



# Appeals Policy

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Related documents	<b>Assessment Toolkit Anti-Bullying Complaints Disciplinary Wellbeing</b>
Signed-off by	<b>Governance Board</b>

## One Page Summary of RKTT Appeals Policy

This policy outlines the procedures for handling appeals made by trainees against Red Kite Teacher Training (RKTT) regarding recruitment decisions and assessment decisions, aiming to provide a fair and transparent process for all parties involved.

### Takeaway

Red Kite Teacher Training (RKTT) has established an Appeals Policy to address concerns raised by trainees regarding recruitment and assessment decisions. The policy outlines a comprehensive process for handling appeals, ensuring fairness and transparency. It covers appeals against recruitment decisions, including rejection prior to interview, rejection following an interview, and conditions in a conditional offer. The policy also addresses appeals against assessment decisions made by RKTT staff, including procedural irregularities, bias, and extenuating circumstances. The policy emphasizes the importance of equality of opportunity, adhering to the Equality Act 2010, and providing an outstanding training program. It encourages informal discussions to resolve concerns but outlines a formal procedure for handling appeals. The policy details the stages involved in the appeals process, including clarification, formal stage, review stage, and independent external review. It provides specific timelines for each stage and outlines the responsibilities of RKTT staff and the Appeals Committee. The policy also addresses data protection and confidentiality, ensuring that all appeals are treated with sensitivity.

- The policy outlines procedures for handling appeals against recruitment and assessment decisions made by Red Kite Teacher Training (RKTT).
- It covers appeals from applicants who were rejected prior to or following an interview, as well as those who disagree with conditions in a conditional offer.
- The policy also addresses appeals against assessment decisions made by RKTT staff, including procedural irregularities, bias, and extenuating circumstances.
- The policy emphasizes the importance of equality of opportunity, adhering to the Equality Act 2010, and providing an outstanding training program.
- It encourages informal discussions to resolve concerns but outlines a formal procedure for handling appeals.
- The policy details the stages involved in the appeals process, including clarification, formal stage, review stage, and independent external review.
- It provides specific timelines for each stage and outlines the responsibilities of RKTT staff and the Appeals Committee.
- The policy also addresses data protection and confidentiality, ensuring that all appeals are treated with sensitivity.





## Red Kite Teacher Training Appeals Policy

### 1. PURPOSE

The purpose of this Appeals policy is to provide clear procedures for dealing with appeals made by trainees against Red Kite Teacher Training (RKTT) or by candidates who have applied to the course and do not agree with the shortlisting or interview decision.

### 2. SCOPE

- a. The scope of this policy covers the following appeals.
  1. Applicants who wish to appeal against decisions made during the recruitment and procedure. These include, for example:
    - Appeals against being rejected prior to interview
    - Appeals against being rejected following an interview
    - Appeals against conditions in a conditional offer
  2. Appeals against assessment decisions made by RKTT staff.

This policy can be used by anyone who has applied to RKTT, is a current trainee with RKTT, or a trainee who completed their training with RKTT within 12 calendar months of the date of initiating their appeal.

- b. This policy does not cover appeals referred to below:
  - Complaints related to judgments on University of Leeds Assignments / PGCE accreditation are covered by [http://www.leeds.ac.uk/secretariat/documents/taught\\_appeals\\_process.pdf](http://www.leeds.ac.uk/secretariat/documents/taught_appeals_process.pdf)
  - Complaints related to quality of provision by RKTT or actions or lack of actions are covered by the RKTT Complaints policy.
  - Complaints related to inappropriate behaviour by members of RKTT staff, staff in Red Kite partner schools or other trainees may be better dealt with using RKTT's Anti-Bullying Policy.
  - Appeals after the outcomes of a disciplinary hearing refer to Disciplinary Policy.
- c. 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)).

### 3. DEFINITIONS and EXAMPLES

#### Appeals against recruitment decisions

For the purposes of this aspect of the policy, an appeal is defined as a formal request that a decision should be changed. Applicants may appeal on the grounds that:

- a) There has been a procedural irregularity: a situation where the applicant believes that RKTT has not adhered to its own stated policy and procedures.
- b) The emergence of new material which may have affected the decision. It must be made clear by the applicant as to why this information was not made available at the time



of application. It should be noted that if this information was available at the time of application but not included, for any reason, it will not be considered as new information.

c) Evidence of bias or prejudice.

#### Appeals against assessment decisions

For the purposes of this aspect of the policy, an appeal 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)*

The RKTt is the academic body.

