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<b>Contact Officer:</b>	Compliance Manager
<b>Policy Number:</b>	QACP 05
<b>Approved by:</b>	Senior Management, ACBT
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<b>Related Forms:</b>	Student Admissions Complaint Form Appeal of Final Results Form Complaints and Appeals Request Form

## 1. Introduction

This policy has been developed to ensure all current and prospective students of Middlesex and ACBT are given access to free, effective and fair complaints resolution and appeals processes. ACBT is committed to provide a high quality experience for each students and encourage them to inform where any cause for concern. Therefore, this policy enable students to make complains and appeals where needed.

This policy has been developed in line with requirements set out in the Middlesex University and align with the Office of the Independent Adjudicator's (OIAs) "Good practice framework for handling complaints and academic appeals' available at;

<https://www.oiahe.org.uk/resources-and-publications/good-practice-framework/>

## 2. Organisational Scope

- ACBT ensures the confidentiality of complaints and appeals. Information released only to those who needs it for the purpose of investigating or responding to the complaint or academic appeal.
- Any current or prospective student of MDX or ACBT who experience incorrect, inappropriate or unfair treatment in the course of their relationship with acbt is entitled to access the complaints and appeals process set out in this policy.
- Any appeal or compliant at any stage of the admission process, which questions the grounds for rejection, will not be considered. Only points of procedure or implementation of policy can be appealed.
- Grievances experienced by ACBT staff are to be dealt with according to the terms set out in the ACBT contract.
- ACBT may not able to communicate with a third party with respect to an applicant's individual circumstance, unless there is no written consent.
- ACBT will not respond to any of anonymous complaints.

## 3. Policy Content

### Academic Appeals

The Academic Appeals process is for matters which related to:

- Assessment and results
- Student progress
- Conferral of Awards

If at any point, a student becomes dissatisfied in relation to the above, they should commence stage one (Academic) complaints procedures which are explained below.

- Complainants who require assistance with preparing a written complaint or appeal may contact the ACBT Course Coordinator or Student Counsellor for support.
- ACBT/MDX students have access to a 4 stage complaints and appeals process as following;

### Stage One (Academic) – Informal

The first step is direct communication between complainant and the lecturer (or respondent) to discuss their point of view and attempt to resolve the Problem. The complainant should communicate the matter to relevant staff member in writing (via email) within 15 working days of results being issued, by lodging the Appel of Final Results Form.

### Stage Two (Academic) - Formal Academic Appeal Process

If, after undertaking Stage One, or in situations where Stage One is not possible, the complainant should lodge their appeal in writing (using the *Appeal of Final Results* form). Students who require help in preparing a written complaint may contact the Student Counsellor for assistance. The form should be submitted to the Programme Coordinatoer stated within 15 working days of the issue becoming known. Within a further five working days, the Course Coordinator will explain the course of action to be taken and possible outcomes of the appeal.

- To avoid any conflict of interest, where the Module Leader or Lead Internal Verifier has been involved at the informal stage, the matter must be referred to an independent and appropriate academic staff member to carry out Stage Two.
- Within 15 working days of receipt of academic appeal, the nominee will provide the outcome of this review to both complainant and lecturer (or respondent) in writing.

### Stage Three (Academic) – Appeals Committee

Where the complaint is unsatisfied with the outcome of the stage two and believes that:

- They did not have enough opportunity to present their case to the decision-maker; or
- The process was not carried out in accordance with MDX/ ACBT policy or procedures; or
- The decision was made contrary to the evidence provided;

The complainant can lodge a written statement of their complaint to the Academic Appeals Committee/ Academic Board. This statement should be lodge within 10 working days of receiving the written notification of the outcome of stage two negotiations.

**NOTE:** Any Stage Three Appeal must be based on the failure to comply with the process. A complainant cannot lodge a complaint to the Appeals Committee on the basis that he/she disagrees with the professional assessment of two academic staff.

The Appeals Committee consisting of the Principal, Associate Dean, Head of the Programme, and one other independent Staff Member (or their nominees), will consider the complaint within 10 working days of receipt. The Committee may ask either the complainant or respondent (or both) to present their case in person to the Committee. All parties will be advised of the outcome in writing.

To avoid any conflict of interest, where a Head of the Programme has been responsible for the decision being appealed or has been involved in the outcome of Stage One or Two, they must nominate another senior staff member to stand in their place on the Appeals Committee.

### **Stage Four – Appeal from MDX or Pearson**

Where the complainant is not satisfied with the outcome of Stage Three and believes that:

- they did not have enough opportunity to present their case to the decision-maker; or
- the process was not carried out in accordance with MDX/ ACBT policy or procedures; or
- the decision was made contrary to the evidence provided;

MDX students can appeal against a decision made by and Middlesex Assessment board or Programme Progression Board and further information can be found at <https://unihub.mdx.ac.uk/study/assessment/appeals>

Appeals against a decision made by Pearson will normally be accepted only through the Head of Centre (on behalf of learners and/ or members and/ or staff) and from individual members (in respect of a decision taken against them personally). Further information on appeals can be found in the JCQ Appeals booklet (<https://www.jcq.org.uk/exams-office/appeals>).

