



# Appeals Policy

## Version 2

<p><b>Note:</b> This policy can only be considered current and valid when viewed on the VNHTT portal and website. If this document has been printed or saved from another location, you must check the version number matches that of the online copy.</p>	
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<p><b>Target Audience:</b></p>	<p>Trainee Teachers and Candidates for the ITT Programme</p>
<p><b>Related Documents:</b></p>	<p>VNHTT Assessment Policy          VNHTT Complaints Policy          VNHTT Quality Assurance Policy          VNHTT Disciplinary Policy</p>

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## 1 – Purpose

The purpose of this policy is to set out clear procedures for dealing with appeals made by trainees against VNHTT, or candidates who have applied to a VNHTT programme who do not agree with the shortlisting or interview decision.

## 2 – Scope

This policy should be read in conjunction with the other VNHTT policies listed on page 1 of this document.

Where an appeal is made an appeals committee will be assembled to consider the appeal. This will consist of:

- SCRCAT Director of Lifelong Learning
- 1 x member of the SCRCAT Executive team
- 1 x member of the VNHTT Strategic Board

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)).

This policy covers:

1. Applicants who wish to appeal against a decision made during the recruitment and selection process including:
  - Appeals against being rejected prior to interview
  - Appeals against being rejected following an interview
  - Appeals against conditions in a conditional offer
2. Appeals by trainees against assessment decisions made by VNHTT staff.

**Exclusions:** This policy **does not** cover complaints relating to:

- The quality of programmes delivered by VNHTT or specific programme facilitators (refer to the **VNHTT Complaints Policy**)
- Whistleblowing allegations (refer to the **SCRCAT Whistleblowing Policy**).
- Appeals against disciplinary decisions against trainees (refer to the **VNHTT Disciplinary Policy**).
- Academic outcomes of the PGCE aspect of the course (trainees should follow the policies of the University of Hull).

## 3 – General Principles

- VNHTT will, at all times, ensure compliance to the Equality Act 2010
- VNHTT are committed to dealing with appeals fairly and without delay and where possible, will resolve complaints informally.
- VNHTT will ensure that all members of staff involved in the interviewing of candidates and the assessment of trainees are trained in accordance with our recruitment and programme.
- VNHTT expects all parties to act respectfully and fairly at all times during the appeals process.
- VNHTT will ensure that appropriate and impartial personnel are involved in the appeals process to ensure that there is no actual or perceived disadvantage.
- VNHTT is committed to providing support to applicants and trainees to enable

them to be successful.

- All appeal outcomes will be communicated in writing and without unnecessary delay.
- Trainees are entitled to request a colleague, friend, family member or union representative to be present at any meeting pertaining to an appeal
- Formative Support: Trainees are expected to engage with the "Cause for Concern" or support plan process during the year to address progress issues before they reach a final summative QTS decision.
- Documentation – an appropriate note-taker will attend all formal appeal meetings to ensure that a formal record of the discussion is maintained.

#### **4 - Equality and diversity**

VNHTT is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines, adhering to current legislation e.g. The Equality Act 2010.
- Delivering high quality teacher training that meets the diverse needs of its trainee population, ensuring that no individual or group is disadvantaged.

#### **5 – Definition and Examples**

For the purpose of this policy an appeal is a formal request for a decision made by VNHTT to be changed.

##### **Appeals against recruitment decisions**

Applicants may appeal on the grounds that:

- There has been a procedural irregularity: a situation where an applicant believes VNHTT have not complied with their own policies and procedures
- Where new material is presented that may have affected the decision made at the time. The applicant must provide reasonable justification for why the information was not made available at the time of the application
- Evidence of bias or prejudice

##### **Appeals against assessment decisions**

An appeal regarding the outcome of an assessment 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).*

An appeal can be made under this policy in the following circumstances:

- A procedural irregularity or administrative error in the assessment process in the award of Qualified Teacher Status.
- Evidence of bias or prejudice in relation to the final grading.
- Extenuating or mitigating circumstances where VNHTT were not made aware of which is a significant factor in the outcome of the assessment. There must be a good reason why VNHTT was not aware of this factor during the assessment period.

#### **6 – Stages in the appeals process**

*Note: For the purposes of this policy, "days" refers to school days (days where the SCITT is open for training or placements).*

## **Appeals against recruitment decisions**

- Recruitment decisions, including shortlisting, are made by at least 2 members of the VNHTT team, including either the Head of VNHTT or phase leader alongside a team member from one of our partnership schools.
- Decisions are made using the VNHTT interview process and person specification criteria as set out on the VNHTT website.
- If unsuccessful on application, this will be recorded on the DFE Apply system. VNHTT will provide brief written feedback on the application with reasons why the candidate has not been shortlisted for interview.
- For applicants unsuccessful at interview, written notification is provided through the DFE Apply system alongside a personalised feedback letter emailed from the VNHTT Operations Manager. It is not possible to provide any further written or verbal feedback beyond this.
- Appeals against recruitment decisions must be made in writing to the VNHTT Operations Manager ([nhawxwell@smchull.org](mailto:nhawxwell@smchull.org)) within 10 school days of the application decision.
- The Head of VNHTT will respond to all appeals against recruitment decisions within 5 school days of receipt of the appeal and will assemble an appeals panel.
- The appeals panel will comprise of VNHTT/SCRCAT Board Directors and SCRCAT executive leaders. Documentation will be reviewed and the panel will make one of the following decisions:

- The recruitment decision will be reversed and the candidate will progress to the next stage (for applications rejected prior to interview, they will progress to an interview stage. For applications rejected at interview, they will be recruited to the programme).