Examples of appeals this Policy covers include:

- A procedural irregularity in the assessment process including final grading or the award of Qualified Teacher Status
- Bias or perception of bias in relation to final grading
- Extenuating or mitigating circumstances where, for good reason, RKTt was not made aware of a significant factor relating to the assessment of a trainee when it made its original decision

#### **4. GENERAL PRINCIPLES**

- a. RKTt will give proper regard to ensuring equality of opportunity.
- b. RKTt will adhere to the Equality Act 2010 and adjustments will be made to the interview to allow equal access for any applicants with protected characteristics.
- c. RKTt aims to provide an outstanding training programme for the trainees it serves.
- d. RKTt is committed to working in partnership with trainees and partner schools, taking account of trainee views in order to improve its service.
- e. RKTt will seek to discuss concerns informally with a trainee. However, most appeals will normally be dealt with through a formal procedure.
- f. RKTt expects all parties to act reasonably and fairly towards each other, and to treat the processes themselves with respect.
- g. RKTt will work to ensure this policy is used fairly, proportionally and in a timely way.
- h. RKTt will ensure that decisions are taken by people without actual or perceived conflicts of interest and that all involved will ensure an appropriate level of confidentiality through the process, without causing disadvantage.
- i. Trainees will be offered the opportunity to be accompanied by a friend, family member or representative from a Teaching Union or Students' Union.
- j. RKTt will be responsive to cases which require swift action, for example those causing detrimental consequences for the trainee's mental health or where time limits apply for the award of QTS.
- k. RKTt will put all the outcomes of any investigation in writing for the trainee. A Completion of Procedures (COP) letter will be used at 'end points' in the process.

#### **5. STAGES IN THE PROCESS**

##### Appeals against recruitment decisions

Unsuccessful candidates will receive feedback on their application. For those candidates unsuccessful at the point of application, this information will be entered into the DfE Apply system. Further feedback can be given to clarify the reasoning if requested. This feedback may be given in person, by telephone or by email. For applicants who are unsuccessful after interview, written feedback will be provided through the DfE Apply

system and by RKTT staff either in person, by telephone or by email, detailing the candidate's strengths and areas for improvement for future applications.

Any applicant who wishes to lodge an official complaint or appeal against a decision is asked to do so, in writing, within 15 working days of the application decision. The Director of RKTT will respond and an appeals panel comprising experienced interviewers not involved in the original selection process will be convened to consider the trainee documentation and review the decision. The Director of RKTT and the independent appeals panel will normally respond within 20 working days from receipt of the appeal.

Should the applicant be able to clearly demonstrate that the independent appeals panel has not addressed the grounds of the appeal or has not fully understood the appeal, the applicant must contact the Director of RKTT, in writing, within 15 working days of their decision. The Director of RKTT will pass the complaint on to the Chair of the Governance Board who will assess the argument, past decision and the grounds for the appeal. At completion of this decision, the applicant will be issued with a Completion of Appeal letter making the decision final. If the appeal is successful, the applicant will be allowed entry on to the course or will proceed to interview.

#### Appeals against assessment decisions

There are four potential stages within this policy as follows:

1. Clarification Stage
2. Formal stage
3. Review Stage
4. Independent external review (OIA)

*Appendix A provides a flowchart to illustrate the stages of RKTT's appeals process. This flowchart includes the timeframe for each stage of the process*

#### Stage 1: Clarification stage

Trainees should initially email the Director outlining their concerns. Alternatively, trainees can attend an informal meeting, which will be offered by the Director following the

announcement of awarding Qualified Teacher Status (QTS) after the Assessment Board takes place in June.

These provide an opportunity for the Director to:

- clarify the reasons for the judgment
- discuss the issue with a trainee before they decide to make a formal appeal

### Stage 2: Formal Stage

To trigger this stage, a trainee should use the Appeal Form included as Appendix B. This will help trainees set out their appeal in a clear and succinct way, referring to evidence relevant to the appeal.

On receipt of this form, RKTT staff who have not previously been involved in the case (usually the Director) will:

- conduct an initial evaluation to check that the appeal is being dealt with under the correct procedures
- check that the appeal falls within the grounds upon which an appeal may be made
- ensure that appeal has been submitted in the correct format and within the correct timeframe
- talk to key members of RKTT or school staff and consider assessment records and other evidence
- write to the trainee informing them of their decision.

At this stage there are three possible outcomes:

1. the trainee is deferred to a different procedure
2. the appeal is upheld
3. the appeal is dismissed.

If the appeal is dismissed the member of staff assigned to the appeal will write to the trainee setting out the outcome of the formal stage, outlining the reasons for each decision made.

This letter will also include information about:

- the trainee's right to take the complaint to the review stage and the grounds for such a referral
- the time limit for escalating to the review stage
- the appropriate procedure and support available.

Where the appeal has been upheld, RKTT will explain how and when it will implement any remedy and whether that includes an apology.

