

## **Appeals Policy and Procedures for Financial Capability and Professional Education Qualifications**

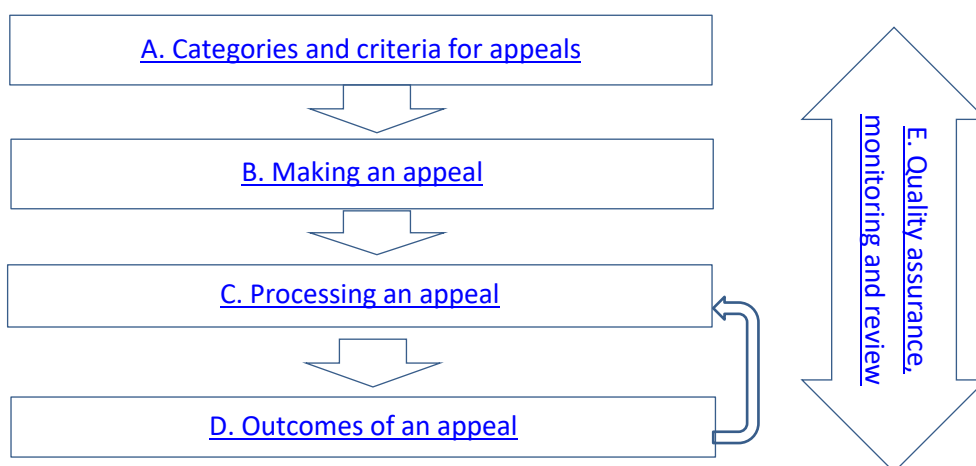
The purpose of the Appeals Policy and Procedure for Financial Capability and Professional Education Qualifications is to advise our students of the service level that they can expect to receive and how we will deal with their appeals. It also explains how we monitor appeals periodically and review this policy.

Through the Appeals Policy and Procedures, we ensure that:<sup>1</sup>

- appeals are treated fairly, consistently, transparently, and in a timely manner;
- we take appropriate actions with regard to the applicant and other learners where appeals reveal any failure on our part;
- we review aspects of our service in the light of any appeals; and
- we maintain duties of confidentiality to third parties, or other legal duties, in responding to appeals.

### **Summary of Policy**

Students have the right to appeal to us to review decisions that have been made in the course of the assessment of their programme of learning. The appeals process is available to all students and centres<sup>2</sup> (hereafter, referred to as students) registered on a programme of learning with us, with the exception of students who have had their registration suspended by us. An appeal may only be submitted in relation to final decisions. The key stages in the Appeals Policy are set out in the diagram below.



<sup>1</sup> In compliance with the regulator's *General Conditions of Recognition*, conditions D4 and I1-2.

<sup>2</sup> Centres are organisations that are involved with any part of the delivery of qualifications on behalf of The London Institute of Banking & Finance. Centres may be schools, colleges or any other approved venue where the delivery of qualifications, including teaching and / or assessments, leading to a The London Institute of Banking & Finance qualification is conducted.

## **Section A - Categories and criteria for appeals**

- 1.1** Students may appeal against decisions made by us in accordance with the criteria and categories set out below. However, an appeal cannot be made against the academic judgement of the assessor or examiner, or against the regulations of the qualification. We reserve the right to reject an appeal that does not meet the criteria and categories set out in this policy.
- 1.2** The criteria against which an appeal may be submitted to us is as follows:
- i. The policy or procedure for the decision reached was not followed correctly or applied fairly by us.
  - ii. New and relevant information or evidence that was not known by us, or could not have been brought to our attention at the time the decision was made, has become available.
- 1.3** Students can make an appeal against a decision in the following categories:
- i. A results enquiry outcome regarding the fair, correct and consistent application of the processes and procedures leading to an assessment result, with respect to an individual assessment component or unit within a qualification, not to the qualification itself.
  - ii. A reasonable adjustment outcome with respect to an individual assessment component or unit within a qualification, not to the qualification itself.
  - iii. A special consideration outcome in relation to an individual assessment component or unit within a qualification, not to the qualification itself.
  - iv. A malpractice outcome associated with an individual assessment component or unit within a qualification, or the award of the overall qualification. Additionally, we may consider centre appeals as part of this process eg additional monitoring by us arising from inspection.
- 1.4** A student registered by a centre, and not directly with us, must request that the centre make an appeal on their behalf in relation to an enquiry, reasonable adjustment, special consideration or malpractice outcome.
- 1.5** An appeal application made by a centre on behalf of a student must be completed by an appropriately authorised member of centre staff, for example the named examinations officer for appeals relating to assessment. If a centre makes an appeal application other than on behalf of a student, the application must be completed by the head of the centre.

## **Section B - Making an appeal**

- 2.1** An appeal application must be submitted to us within 15 working days of the date of our letter advising the outcome of a decision. If the Appeal Application Form is received after the deadline, we reserve the right to refuse the application.
- 2.2** The applicant must complete the Appeals Application form which is available from Student Support Services (see contact details below). All supporting evidence must be supplied with the application form or, if it is not available at the time of the application, as soon as it becomes available. The appeal must clearly state the criteria and category that constitute the grounds for the appeal being made (see Section A, above). The Appeals Application form must be submitted with all relevant supporting evidence, and with the appropriate [fee](#), to our Student Support Services team at the following address:

Student Support Services  
**Administrative Centre:**  
4–9 Burgate Lane  
Canterbury  
Kent CT1 2XJ  
United Kingdom

T: +44 (0)1227 818609

E: [customerservices@libf.ac.uk](mailto:customerservices@libf.ac.uk)

If you are unable to submit an appeal in writing due to a reasonable adjustment, please contact Student Support Services and they will be able to help you submit your appeal.

