



# **Student's Complaints and Appeals Policy and Procedures**

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## **COMPLAINTS POLICY**

It is important that if you feel dissatisfied with any matter relating to your enrolment at the Academy, a Lecturer or a member of our Customer Service team, you should have an effective means by which such matter can be aired or communicated and where appropriate, resolved.

We detail below the procedure how you can have your complaint resolved:

### **Stage 1:**

In as much as it is possible, please try to liaise and resolve the issue between yourself and the member of staff in question.

### **Stage 2:**

If you cannot resolve the issue with the member of staff in question, you can report the matter to your personal Tutor in person or by filling a complaint form which is readily available on the reception desk. The personal tutor can address the issue by himself/herself. If your complaint is about a non lecturing member of staff, your teacher will help facilitate a forum where you can meet the administration team leader. Note that you can find the contact details of your personal tutor on your copy of the timetable.

### **Stage 3:**

If your matter is still not resolved to your satisfaction, you then can appeal to the Middle level management as follows:

**Lecturing complaints – Lead Quality Assurance**

**Customer Service Complaints – Director**

### **Stage 4:**

If your issue is not dealt with to your satisfaction at this level, you can communicate in writing to have your matter dealt with by the Board of Directors as a collective body.

### **Additional Notes:**

1. After a matter is resolved, the complaint and action taken is documented and action implemented so as to prevent future reoccurrence.
2. There are certain complaints which may need to be addressed externally by the examination bodies. We will make sure that we give you proper advice on how to communicate comments and complaints to your examination body.

## **APPEALS PROCEDURE**

### **SCOPE**

- This appeals procedure is applicable to all Students of Care International Academy

### **INTRODUCTION**

- This Academy procedure allows for an appeal against the imposition of penalties or any other decision made by the Academy Management.
- Throughout this document , the words ‘appeal panel’ should be read as referring either to a group of individuals convened for the purpose of hearing a particular appeal or to one individual, as set out in the appropriate Academy procedure. Where an appeal is heard by one individual, that person will carry out the function of the Chair.

### **THE PURPOSE OF THE APPEAL**

- An appeal against a penalty decision is an opportunity for review. It is not a repeat of the original hearing or decision making process; its purpose is to identify whether a defect occurred in the original hearing or decision, such that the decision is rendered unsafe or unfair, and to rectify it if it did.

Appeal may be made against:

- A disciplinary sanction;
- Suspension/ exclusion;
- The process of an investigation into an allegation such as harassment and bullying.
- Assessment Outcomes
- Result following an examination

### **GROUNDS OF APPEAL**

- The individual was not given an opportunity to put their side of the story;
- Internal procedures were not followed.
- Mitigating factors were not taken into account
- New evidence has come to light which could have affected the original decision if it had been presented at that time.
- The penalty is outside the band of reasonable responses
- No reason was given for the decision
- The individual who made the original decision was biased (evidence would have to be brought up to prove this)

### **HOW TO APPEAL**

Appeal should be made in writing to the appropriate person within ten working days of the decision.

### **WHO HEARS AN APPEAL?**

Appeals will be heard by a panel who were not involved in the original process/ decision, as set out in the appropriate Academy policies/ procedures.

### **CONDUCT OF THE HEARING**

The appeal hearing will be conducted in private. The only person permitted to be present will be the following individuals:

- **The appeal panel.** A PANEL Chair will be identified before the hearing begins and will direct the hearing. All communications will be made via the Chair;

- The **appellant** (together with his/her representative if appropriate). The individual making the appeal may be represented/ accompanied by a support/ friend. In some cases, a legal professional advisors may be allowed but not usually;
- If the respondent required further explanation regarding this policy and in particular the last three points above (*i.e. Grounds of Appeal, How to Appeal and Who hears an Appeal*) the Academy will, upon request, provide all staff and students and other relevant users with a statement regarding the personal data held about them, and the reasons for which they are held.
- All staff, students and other users have a right to access certain personal data being kept about them either on computer or in certain files. Any person who wishes to exercise this right should complete the Subject Access Request Form and submit it to the appropriate Designated Data Controller.
- The Academy will make a charge of £10 on each occasion that access is requested, although the Academy has discretion to waive this.
- The Academy aims to comply with a request for personal information as quickly as possible, but will ensure that it is provided within ten working days.

### **ASSESSMENT GRADES**

- During the course of their studies, students will routinely be provided with information about their marks for both course work and examinations. However, exam scripts themselves are exempt from the subject access rules, and copies will not ordinarily be given to a student who makes a subject access request.

### **SUBJECT CONSENT**

- In some cases, the Academy can only process personal data with the consent of the individual. If the data is sensitive express consent must be obtained from the individual concerned. Agreement to the Academy processing some specified classes of personal data is a condition of acceptance by a student onto any course, and a

condition of employment for staff. This includes information about previous criminal convictions.

- The Academy has a duty of care to all staff and students and must therefore make sure those employees and those who use Academy facilities do not pose a threat or danger to other users.
- The Academy may also ask for information about particular health needs, such as allergies to particular forms of medication, or any medical condition such as asthma or diabetes. The Academy will only use this information in the protection of the health and safety of the individual, but will need consent to process this data in the event of medical emergency.
- Therefore, the application forms that all prospective staff and students are required to complete will include a section requiring consent to process the applicant's personal data. A refusal to sign this form will prevent the application from being processed.

### **PROCESSING SENSITIVE INFORMATION**

- Sometimes it is necessary to process information about a persons' health, criminal convictions, race and trade union membership. This may be to ensure that the Academy is a safe place for everyone, or to operate other Academy policies, such as the Sick Pay policy or the Equal Opportunities policy. Because this information is considered sensitive, staff (and students where appropriate) will be asked to give their express consent for the Academy to process this data. An offer of employment or a course place may be withdrawn if an individual refuses to consent to this without a reason acceptable to the Care International Academy Board.

### **PUBLICATION OF ACADEMY INFORMATION**

- The names of Senior Officers and Director of the Academy or any other Personal data relating to employees or Directors of the Academy will be published in the annual Calendar and on the web site when any statute or law requires such data to be made public.

- Certain items of information relating to Academy staff will be made available via searchable directories on the public Web Site, in order to meet the legitimate needs of visitors and those needing to make contact with appropriate staff.

### **RETENTION OF DATA**

- The Academy has a duty to retain personal staff and student data for a period of time following their departure from the Academy, mainly for legal reasons, but also for other purposes such as being able to provide reference and academic transcripts, or for financial reasons, for example relating to taxation. Different categories of data will be retained for different periods of time, usually for up to six calendar years.

### **CONCLUSION**

- Compliance with the Act is the responsibility of all members of the Academy. Any deliberate breach of the Data Protection policy will lead to disciplinary action being taken or access to Academy facilities being withdrawn, or even to a criminal prosecution.

Any questions or concerns about the interpretation or operation of this policy should be taken up with the director.