*

In investigating whether a complaint or appeal is relevant students should refer to the LASER Guidance in relation to complaints and appeals.[[9]](#footnote-9)

***Further detailed guidance***

The following notes are aimed to provide a brief contextual discussion of the Complaints and Appeals processes. Firstly, academic decisions cannot be subject to appeal (or complaint). If a student is unhappy with an academic decision in relation to the grading of work (in relation to one or more grade descriptor components) then they should seek to make a **Student Representation**. The procedure for undertaking this process is outlined in the QAA Grading Scheme Handbook Section C (Annex C2) (pp12-13). To raise a Student Representation, you will need to discuss this directly with staff in your centre, who will be able to complete the relevant documents.

However, a student can raise an appeal against any decision resulting from a prior **Student Representation.** It is important to note though that this can only be appealed on the basis that **either** there was evidence of administrative or procedural error, **or** there were mitigating circumstances which were not reasonably available for consideration at the time of **Student Representation.** An example of this might be a later diagnosis (e.g. dyslexia) which could not have reasonably been gained at an earlier point in the provision and which is suggestive / persuasive that the student was placed in an unfair situation in relation to the completion of the assignment. However, appeal would only be the correct course of action if the **Student Representation** procedures had been exhausted prior to the making of any appeal.

One possible way of examining the difference between **Representation** and **Appeal / Complaint** is to focus on the outcomes. A **Student Representation** may result in one or more grading descriptors being changed which may effect a change to the overall grade of the unit. However, an **appeal** or **complaint** may lead to more time being allowed for a unit to be completed (either via extension or resubmission). However, if this is the case, the measures undertaken must not place the student at an unfair advantage in relation to their peers. The **appeal / complaint** will not lead to a change to any marked grade or academic decision (although in certain circumstances a grade might be set aside if there are relevant extenuating circumstances).

It is perhaps easiest understood if looked at as follows:

**Timescales for appeals / complaints made directly to the AVA (LASER)**

Please note that where a complaint or appeal falls outside the remit of this procedure the student will be notified within 10 working days at stage two of the above.

**Investigation of Appeals and Complaints made directly to the AVA (LASER):**

The AVA will investigate the nature of the allegation based upon the narrative statement of the student, the chronology of events and the evidence associated. Furthermore the AVA will seek evidence from the centre/provider and will make its decision based upon due consideration of **all** evidence.

Appeals / complaints which are upheld will lead the AVA to recommend the most effective course of action to redress the ‘balance of justice’. It should be remembered that the goal of any appeal or complaints procedure is to achieve the over-riding objective of justice. This will not be served if a student is disadvantaged by the behaviour of any centre / provider or if the appeals or complaints procedure is employed with a view to gaining an unfair advantage by a complainant. Therefore, all decisions taken through this process will be based solely upon tangible evidence and will remain transparent and will be auditable by all those involved. We would ask that all involved remember these key tenets of the system in making their submissions using this paperwork.

1. An appeal can only be made to LASER once all internal appeals procedures within the college have been exhausted unless the appeal/complaint arises following receipt of results, at this point please forward direct to LASER. [↑](#footnote-ref-1)
2. Please note that appeals against academic decisions can only be accepted on the grounds of (1) or (2) [↑](#footnote-ref-2)
3. This can be completed as either a ‘freehand’ relation of relevant facts or alternatively as a bullet-point list. Try to ensure that you write chronologically (sequenced with time: starting at the beginning and working through all stages in the order that they occurred) and refer to all relevant evidence clearly by name (giving the titles of any documents *etc.* you wish to rely upon in making your case). Please ensure that any evidence supplied is appropriate to the nature of the appeal or complaint and is clearly applicable to the case being forwarded. It is important that where evidence is used it is contextualised within the Student Statement to ensure that it is directly and clearly linked to the case under consideration. [↑](#footnote-ref-3)
4. To be completed by the student. Try to remain objective and give names and factual statements about when and how your appeal/complaint was handled and by whom. [↑](#footnote-ref-4)
5. To be completed by Access Quality Manager (remotely) or by an AVA representative at the Final Awards Board [↑](#footnote-ref-5)
6. Available at: https://www.laser-awards.org.uk/access-to-higher-education/for-students/existing-students/ [↑](#footnote-ref-6)
7. Available at: https://www.laser-awards.org.uk/access-to-higher-education/for-students/existing-students/ [↑](#footnote-ref-7)
8. Full document available on request from accessenquiries@laser-awards.org.uk [↑](#footnote-ref-8)
9. Available at: https://www.laser-awards.org.uk/wp-content/uploads/2017/02/Access-Student-Appeals.pdf [↑](#footnote-ref-9)