

Document Title: Lakes College - Higher Education - Academic Appeals Policy and Procedure

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- info@lcwc.ac.uk

Lakes College - West Cumbria

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1 Summary of this document

This document sets out the expectations of you as a student and the Institution staff during the academic appeals process.

This document is located within Lakes College designated SharePoint site and where relevant, on the Lakes College Higher Education website so you can access this throughout your journey.

2 Scope

Our Higher Education Academic Appeals Policy and Procedure applies to all students and staff engaged in the delivery or support of higher education programmes and their assessments. It also applies to students who have left the Institution within the last six months.

Appeals can be raised through your learner journey as documented in the college [Admission Policy and Procedure](#), the [Higher Education Assessment Policy](#), the [Extenuating Circumstances](#) Policy and Procedure.

The document sets out our approach to dealing with academic appeals in a fair, transparent, accessible, and inclusive, Higher Education learning experience. It is our duty to review all appeals and if you are unhappy with the outcome, you have the right to take it further to the Office of the Independent Adjudicator for Higher Education. For further details please go to [Office of the Independent Adjudicator for Higher Education - OIAHE](#)

3 Responsibility

Title	Responsibility
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The Dean of HE	Has overall responsibility for the strategic management of Higher Education Administration Policy.
Deputy Principal	Is responsible for ensuring that the procedure is followed. They are responsible for initial communications with the complainant with respect to formal complaints for recommending solutions for complaints. The Deputy Principal will delegate complaints to managers to investigate and resolve complaints.
Higher Education Academic Board	The Academic Board's primary duties are to oversee Higher Education academic standards, the quality of all Higher Education programmes within the Institution, and the student learning experience.
Institution Board of Governors	Monitors the Higher Education provision to review complaints The Chair of the Academic Board will report to the Board of Governors.
The Executive & Cross College Support Manager	Is responsible for recording, monitoring, and facilitating the progress of a complaint through the stages of the procedure. Note a complaint does not have to follow the process of raising a concern if they want to make a formal complaint from the outset.
Senior Leadership Team	Ensures the programme and criteria for admission are published accurately on the website.
Curriculum Operational Leaders	Are responsible for resolving any concerns raised with them in a timely manner, maintaining a record of this or escalating the concerns to the status of a complaint with the individual and the Executive and Cross College Support Manager.
Programme Team Leaders	are responsible for resolving any concerns raised with them in a timely manner, maintaining a record of this or escalating the concern to the status of a

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	complaint with the individual and the Executive and Cross College Support Manager.
Programme Academic Teams	Are responsible for addressing concerns made by an individual in a timely manner, recording the concern and action taken or reporting to their Programme Team Leaders.

If you have any questions in relation to the Admission Policy, please contact info@lcwc.ac.uk.

4 Introduction

The Academic Appeals Policy and Procedure sets out the policy and process for you making an academic appeal.

You can make an academic appeal and will not be disadvantaged as a result. You will be supported throughout by your Progress and Welfare Coach (PWC). If you are unable to seek support from your PWC (because they are involved) then you can contact the Learning Support Manager at teamstudentmentors@lcwc.ac.uk. Who will allocate an alternative person to advice you through the appeals process.

Academic Appeals Policy

5 Policy

Throughout your higher education journey, the Institution is committed to maintaining academic standards and integrity as detailed in the [Higher Education Assessment Policy](#).

This policy applies to decisions related to the outcomes of your assessment or exam, as well as progressions. Other matters of dissatisfaction involving a student, staff or department will be considered as a 'complaint.' Please refer to our [Complaints Policy and Procedure](#).

Appeals against assessment decisions will be regulated by the academic regulations, policies and procedures of the programme qualification awarding body.

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5.1 Definition

An Academic Appeal is defined within this Policy, as a request for a review of a decision of an academic body, charged with making decision on your assessment progression and awards. This may also include, decision related to the outcome of a module assessment or exam.

5.2 Time Limitations

The following time limitations are applied to receipt of an academic appeal:

- Your academic appeal must be brought to the attention of the Institution as soon as practicable and within 14 days of the issue occurring or you being notified of your assessment grade.
- Appeals can only be brought by students (or those who left the Institution within 6 months)
- Once your academic appeal has been considered by the Institution there are further time limits within which, if you remain dissatisfied, you may escalate your case to the next academic appeal stage for further consideration.
- You should contact the PWC as soon as possible to tell us what your concern is and to discuss the options available to you to ensure that you are able to raise your appeal without disadvantage.
- Appeals submitted by you outside the 14-day time limit will not be considered unless there are exceptional circumstances which prevented you from submitting your appeal or escalating it to the next stage within the time limit.