- 2.3** If an application is not accompanied by the appropriate fee or does not set out clearly the grounds for appeal, we reserve the right not to process the application. We will not take responsibility to seek evidence beyond that supplied by the student making the application for an appeal.
- 2.4** A student cannot make an appeal as well as a complaint against the same incident. Students wishing to complain about the service they have received should refer to the [complaints policy](#) or, in the case of an enquiry about the marking of their assessment, make an assessment result enquiry.
- 2.5** We reserve the right to exclude or remove a student or centre from a programme of learning if they make repeated, unfounded or vexatious appeals and / or complaints regarding the programme and / or its delivery.

## Section C - Processing an appeal

- 3.1** We will acknowledge receipt of an accepted Appeals Application form within five working days. We will inform the applicant of the time period within which the appeal will be considered. If we request

further information or evidence from the applicant, the timescale will only begin once all the requested supporting evidence has been received by us.

- 3.2** We will check the Appeals Application form to make sure that the criteria and category requirements for an appeal have been met before accepting the application. If the appeal application does not meet the criteria then it will be rejected and will not enter the appeals process. If an appeal application is rejected by us, the Appeals Application form and fee will be returned to the applicant, and the applicant will be given the reason for the rejection of the appeal.
- 3.3** If we accept the appeal as meeting the criteria set out in section A the appeal is considered by The London Institute of Banking & Finance Complaints and Appeals Review Group which is held on a monthly basis and which will include one member who is external to us and with no previous involvement in the decision being appealed. Where new information is provided as part of the appeal it may initially be referred back to the original decision maker to allow an opportunity for early resolution.
- 3.4** The Complaints and Appeals Review Group will investigate the appeal, including the policy and procedures followed in reaching the original decision being appealed, and the facts upon which the decision was based. A written response will be provided outlining the issues that have been considered, the findings and the outcome of the investigation. If we require additional time to investigate an appeal, we will keep the applicant fully informed of this and progress thereafter.
- 3.5** The student and The London Institute of Banking & Finance are each entitled to seek independent advice, as appropriate, in respect of an appeal. However, the applicant cannot have legal representation during the appeals process, or appear in person unless by invitation of The London Institute of Banking & Finance. If an applicant is invited to appear in person they are entitled to have a supporter accompany them. A supporter may or may not be a member of The London Institute of Banking & Finance.
- 3.6** All the information submitted to us during the appeals process is treated as confidential.

## **Section D – Outcomes and resolution**

- 4.1** Following the appeals process one of the following outcomes will apply:
- An appeal is upheld (in part or in full). Where appropriate, some form of action is taken.
  - An appeal is not upheld. Reasons for this decision will be given clearly to the applicant. The applicant may either choose to take no further action or to take their appeal for external referral.

- 4.2** Where, through an appeal, we learn of a failure in our processes, the actions taken to resolve this may also include those that apply to other learners and/or to improvements to our processes.
- 4.3** If an appeal is upheld, the applicant will receive a full refund of the appeals fee.
- 4.4** We will provide written confirmation of the Complaints and Appeals Review Group decision and any action(s) to be taken, including timescales, within ten working days of the case being heard. If for any reason we are unable to meet this timescale we will keep the student informed.

### **External referral**

- 4.4** Following the decision by the Complaints and Appeals Review Group the process is deemed to have been exhausted. We will issue the appellant with a letter stating that the appeals process has been exhausted. The case may then be eligible for consideration by the regulators (Ofqual, Qualifications Wales or CCEA). We will comply with the process established by the regulators and will give due regard to the outcome of any process in relation to a qualification which we deliver.
- 4.5** If, as a result of the regulator's appeals process or the Complaint and Appeal Group upholding the appeal, we learn of a failure in our assessment process, we will take reasonable steps to:
- i. identify other students or centres who have been affected by this failure;
  - ii. correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure; and,
  - iii. make sure that the failure does not occur again.

### **Section E – Quality assurance, monitoring and review**

- 5.1** Records of all appeals, and their outcomes, are maintained by us for a period of at least five years. Appeals are monitored by the Operating Committee in line with its terms of reference.
- 5.2** Any failings discovered or lessons learned during the course of an appeal or the monitoring of appeals will be acted upon as part of continuous review of our processes.
- 5.3** The policy and the procedures are also subject to regular monitoring and review by us. We continually review our practices to maintain the highest possible standards of consistency and quality.
- 5.4** The policy and procedures are formally approved by The London Institute of Banking & Finance's Complaints and Appeals Review Group.
- 5.5** The policy and procedures have been developed to comply with all relevant legislation and have been externally benchmarked to be in line with recognised best practice.

- 5.6** We are subject to regulation by the qualifications regulatory authorities, Ofqual, Qualifications Wales and CCEA as a recognised awarding organisation, and by the FCA, as an accredited body.<sup>3</sup>
- 5.7** In the event that Ofqual, Qualifications Wales or CCEA advise us of failures that have been discovered in similar assessment processes being offered by other awarding organisations, we will review our own assessment processes. If, as a result of this review, we find a potential failure, we will take the same action as if a failure had been discovered by virtue of the application of the regulator’s appeals process.

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<sup>3</sup> The London Institute of Banking & Finance Higher Education students should refer to the Higher Education regulations as Higher Education courses are regulated by the QAA and complaints are escalated externally to the OIA.