### Stage 3: Review Stage (final internal RKTT stage)

If the trainee is dissatisfied with the outcome of the formal stage, they can request a review.

A review may cover:

- a review of the procedures followed at the formal stage
- a consideration of whether the outcome was reasonable
- any new material evidence that the trainee was unable, for valid reasons, to provide at Stage 2.

The review will not:

- re-hear the complaint afresh
- involve a further investigation.

An appeal must have been considered at the formal stage (Stage 2) before it can be escalated to the review stage.

If an appeal reaches this stage, an Appeals Committee convened by the Governance Board will consider the way in which the complaint was investigated in Stage 2. The trainee will be invited in writing to attend a hearing and given 10 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.
- 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 consist of one member of the Governance Board and one member of the operational delivery group. The committee will also include an RKT senior leader and a member of RKT staff with expertise in the area being appealed. They will consider the evidence and there will be an opportunity for the trainee and investigating officer 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.

The committee will consider the following questions:

- Were the relevant procedures followed during the formal stage?
- Was the outcome reasonable in all the circumstances?
- Has the trainee received clear reasons why the appeal was rejected at the earlier stage?
- If new material evidence has been provided, has the trainee given valid reasons for not supplying this earlier?

The committee, having considered the material submitted to them may:

- overturn the outcome of the formal stage and recommend a remedy
- refer the appeal back to the formal stage for reconsideration
- uphold the outcome of the formal stage.

The Chair of the Appeals Committee will write to the trainee with their decision and an outline of the reasons for their decision within three working days of the hearing. Where appropriate, this letter will also advise the trainee on their right to submit a complaint to the OIA, the time limit for doing so and where and how to access advice and support with this process.

#### Stage 4: Independent External Review (OIA)

If an appeal cannot be resolved, the trainee has the right to make a formal complaint to the OIA. However, before a trainee can complain to the OIA, they must have first completed their provider's internal complaints or appeals procedures. Once they have done so, the provider should issue a Completion of Procedures Letter. This letter should set out clearly the issues that have been considered, the provider's final decision and the deadline for bringing a



complaint to the OIA. The appeal should be submitted to the OIA within 12 months of the date of the Completion of Procedures letter from the Chair of the Appeals Committee.

#### **1. GENERAL DATA PROTECTION REGULATIONS**

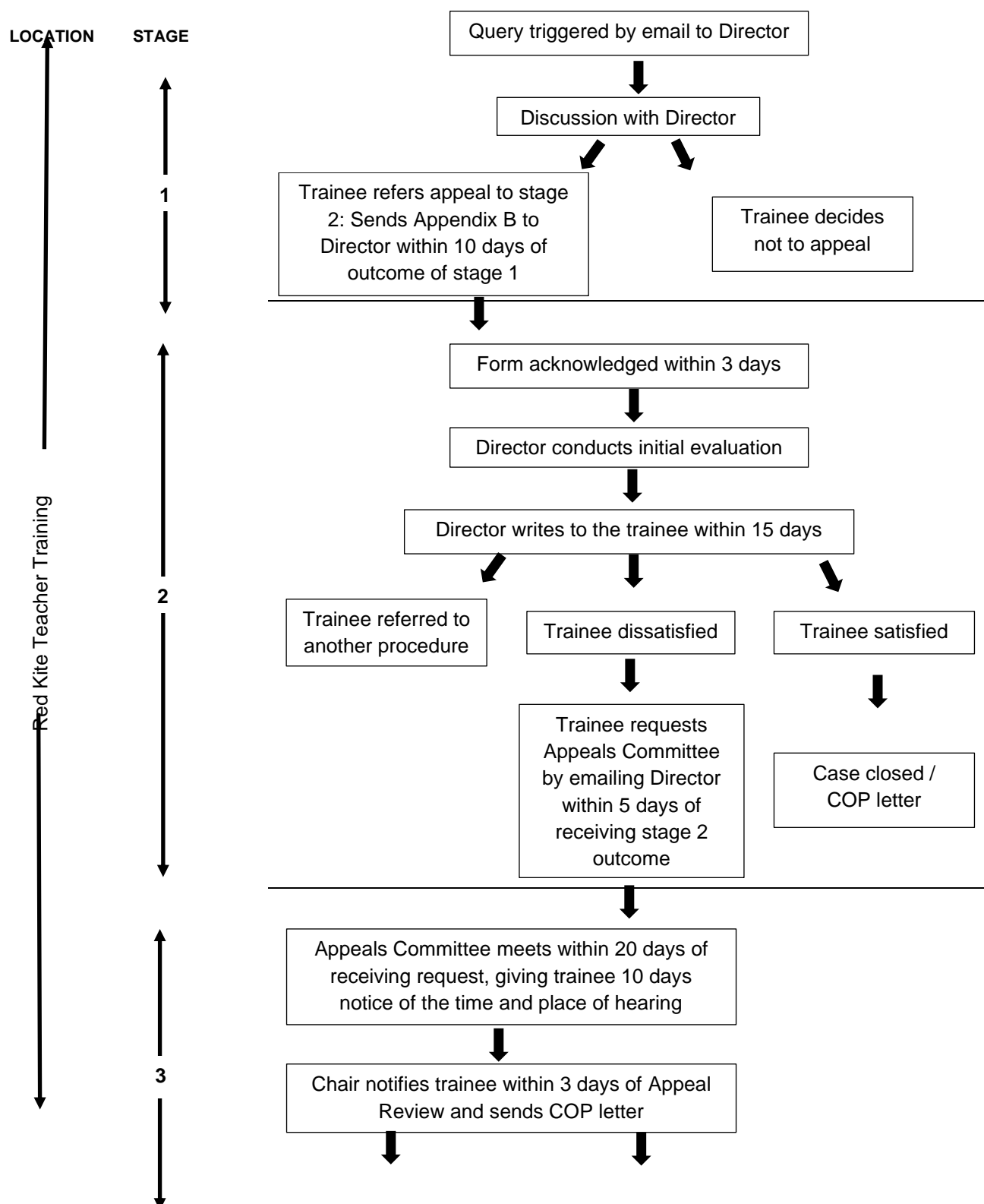
- RKTT will retain data related to the appeal for 15 months from the start of the appeal and after this time all data will be deleted. All data will be stored securely during this time.
- All appeals will be treated confidentially. RKTT will only disclose information to those who need it to investigate the appeal or to respond to the issues raised. In some circumstances data may be used to consider whether a trainee is fit to practice.
- If a trainee makes an appeal they should only include any necessary information about third parties. Evidence provided must focus on the impact that a third party has had on the trainee themselves. For example, if the mitigation is based on the health of a family member, RKTT do not need to see the detailed medical information about that person.