5.3 Confidentiality

Your appeal will be dealt with in confidence and the detail will only be shared with staff who need to know to investigate and respond to the issues you have raised, as follows:

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- Information submitted in the appeal may be shared with specific areas of the Institution to resolve your appeal, for example evidence of exceptional personal circumstances may be shared with the Extenuating Circumstances Panel.
- If you need to submit evidence of exceptional personal circumstances, for example around the health of a family member. We would prefer you not to submit detailed medical evidence about the person. We will need to advise that person that we are processing their data. Please only submit evidence about the effect the circumstances have had on you directly.
- Any person identified or involved in the appeal will be given details of the appeal and have the right to respond as part of the investigation.

6 Grounds for Appeal

An appeal based upon questioning of the academic judgement of an Examiner/Assessor concerned will not be considered a valid ground for appeal.

An academic appeal is considered valid for investigation if it is based upon one or more of the following criteria:

- procedural irregularity (for example marker error)
- bias or reasonable perception of bias,
- circumstances affecting your performance where, for good reason, the academic body was not made aware of a significant factor relating to the assessment of a student when it made its original decision.
- a challenge to the outcome of your request for additional consideration of personal circumstances which have affected their performance (namely mitigating circumstances).

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Disagreement with the academic judgement of a Board of Examiners cannot constitute grounds for an appeal within this Policy.

Academic Appeals Procedure

This sets out the Higher Education Academic Appeals Procedure in line with the Higher Education Academic Appeals Policy. We are committed to a fair, transparent, accessible, and equitable appeals process. This procedure compliments and operates within the context of policies and regulations of academic appeals of awarding bodies.

7 Procedure

The appeals process has three stages.

7.1 Stage 1 – Early Resolution

This stage provides the opportunity for early resolution by facilitating a meeting with the Chair of the Assessment Board/a nominee or the Dean of HE.

- You can request an informal meeting to discuss your results. You should do this as soon as possible after receipt of your results. You will need to email your PWC and details of this can be found in your programme specification. Your email will need to detail the results you would like to discuss. Your PWC will arrange a meeting with the Chair or the Dean within 5 working days.
- At the informal meeting stage, you can expect to discuss assessment grade, an explanation of how marks are calculated/ moderated.
- You will also be informed of the range of possible outcomes of an appeal.
- After the meeting, you will receive an email to your college email address within 2 working day confirming the outcome from the meeting. The confirmation will inform you to how to escalate the process should you remain dissatisfied with the outcome including the timescales for doing so.

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7.2 Stage 2 - Formal Appeals Procedure

- Should you be dissatisfied with your outcome from Stage 1 of the appeals procedure. You can make a formal appeal, this must be done within 14 working days of you being informed of your assessment grades.
- The appeal must be submitted using the Academic Appeals Form (Appendix 1). The form is available on CANVAS or can be requested from your Progress and Welfare Coach (PWC). This may be done in consultation with your PWC if they are not involved as a reason for your appeal. Appeals submitted outside the specified time limits will only be considered in exceptional circumstances and will require a clear explanation as to why the deadline was not met.
- Within 5 days of the receipt of the formal appeal, an Appeals Board will be convened. However, in complex cases this will be arranged as soon as practicalities permit. The composition of the Appeals Board will be:
 - a) Dean of HE or Nominated Deputy (Chair) if the Dean is the Chair of the Assessment Board.
 - b) Independent Programme Leader who is not directly associated with the original assessment.
 - c) Administrator and minute taker.
- You will be informed about the members of the Appeals Board in advance of the meeting. Should you have valid grounds to object to a panel member, for example on grounds of bias, you should email teamcca@lcwc.ac.uk as soon as possible and no later than 5 working days explaining your objection.
- The Chair of the Assessment Board, yourself and your nominated representative will be invited to be available to add clarification to the documentation.
- The appropriate documentation will be presented to the Appeals Board. The Appeals Board has the power to request Programme Leaders, Tutors, and/or Assessors to be available to provide further information.
- The Appeals Board may take the following decision:
 - a) To uphold the decision of the Assessment Board or Assessor.

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- b) To amend the decision of the Assessment Board or Assessor.
- c) To convene a panel.

- The decision of the Appeals Board will be communicated to you in writing, via a formal report, to you and the Assessment Board within seven working days. This letter will also include information about your right to appeal to the review stage, the appropriate procedure, and where and how to access support.

