



ASPIRING MINDS TUITION

EDUCATION WELLBEING CREATIVE

LEARNER APPEALS POLICY

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Learner Appeals Policy

Contents

1. Purpose	3
2. Scope.....	3
3. Key Principles.....	3
4. Legal and Regulatory Framework	3
5. Grounds for Appeal	4
6. Appeals Process.....	4
7. Support for Learners	5
8. Linked Policies	5
9. Monitoring and Review.....	5

1. Purpose

This policy outlines AMT's (Aspiring Minds Tuition) commitment to ensuring that all learners, including those with Special Educational Needs and Disabilities (SEND), have the right to appeal against decisions made relating to assessment outcomes or other formal learner processes. It is based on the principles of transparency, fairness, and adherence to awarding body requirements, including BCS guidance.

2. Scope

This policy applies to:

- All learners and parents/carers
- All staff (permanent, temporary, contractors and volunteers) involved in assessment decisions
- All visitors, partners or service providers associated with our organisation

It covers:

- Assessment decisions
- Access arrangements and reasonable adjustments
- Alleged instances of malpractice or maladministration
- Administrative or procedural errors affecting learners

3. Key Principles

AMT is committed to:

- Ensuring learners understand their right to appeal
- Providing a clear, accessible and timely appeals process
- Treating all learners fairly and without bias
- Considering individual needs, particularly for SEND learners
- Cooperating with BCS or other awarding bodies in the appeals process

4. Legal and Regulatory Framework

This policy is underpinned by the following legislation and national guidance:

- **BCS Enquiries and Appeals Policy**
Outlines the procedures for appealing BCS assessment decisions. AMT aligns with this policy when supporting learners preparing for BCS qualifications.
<https://www.bcs.org/>
- **SEND Code of Practice: 0 to 25 years (2015)**
Emphasises the importance of supporting the views, wishes, and rights of learners with SEND, including their right to appeal decisions affecting them.
<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>
- **Equality Act 2010 – Government Guidance**
Protects learners from discrimination in education and ensures that appeals are handled fairly and without bias, with reasonable adjustments where needed.
<https://www.gov.uk/guidance/equality-act-2010-guidance>

- **Data Protection Act 2018**
Sets out the requirements for handling personal data involved in appeals securely and lawfully.
<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>
- **UK GDPR – ICO Guidance**
Provides the legal framework for managing learner data throughout the appeals process.
<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/>

5. Grounds for Appeal

Learners may appeal if they believe:

- The assessment was not conducted in accordance with published procedures
- They were incorrectly excluded from reasonable adjustments
- The outcome was affected by administrative error or bias
- There was a failure to follow AMT or BCS policies

Full BCS guidance can be found at: <https://www.bcs.org/>

6. Appeals Process

Stage 1 – Informal Resolution

- Learner discusses concern with the tutor/assessor within 5 working days of receiving the decision
- The tutor/assessor provides a response within 5 working days
- If unresolved, the learner may progress to Stage 2

Stage 2 – Formal Internal Appeal

- Learner submits a written appeal using the AMT Appeals Form within 10 working days
- Appeal is reviewed by a member of staff (not involved in the original decision)
- A decision is made and communicated in writing within 10 working days
- Records are retained securely in line with our Data Protection Policy

Stage 3 – External Appeal to Awarding Body

If the learner is not satisfied with the outcome:

- The learner may escalate the appeal to BCS or the relevant awarding body
- AMT will assist the learner in doing so, providing necessary documentation and support
- BCS will conduct an independent review as per their procedures

7. Support for Learners

AMT will ensure:

- Learners are made aware of this policy at enrolment
- Reasonable adjustments are in place for SEND learners throughout the process
- Advocacy or support services are offered to learners if needed
- Appeals do not impact the learner's right to continue their studies unless misconduct is proven

8. Linked Policies

This Learner Appeals Policy should be read in conjunction with the following AMT policies:

- **Reasonable Adjustments Policy**
To ensure learners understand how adjustments are applied and how to appeal if they believe their needs were not met appropriately
- **Safeguarding Policy**
To protect the rights and welfare of learners, especially if concerns raised in an appeal involve wellbeing or potential harm
- **Malpractice and Maladministration Policy**
To guide processes when an appeal involves suspected irregularities in assessment procedures
- **Quality Assurance Policy**
To demonstrate how assessment and review processes are monitored and improved over time
- **Complaints Policy**
For cases where an appeal is related to general service dissatisfaction rather than an assessment decision
- **Data Protection (GDPR) Policy**
To explain how personal information related to appeals is stored, processed and shared securely

9. Monitoring and Review

- All appeals are logged and outcomes reviewed annually
- The policy is reviewed annually or in line with updates from BCS
- Trends or recurring issues are used to inform quality improvements

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