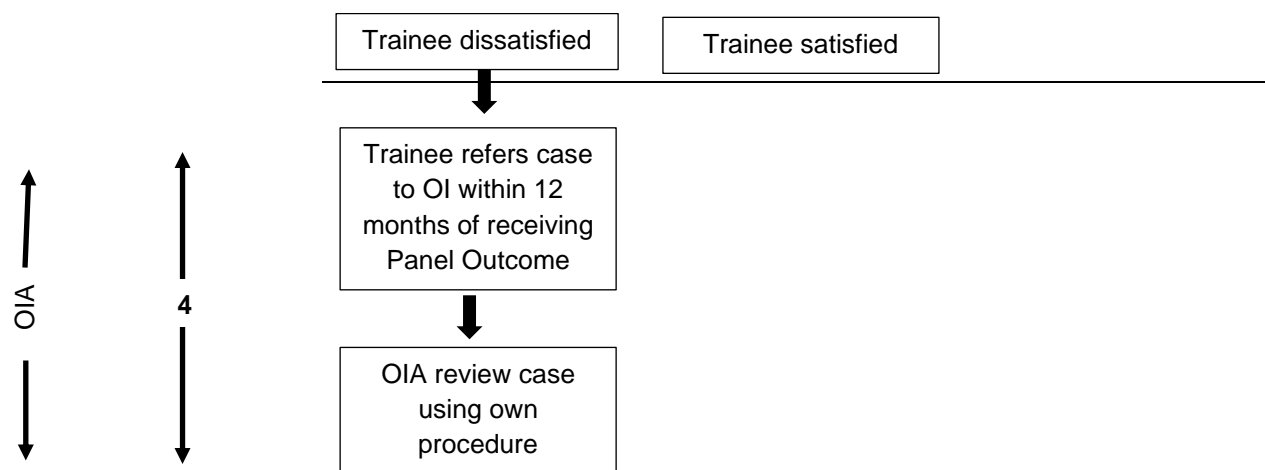




## 6. APPENDICES

### Appendix A: Flowchart of Red Kite Teacher Training Appeals Process (Assessment Decisions)





Please note, days are Red Kite Teacher Training term days.

## Appendix B: Red Kite Teacher Training Appeal recording form

To be used if stage 1 informal resolution has failed to provide you with a satisfactory outcome.

<b>Your Name</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Contact telephone number</b>	
<b>Red Kite Teacher Training course</b>	

**Please give specific details of your appeal**

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**Please list any evidence which supports your appeal**

**Signature**

**Date**

**Official use:**

Date of acknowledgement

By whom

Complaint referred to

Date