7.3 Stage 3 - Internal College Review Stage

- If you are not satisfied with the outcome of your formal appeal hearing, you can request an internal review of the process of the formal academic appeal to ensure that appropriate procedures were followed and that the decision was reasonable, or if you have new evidence that could make a difference to the outcome and which you could not reasonably have provided earlier in the process. The request must be submitted in writing to teamcca@lcwc.ac.uk or by post within 5 working days of receiving the written response to the Stage 2 – Formal Appeal.
- Your request for review must:
 - Explain why you remain dissatisfied with the outcome to your academic appeal.
 - Set out one or more of the following grounds on which you believe the College should review its decision:
 - that relevant evidence has not been considered; or
 - that irrelevant evidence was considered; or
 - that any relevant awarding body regulation, policies, or procedures have not been applied correctly; or
 - that the reasons for the decision were not fully and clearly communicated to you; or
 - that there was bias, or the likelihood of bias in making the decision; or
 - that the decision was made by a person or body without the necessary

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- responsibility or authority; or
 - that the procedure followed was not fair or adequate; or
 - that the decision made was not fair or reasonable in all the circumstances.
- Submit any new evidence which has not previously been submitted in support of your appeal. Where new evidence or a new element of appeal is introduced at the Review stage, to be eligible for further consideration you should provide a valid reason to explain why this could not have been provided earlier in the process.
 - Failure to meet these requirements will result in the request for review not being accepted.
 - The Cross College Administration Team will acknowledge the request for review within 3 working days of its receipt. Within 10 working days of the acknowledgment, you will receive an email to advise you whether the review request has been accepted. If it is not accepted, you will be advised of the reasons for that decision.
 - You will be given a further opportunity to resubmit your request for a review within 28 days of the decision letter or 10 working days of the acknowledgement of your request by the Cross College Administration Team, whichever is longer.
 - Where a request for a review meets the requirements above, A member of the Strategic or Executive Leadership team will carry out a thorough review of your request for internal review. The review will not be a reconsideration of your appeal but will look at all the matters raised in the grounds of your review and determine whether the appeals process has been followed correctly. A draft report will be provided to the in respect of the review of your case. This will include:
 - A summary of your appeal and grounds for review
 - The background to your appeal

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- A decision as to whether your request for review is Upheld, Partly Upheld or Not Upheld
 - An explanation of the reasons for the decision
 - Recommendations for resolution where appropriate
- The review stage will not consider the academic appeal afresh or involve a further investigation. The appeal must have been considered in Stage 2 Formal Appeal prior to being escalated to Stage 3 – Internal Review.
 - The review may:
 - Overturn the outcome of the formal stage and make a different decision themselves in its place.
 - Uphold the original decision,
 - Refer the case back to Board of Examiners for review where new information has become known that affects outcomes.
 - You will receive written outcome of the Internal Review within 5 working days. On occasions, the response may extend beyond the 5 working days due to the nature of the review or during Institution closure periods. In these cases, you will be informed of the timescales involved and may receive intermediary information regarding the progress of your review.
 - Your written outcome letter will include information about your right to submit an appeal with your awarding body.
 - Our internal procedures finish at the end of Stage 3. If you are dissatisfied with the final decision at Stage 3, and not before, you may ask for an external review.

8 Independent and External Review by the Awarding Body

Once you have completed Stage 3, Internal Review:

- You can contact the awarding body to request an independent review with 40 days of the final review response. The grounds on

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which you can do so are set out here in the various higher education awarding organisations we partner with:

- [Open University](#)
- [University of Cumbria](#)
- [University of Central Lancashire](#)
- [Pearson](#)
- You can find further information on review by the awarding body can be found using the partner links above.
- The awarding body will consider whether there are valid grounds for review and, if so, conduct an independent investigation within 40 working days.
- Written confirmation of the outcome will be posted within 24 hours and the full confirmed report will be sent within 10 working days.

9 Taking an appeal to The Office of the Independent Adjudicator for Higher Education (OIA)

As a Higher Education provider we comply with The Office of the Independent Adjudicator for Higher Education (OIA). They are the Government designated operator for handling unresolved student complaints and appeals in higher education.

The OIA provides an independent, transparent complaints handling scheme to review student complaints and academic appeals. More information can be found on its website www.oiahe.org.uk.

Once all internal appeals procedures have been exhausted (including the college, OU (Open University), or other partner institutions procedures) student's will be issued with a [Completion of Procedures letter](#) (COP) (Appendix 2).