- The decision is upheld and the applicant does not progress further.

- An applicant rejected at interview may be invited to interview again with a different interview panel.

- Applicants will be informed of the outcome of an appeal within 15 school days of the appeal being made.

Should an applicant be able to demonstrate that the appeals panel has not addressed the grounds for the appeal, they must contact the Chief Executive Officer of SCRCAT ([RMcEvoy@scrcat.org](mailto:RMcEvoy@scrcat.org)) within 10 school days of the appeal decision.

They must outline their argument in response to the appeals decision in detail. The Chief Executive Officer will assess the argument, decision and grounds for appeal. A decision will be made and this decision will be final. The applicant will be informed of this in writing.

## **Appeals against assessment decisions**

Appeals against assessment decisions can only be made in relation to the award of QTS. Any other complaints about formative assessment procedures and decisions should be made using the VNHTT Complaints Policy and associated procedures detailed within.

VNHTT aims to avoid the need for formal appeals by keeping trainees informed of their progress throughout the training year and communicate clearly if the award of QTS by the end of the course is unlikely.

The process for an appeal against an assessment decision is outlined below:

1. Clarification stage
2. Formal appeal
3. Independent external review

### **Stage 1: Clarification**

Trainees should contact the Head of VNHTT in writing to outline their concerns in relation to an assessment decision and an award of QTS not being made at the end of the course.

Within 5 school days, the Head of VNHTT will invite the trainee in for an informal meeting to clarify the reasons why an award of QTS has not been made and discuss any concerns the trainee has in relation to this decision.

The Head of VNHTT may offer to extend a trainees' training period to enable them to meet the Teachers' Standards and be awarded with QTS.

### **Stage 2: Formal Appeal**

A formal appeal against an assessment decision must be made, in writing using the Appeals form, to the Head of VNHTT within 15 school days of the decision. Trainees must outline the reason for their appeal with evidence to support why the assessment decision has been made in error. The Appeals form can be requested from the VNHTT Operations Manager ([nhawxwell@vnhtt.org](mailto:nhawxwell@vnhtt.org)).

The Head of VNHTT will review the appeal and:

- Review the assessment procedure in relation to the trainee
- Check that the appeal is made on the grounds outlined in this policy
- Ensure that the appeal has been made within the correct timeframe
- Call a meeting with those involved in the assessment process (usually the ITT programme leader, Mentor and Professional Tutor) to discuss the assessment decision
- Review assessment documentation and evidence in relation to the decision
- Write to the trainee informing them of their decision

The possible outcomes are:

- The appeal is upheld and the trainee is awarded QTS.
- The appeal is dismissed.

The trainee will be informed of the decision in writing within 10 school days of the formal appeal being made.

### **Stage 3: Internal review**

A trainee may make a request for a review of the Head of VNHTT decision within 5 school days of receiving the decision.

A review may include:

- A review of the procedures outlined above.
- A consideration of the outcome and if it was reasonable.
- A review of new evidence which was not provided at stage 2.

It will not rehear the complaint or involve further investigation.

When a review is required, the Head of VNHTT request an Appeals Committee consisting of persons holding the governance and executive leadership positions outlined in section 2 above. No member of VNHTT involved in the initial assessment will be involved in the internal review. The committee will consider the way the appeal was handled in Stage 1 and Stage 2. A hearing will be called, and the trainee will be invited to attend the hearing. The trainee must be given 10 school 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 or other advocate.
- The trainee will be provided with information about the composition of the Appeals Committee, a copy of the evidence to be considered and information about the support that is available to them including contact details.
- The committee will consider the evidence and there will be an opportunity for the trainee and Head of VNHTT 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 by the appropriate note-taker

The committee may:

- Overturn the decision and recommend a remedy
- Uphold the decision

The Appeals Committee will inform the trainee, in writing, of their decision with reasons within 3 school days of the committee hearing. The trainee will be informed of their right to refer the complaint for external review.

#### **Stage 4: Independent external review (OIA)**

A trainee may request a formal review to the Office of Independent Adjudicators. This must be used as a final stage and after all previous complaints and appeals procedures have been exhausted.

An appeal to the OIA must be made within 12 months of the decision of the Appeals Committee.

#### **7 - Confidentiality**

The appeal is kept as confidential and within VNHTT and relevant governance boards. Appellants who notify the Head of VNHTT that information has been included of a highly confidential and personal nature will, if requested, be informed in advance of the names of persons to whom the information will be disclosed.

Papers will be kept on confidential file for up to two years. After that, with the exception of a copy of the notification to a trainee of the final decision, they may be destroyed.

#### **8 - Review**

The policy will be reviewed within two years of the date of implementation.

