



Wessex Schools Training Partnership

## Appeals Policy

October 2021

Claire Porter October 2021 – review June 2022

### Aim

The purpose of this Appeals policy is to provide clear procedures for dealing with Appeals made by Trainees against Wessex Schools Training Partnership (WSTP).

### Scope

This policy can be used by anyone who is a current Trainee with WSTP, or a Trainee who completed their training with WSTP within 12 calendar months of the date of initiating their appeal.

a. This policy does not cover appeals referred to below:

- Complaints related to judgments on Bath Spa University / PGCE accreditation are covered by Bath Spa's appeals processes
- Complaints related to quality of provision by WSTP or actions or lack of actions are covered by the WSTP Complaints policy.
- Complaints related to inappropriate behaviour by members of WSTP staff, staff in WSTP partner schools or other Trainees may be better dealt with using WSTP's Anti-Bullying Policy.

b. This policy has been produced following the Office of the Independent Adjudicator's "The good practice framework: handling student complaints and academic appeals" published in December 2016 ([www.oiahe.org.uk](http://www.oiahe.org.uk)).

### DEFINITIONS and EXAMPLES

For the purposes of this policy, an appeal is defined as: "A request for a review of a decision of an academic body with making decisions on student progress, assessment and awards" (OIA 2016)  
The WSTP Examination Board is the academic body.

Examples of appeals this Policy covers include:

- A procedural regularity in the assessment process including the award of Qualified Teacher Status
- Bias or perception of bias in relation to recommendation for Qualified Teacher Status
- Extenuating or mitigating circumstances where, for good reason, WSTP was not made aware of a significant factor relating to the assessment of a Trainee when it made its original decision

### GENERAL PRINCIPLES

- a. WSTP aims to provide an outstanding training programme for the Trainees it serves.
- b. WSTP is committed to working in partnership with its Trainees and partner schools, taking account of Trainee views in order to improve its service.

- c. WSTP will seek to discuss concerns informally with a Trainee. However most appeals will normally be dealt with through a formal procedure.
- d. WSTP expects all parties to act reasonably and fairly towards each other, and to treat the processes themselves with respect.
- e. WSTP will work to ensure this policy is used fairly, proportionally and in a timely way.
- f. WSTP will ensure that decisions are taken by people without actual or perceived conflicts of interest and that all involved will ensure an appropriate level of confidentiality through the process, without causing disadvantage.
- g. Trainees will be offered the opportunity to be accompanied by a friend, family member or representative from a Teaching Union or Students' Union.
- h. WSTP will be responsive to cases which require swift action, for example those causing detrimental consequences for the Trainee's mental health or where time limits apply for the award of QTS.
- i. WSTP will put all the outcomes of any investigation in writing for the Trainee. A Completion of Procedures (COP) letter will be used at 'end points' in the process.

## STAGES IN THE PROCESS

There are four potential stages within this policy as follows:

1. Clarification Stage
2. Formal stage
3. Review Stage
4. Independent external review (OIA)

Appendix A provides a flowchart to illustrate the stages of WSTP's appeals process. This flowchart includes the timeframe for each stage of the process

### Stage 1: Clarification stage

Trainees should initially email the Office Manager outlining their concerns.

### Stage 2: Formal Stage

To trigger this stage, a Trainee should use the Appeal Form included as Appendix B. This will help Trainees set out their appeal in a clear and succinct way, referring to evidence relevant to the appeal. On receipt of this form, WSTP staff who have not previously been involved in the case (usually the Director) will:

- conduct an initial evaluation to check that the appeal is being dealt with under the correct procedures
- check that the appeal falls within the grounds upon which an appeal may be made
- ensure that appeal has been submitted in the correct format and within the correct timeframe
- talk to key members of SCITT or School Staff and consider assessment records and other evidence
- write to the Trainee informing them of their decision.