### **General (Non-Academic) Complaints**

The General Complaints process is for matters which relate to;

- Customer Service and administration
- Refusing admission to a course or cancellation of enrollment
- Marketing – related information or incorrect advice given by an education agent
- Course or provider transfers
- Facilities
- Fee payments, fee refunds and finance related matters
- Welfare

If at any point, a complaint becomes aggrieved, they should commence Stage One complaints procedure as outlined in this policy.

Complaint who require assistance with preparing a written complaint or appeal may contact the Course Coordinator for support.

## Stage One (Non-Academic) - Informal

The first step is direct communication between the complainant and respondent to allow both parties to discuss their point of view and attempt to resolve the problem. A complainant should communicate the matter in writing to the relevant staff member within 15 working days of becoming aware of the problem by emailing to info@acbt.lk.

The complainant is entitled to request and receive from the respondent a written response giving reasons and full explanation for decisions and actions taken within 10 working days.

## Stage Two (Non-Academic) - Formal Complaints Process

If, after undertaking Stage One, or in situations where Stage One is not possible, the complainant should lodge the complaint in writing by lodging a *Complaints and Appeals Request (Formal) Form* within 15 working days of the complaint issue becoming known. The complainant is invited to make an appointment to speak with the relevant officer to present their case in person.

Students who require help in preparing a written complaint may contact the Course Coordinator for assistance. The form should be submitted to the Marketing Manager and he/she will discuss options with the complainant to resolve the matter.

To avoid any conflict of interest, where the Marketing Manager has been involved at the informal stage, the matter must be referred to an independent and appropriate staff member to carry out Stage Two.

Within 10 working days of receipt of the complaint, the Manager-Student Services (or nominee) will provide in writing the outcome to both complainant and respondent.

## Stage Three (Non-Academic) - Appeals Committee

Where the complainant is not satisfied with the outcome of Stage Two and believes that:

- they did not have enough opportunity to present their case to the decision-maker; or
- the process was not carried out in accordance with MDX/ACBT policy or procedures; or
- the decision was made contrary to the evidence provided;

The complainant can lodge a written statement of their complaint to the College Director/Principal. This statement should be lodged within 10 working days of receiving the written notification of the outcome of Stage Two negotiations.

The Appeals Committee consisting of three independent Directors/Senior Managers (or their nominees) will consider the complaint within 10 working days of receipt. The Committee may ask either the complainant or respondent (or both) to present their case in person to the Committee. All parties will be advised of the outcome in writing.

## Stage Four - External Agencies

Where the complainant is not satisfied with the outcome of the Stage Three and believes that at:

- they did not have enough opportunity to present their case to the decision-maker ; or
  - the process was not carried out in accordance with ACBT/MDX policy or procedures; or
  - the decision was made contrary to the evidence provided;
- They may request that the matter to be referred to ACBT's nominated independent appeals reviewer within 10 working days:

Independent reviewer can be reached through e mail [ganeshamoorthy@yahoo.com](mailto:ganeshamoorthy@yahoo.com)

The independent reviewer will review the processes (not the decision) undertaken in the case, seeking input from all parties before making recommendations to ACBT within 15 working days.

## **6. Administrative procedures**

- The relevant ACBT forms can be collected from Students Records Division or a form request can be made at ACBT Reception. Records of all complaints and appeals will be kept for a period of five years. These records will be filed in student files and listed in a separate Complaints Register. These records will be under the responsibility of Manager of Student Services & Partnerships.
- Any recommendations for process improvement or policy change arising out of any stage of the complaints and appeals process will be forwarded the Senior Management team for recording and consideration.
- This policy and related procedures will be communicated to staff via email, staff newsletter and ongoing staff information sessions. New staff will receive policy information during the induction process.
- Students are advised of their rights/obligations through their Orientation Pack the Student Handbook and the ACBT website.
- Recommendations arising from any external review of the Complaints and Appeals Policy or procedures should be implemented within 90 days of notification.

## Complaints and Appeals Policy

### Appendix 1: Which form do I fill in?

ISSUE		Stage 1 (Informal)	Stage 2 (Formal)	Stage 3 (Appeals Committee)	Stage 4 (External Appeal)
Appealing Results	MDX	Meet with lecturer to discuss/review assessment	<b>Appeal Against Assessment Decision Form</b> (for independent reviewer)	Not applicable (unless Stages 1 + 2 are not followed). Students cannot appeal for marks on the basis of disagreeing with mark/grades	<ul style="list-style-type: none"> <li>Academic Appeal to external agency (as per Stage 4 of relevant section in <i>Complaints and Appeals Policy</i>)</li> <li>Non- academic Appeal to Independent Reviewer (as per Stage 4 of relevant section in <i>Complaints and Appeals Policy</i>)</li> <li>Students/complainants must work through internal processes (Stage 1, 2 and 3) before taking their case to the external agency.</li> </ul>
	ACBT/HND	Meet with lecturer to discuss/review assessment	<b>Appeal Against Assessment Decision Form</b> (for independent reviewer)	Not applicable (unless Stages 1 + 2 are not followed). Students cannot appeal for marks on the basis of disagreeing with mark/grades	
General Complaints		Any verbal complaint, email message or written letter	<b>Complaints and Appeals Request (Formal) Form</b>	<p><b>Complaints and Appeals Request (Formal) Form</b></p> <p>Requires evidence of Stage 1 and Stage 2 complaint.</p> <p>Requires evidence that ACBT/MDX have not followed their own policies/procedures or have breached applicable laws.</p>	