If you remain dissatisfied with the outcome, you may contact the OIA for an independent review. The time limit for bringing a complaint to the OIA is 12 months from the date of the Completion of Procedures letter for your appeal or complaint.

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10 Data Protection

Personal data and special category information gathered as part of the appeals process will only be shared with those who have a need to access it as part of the process. This data will be stored securely in line with the Institution's [Higher Education Data Protection Policy and Procedure](#).

11 Monitoring, evaluation, and review

The Institution Quality Team will oversee the tracking of formal appeals and their review and will ensure that they are recorded appropriately on the Institution database. Appeals will be stored in a secure area which only staff with appropriate permissions can access.

The information collated will be used to provide better understanding of the types of appeals that the Institution receives and what the outcomes of those appeals are. Information will be used to inform development of good practice and ensure that quality standards are being met. The data also enables the Institution to ensure that our policies do not directly or indirectly discriminate against students.

All data will be monitored in accordance with the HE Equality, Diversity and Inclusion policy and the [Higher Education Data Protection Policy and Procedure](#).

12 Sources of further information

Team	How can they support you?	How can you contact them?
Student Progress and Welfare Coach	Provide pastoral support and guidance	teammentors@lcwc.ac.uk or G36

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Curriculum Operational Leader	Listen to your concern and resolve issues with the programme	Please refer to your programme specification
Programme Leader	Listen to your concern and resolve issues with your programme	Please refer to your programme specification
Programme Academic Team	Listen to your concern and resolve issues with your programme	Please refer to your programme specification
Executive Cross College Services Manager	Will log the appeal and start the appeal process	teamcca@lcwc.acuk

13 Other relevant policies and procedures

- Lakes College - [Admission Policy and Procedure](#)
- Lakes College - [Complaints Policy and Procedure](#)
- [Lakes College - Higher Education Strategy 2023-2025](#)
- [Lakes College - Equality Diversity and Inclusion Strategy 2023-2025](#)
- [Higher Education Terms and Conditions](#)
[Reasonable Adjustment Policy](#)

14 Any external references

- Equality Act 2010 [Adjustments for disabled persons](#)
- Office for Students [Home - Office for Students](#)
- Office for the Independent Adjudicator [Office of the Independent Adjudicator for Higher Education - OIAHE](#)
- Consumer Rights [Consumer Rights Act 2015 \(legislation.gov.uk\)](#)
- Disabled Students Allowance <https://www.gov.uk/disabled-students-allowance-dsa>
- Consumer Markets Authority (CMA) [Higher education: consumer law advice for providers - GOV.UK \(www.gov.uk\)](#)
- [The Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013 \(legislation.gov.uk\)](#)

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Appendices

Appendix 1

**For students studying for Higher Education awards at
Lakes College West Cumbria**

Section 1: Your Details	
Full Name:	
Student Number:	
Programme of Study:	
Year/Level:	
Address for correspondence:	
Email Address:	

Section 2: Appeal	SELECT APPLICABLE
Academic Appeal against the decision of an Assessment Board	<input type="checkbox"/>
Appeal regarding some other irregularity	<input type="checkbox"/>

Please provide the date of the release of your results.	
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Are you sending your Appeal within the 14-day deadline?	YES/NO
If No please explain why you were unable to meet the deadline?	

You should be aware that there are strict time limits for submitting Appeals at each stage of the process. The College endeavours to respond to this first stage of appeals within 5 working days, and to complete all stages of the formal appeals procedures within 40 calendar days. In cases where for good reason the College needs to extend the time limit, the College will notify you and keep you informed of the progress.

What was the decision of the Assessment Board or the decision of the Academic Misconduct Panel?

Please enclose a copy of the Assessment Board Letter, or Results Notification Letter, failure to do so may result in a delay in considering your appeal or your appeal being rejected.

Please provide a full statement outlining your grounds for appeal. Please provide details of key events with dates. Continue on a separate sheet if necessary. Your appeal must be accompanied by (copies) of relevant evidence and all such evidence must be numbered and listed on this form.

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DECLARATION AND SIGNATURE:

Please read the statements below and confirm the following:

- You have read the Academic Appeals Policy [ADD HYPERLINK]

- You understand that ineligible appeals will not be investigated under the appeals procedure

- You understand that late appeals will only be considered where you are able to provide a convincing reason for the late submission

- You agree with the documents and details in your appeal, including sensitive personal information being shared with relevant staff involved in the appeals process to respond to your appeal

- I confirm that I am the student making the Appeal, I agree to the above and confirm that I believe, the facts stated in this form are true.