At this stage there are three possible outcomes:

1. The Trainee is deferred to a different procedure
2. The appeal is upheld
3. The appeal is dismissed.

If the appeal is dismissed the member of staff assigned to the appeal will:

- Write to the Trainee setting out the outcome of the formal stage, outlining the reasons for each decision made.

This letter will also include information about:

- the Trainee's right to take the complaint to the review stage and the grounds for such a referral
- the time limit for escalating to the review stage
- the appropriate procedure and support available.

Where the appeal has been upheld, WSTP will explain how and when it will implement any remedy and whether that includes an apology.

**Stage 3: Review Stage (final internal WSTP stage)**

If the Trainee is dissatisfied with the outcome of the formal stage, he or she can request a review. A review may cover:

- a review of the procedures followed at the formal stage
- a consideration of whether the outcome was reasonable
- any new material evidence that the Trainee was unable, for valid reasons, to provide at Stage 2.

The review will not:

- re-hear the complaint afresh
- involve a further investigation.

An appeal must have been considered at the formal stage (Stage 2) before it can be escalated to the review stage.

If an appeal reaches this stage, a Review Panel drawn from the WSTP's Strategic Management Committee (SMC) will consider the way in which the complaint was investigated in Stage 2. The Trainee will be invited in writing to attend a hearing and given 10 days' notice of the hearing date.

- Trainees will be offered the opportunity to be accompanied by a friend, family member, or representative from a Teaching Union or Students' Union.
- The Trainee will be provided with information about the composition of the panel, a copy of the evidence to be considered and information about the support that is available to them including contact details.
- The panel will consist of three members of the SMC. They will consider the evidence and there will be an opportunity for the Trainee and investigating officer to make a presentation.
- A record of the meeting will be taken recording the date, people in attendance and a brief summary of the meeting.

The Panel will consider the following questions:

- Were the relevant procedures followed during the formal stage?
- Was the outcome reasonable in all the circumstances?
- Has the trainee received clear reasons why the appeal was rejected at the earlier stage?
- If new material evidence has been provided, has the Trainee given valid reasons for not supplying this earlier?

The Review Panel, having considered the material submitted to them may:

- overturn the outcome of the formal stage and recommend a remedy
- refer the appeal back to the formal stage for reconsideration
- uphold the outcome of the formal stage.

The Chair of the Review Panel will write to the Trainee with their decision and an outline of the reasons for their decision within three working days of the hearing. Where appropriate, this letter will also advise the Trainee on their right to submit a complaint to the OIA, the time limit for doing so and where and how to access advice and support with this process.

