

# **APPEALS POLICY**

Responsible:	Director
Date Reviewed:	January 2025
Review Period:	Annually
Approval Authority:	Governors
External Release:	Yes

**Scope and Purpose:**

This policy is intended for staff of Kingfisher Education and students following further or higher education programmes at Kingfisher Education.

This policy is implemented when a student wants to contest the result of an assessment and is applicable to all types of assessments, including but not limited to written assignments, exams, presentations, practical work, or any other assessment methods outlined in the assessment policy.

If a student is dissatisfied with their marks, except in cases of clear plagiarism, they can initiate the appeals process, which includes a re-evaluation by a second teacher. This teacher may adjust the mark up or down based on the evidence present in the work, ensuring it aligns with the established criteria. This process will also undergo internal verification.

A student can appeal for a review of their awarded grade if they believe the assessment decision was incorrect or unfairly conducted (refer to section 3.0 for Grounds for Appeal). To register an appeal, the student must contact the Head of Department within 10 days of receiving their grade.

Additionally, the student should indicate in their work the specific areas where they believe a higher grade is warranted, allowing the second marker to concentrate on those disputed sections.

## **2.0 Responsibilities**

Students must take the initiative to read this policy and seek clarification if necessary.

The Assessment Board handles the review of escalated appeals.

Department Heads are tasked with including assessment details in pertinent student documents, such as handbooks, and ensuring that students are informed about the appeals process during their induction. Assessment guidelines are evaluated on an annual basis.

## **3.0 Grounds for Appeal**

A student may wish to appeal an assessment decision for the following reasons:

- any mitigating circumstances that were submitted by a student weren't considered by the assessor.

- the student didn't or couldn't, for any valid reason, disclose mitigating circumstances before the assessment was carried out.
- the assessment was not performed in accordance with the Fair Assessment Policy, which resulted in an error in assessment.
- a major administrative error or other material irregularity is apparent in the assessment process.

These are the sole grounds for appeal. Simply disagreeing with the assessor's academic judgments does not qualify as grounds for an appeal, nor does dissatisfaction with the course design or delivery. If a student files a complaint that presents grounds for an appeal, the Assessment Board must ensure that the matter is also addressed according to the Appeals Procedure. When Grounds for Appeal are recognised as a result of a complaint, the timeline specified in the Appeals Process (5.0) commences from the date the Grounds for Appeal are identified within the Complaints Procedure.

#### **4.0 Equality and Diversity**

Kingfisher Education is dedicated to eradicating unlawful discrimination of any kind in accordance with the Equality Act (2010). The organisation is also focused on enhancing equal opportunities and fostering positive relationships among all students, staff, and visitors to the school.

Kingfisher Education will not accept any unfair or unlawful treatment based on the following characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity (including paternity)
- Race (colour, ethnic or national background)
- Religion or Belief (including lack of belief)
- Sex
- Sexual orientation

#### **5.0 The Appeals Process**

##### **Step 1. Information Reporting**

If a student brings their concern to their tutor or Head of Department.

If the matter remains unresolved at this stage, the student can proceed to step

Additionally, students may consider seeking guidance on whether to appeal from the Head of Department, Principal, or Designated Safeguarding Lead (DSL).

## **Step 2. Submitting a Formal Appeal**

A student must submit a formal appeal to the Assessment Board (through the Head of Business, I.T and Computing or Head of FEHE) within 10 working days after receiving their grade. They need to determine their Grounds for Appeal and gather any supporting evidence they wish to include. Additionally, the student should specify in their work the exact areas where they believe a higher grade is warranted, enabling the second marker to concentrate on the points of contention.

## **Step 3. Assessment of Appeal**

The Assessment Board will evaluate if the appeal satisfies any of the Grounds for Appeal criteria. If it does not, the appeal will be denied, and the reasons will be provided to the student in writing within 15 working days of submission. If the appeal is found to have valid grounds for being upheld or partially upheld, the process will proceed to step 4.

## **Step 4. Assessment Board Meeting**

If the appeal is found to have sufficient grounds for being upheld or partially upheld, an Assessment Board Meeting will be scheduled, during which the appellant will have the opportunity to present their case. The appellant is allowed to bring one additional person of their choice to the meeting. Both the Assessment Board and the appellant can call material witnesses to testify. All participants will receive a minimum of 10 days' notice before the meeting takes place, which should occur within 25 days of the formal appeal submission.

## **Step 5. Outcome**

The student will receive notification regarding the outcome of the Assessment Board Meeting within 10 working days after the meeting occurs. If the appellant is absent from the meeting, the Assessment Board will evaluate their case based on any evidence provided. In cases where no evidence is submitted and the appellant does not attend, the Assessment Board reserves the right to dismiss the appeal.

## Step 6. External Appeal

If the appellant is still unhappy with the result of the Internal Appeals Process, the Head of Department may submit a written external appeal to the awarding body. This appeal must be filed within 14 calendar days following the College's decision. This step will only be taken after all internal procedures of Kingfisher Education have been fully exhausted. The accrediting organization will offer the client comprehensive information about their appeals process.

For further assistance, the appropriate accrediting body can be reached using the contact details provided below:

### Pearson (BTEC courses)

<https://support.pearson.com/uk/s/qualification-contactus>

### OTHM Courses

[info@othm.org.uk](mailto:info@othm.org.uk)

## 6.0 The Assessment Board

For the purposes of the Assessm

ent Board Meeting as part of the Appeals Process the Board will be **made up of the following individuals:**

- an FEHE Head of Department who has not been involved with the assessment process or decision.
- a senior manager who has not been involved in the assessment process or decision.
- an FEHE teacher who has not been involved in the appellant's course.
- the secretary to the panel.

Quorum can be passed with the above attendees present.

Any member that has been involved in delivering the appellant's unit or assessment of the unit in question should not be included in the Assessment Board Meeting for the purpose of the Appeals Process, except to give evidence, explanation or further information regarding the assessment decision.

## **7.0 Decisions of the Assessment Board**

If the Assessment Board determines that the appellant's Grounds for Appeal are valid or partially valid, they may either reverse the assessment decision or ask the assessor to reevaluate their choice. Conversely, if the Board concludes that the appellant lacks sufficient Grounds for Appeal or fails to present adequate evidence, the appeal will not be upheld. In this situation, the assessor's decision will remain unchanged, and the appellant will have no further opportunity to appeal within the school.

## **8.0 Communication of the Outcome**

The results of the Assessment Board Meeting will be provided in writing to the appellant, the Principal, and the Assessment Board within 10 working days following the meeting. The outcome notification will include information regarding the possibility of appealing to an external organization. Kingfisher Education will retain all documentation related to a Kingfisher Education appeal or an appeal to an awarding body for a minimum of 18 months.

## **9.0 Fees**

Due to the additional workload associated with this process, there will typically be an extra fee to cover the necessary remarking and processing. The school will inform the student about this charge based on the type and extent of work required. If an appeal is successful, this fee will be refunded.