Signature_____

Date_____

NAME- PRINT_____

Completed forms should be sent to: [ADD ADDRESS]

via post or via email to [ADD EMAIL].

STAGE 2 APPEALS: No member of the Assessment Board, or the Academic Misconduct Panel (who made the decision that you are appealing) will respond to a Stage 2 appeal. The response to your appeal will be made by a Director of Learning or nominee. If you are studying on the HE programme awarded by the Collaborative University partner, the relevant appeals policy and procedures may apply. The appeal panel will be convened within 15 working days of receipt of your appeal form and supporting documentation. The decision of the board

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will be communicated to you with an explanation in support of the decision within 7 working days of the board meeting.

IF THE APPEAL IS UPHELD

If there is evidence that: there has been a material administrative error; or that the assessment, in whatever format, was not conducted in accordance with current regulations; or that some other material irregularity has occurred your appeal will be Upheld.

You will be notified of the reason for the decision and any action to be taken. For example, the Assessment Board(s), Research Degrees Committee or Academic Misconduct Panel may be required to reconvene to reconsider their decision(s) in light of the findings.

IF THE APPEAL IS NOT UPHELD

If there is no evidence that: there has been a material administrative error; or, that the assessment, in whatever format, was not conducted in accordance with current regulations; or that material irregularity has occurred, your appeal will Not be Upheld.

You will be given a full explanation as to why the decision was made not to uphold your appeal. If your appeal is not upheld and you believe that the decision is incorrect you may submit your appeal to Stage 3 for consideration by the relevant university or awarding body Appeals Panel.

Appendix 2

Dear [Name of appellant],

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Final Outcome Letter

This letter confirms that the internal procedures of Lakes College West Cumbria in relation to your appeal regarding [please describe] have been completed.

The issues that you raised in your appeal were [details]

The issue(s) that were considered in relation to your appeal was / were*: [brief summary of the complaint etc].

The final decision of Lakes College West Cumbria is* [detail] because [reasons].

The procedures / regulations applied were*: [details].

If you are dissatisfied with the outcome you may be able to apply for a review of your complaint / appeal etc* to [partner university name and contact details].

Should you decide to make a complaint to [awarding body], your complaint must be received by [awarding body] within 40 working days of the date of this letter, that is, it must be received by [awarding body] on or before [insert date].

[Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the appeal promptly.]

Guidance on submitting an appeal to the [awarding body name] can also be found on the [awarding body website/link].

[Include here any specific requirements of links to the request for review by the awarding body.]

Please note that [awarding body] will normally only review issues that have been dealt with through the provider's internal procedures.

Yours sincerely,

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Appendix 3

Dear [Name of complainant],

Completion of Procedures Letter

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This letter confirms that the internal procedures of Lakes College West Cumbria in relation to your complaint / appeal etc* regarding [please describe] have been completed.

The issues that you raised in your complaint / appeal etc* were [details].

The issue(s) that were considered in relation to your complaint / appeal etc was / were*: [brief summary of the complaint etc].

The final decision of Lakes College West Cumbria is* [detail] because [reasons].

The procedures / regulations applied were*: [details and date as supplied to the OIA's electronic Regulations Bank].

Lakes College West Cumbria subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of your complaint / appeal etc* to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form must be received by the OIA within 12 months of the date of this letter, that is, it must be received by the OIA on or before [insert date - e.g. if the Completion of Procedures Letter is dated 9 December 2022, this date should be 9 December 2023].

[Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.]

You can fill in the OIA's complaint form online or download a copy from the OIA website. <https://www.oiahe.org.uk/students/how-to-complain-to-us/>.

The OIA also publishes An Introduction to the OIA Scheme for Students, which can be downloaded from <https://www.oiahe.org.uk/students/canyou-complain-to-us/>. Alternatively, you can telephone or write to the OIA for a form. You should send a copy of this letter to the OIA with your OIA Complaint Form.

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. You may also wish to seek advice from [refer to students' union or advice service if any] about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.

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In the event that you submit a complaint to the OIA, it will consider your complaint to identify whether it relates to: (1) an act or omission of [name of higher education provider] relating to the service provided which falls within the OIA's remit; or (2) the overall quality or standards of the qualification itself.

Complaints relating to the design, delivery of assessment, moderation and awarding of the qualification are likely to fall into (2). However, this will be for the OIA to determine.

If the OIA considers that your complaint relates to the overall quality or standards of the qualification itself, it will refer the complaint to The Open University.

Yours sincerely,

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