#### Stage 4: Independent External Review (OIA)

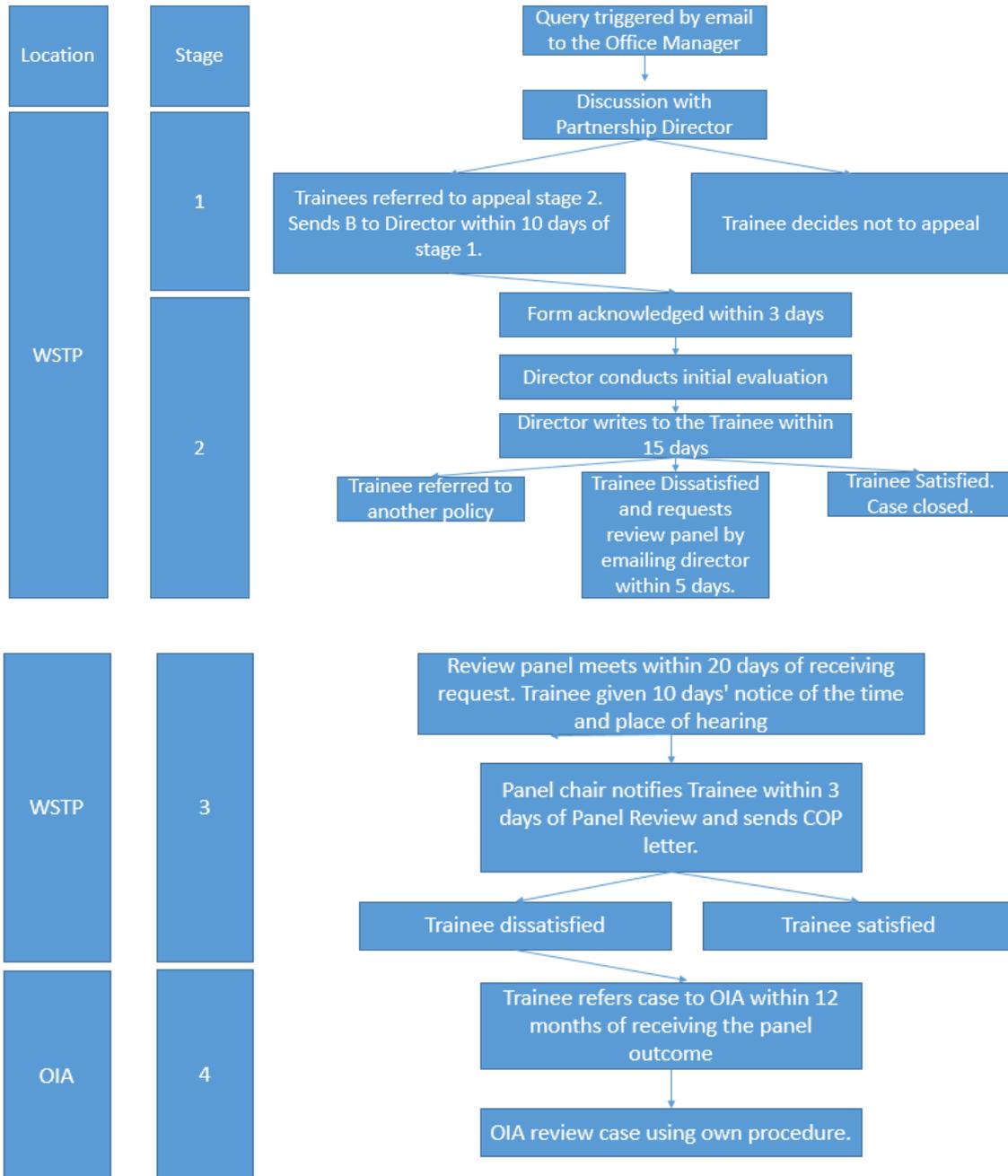
Once the review stage is completed, the Trainee is entitled to ask the Office of the Independent Adjudicator for Higher Education (OIA), the independent ombudsman service, to review his or her complaint about the outcome of WSTP's complaint process. The appeal should be submitted to the OIA within 12 months of the date of the Completion of Procedures letter from the Chair of the Review Panel.

#### GENERAL DATA PROTECTION REGULATIONS

- WSTP will retain data related to the appeal for 15 months from the start of the appeal and after this time all data will be deleted. All data will be stored securely during this time.
- All appeals will be treated confidentially. WSTP will only disclose information to those who need it to investigate the appeal or to respond to the issues raised. In some circumstances data may be used to consider whether a Trainee is fit to practice.
- If a Trainee makes an appeal they should only include any necessary information about third parties. Evidence provided must focus on the impact that a third party has had on the Trainee themselves. For example, if the mitigation is based on the health of a family member, WSTP do not need to see the detailed medical information about that person.



Appendix A





Appendix B

WSTP Trainee Teacher Appeal recording form

To be used if stage 1 informal resolution has failed to provide you with a satisfactory outcome.

Your Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

Contact Telephone number \_\_\_\_\_

Specific details of the appeal

Please list any evidence which supports your appeal

Signature \_\_\_\_\_

Date \_\_\_\_\_

Office use:

Date Acknowledgement \_\_\_\_\_

By whom \_\_\_\_\_

Complaint referred to \_\_\_\_\_

Date \_\_\_\_\_