MID ESSEX ITT
INITIAL TEACHER TRAINING

Applicant Appeals Policy

1. Guiding Principles

1.1 This policy has been put together following the guidance from the Office of the Independent Adjudicator for Higher Education's Good Practice Framework

1.2 An appeal is defined as "a request for a review of a decision of an academic body charged with making decisions on applicant progress, assessment and awards".

2. Scope and Expectations

2.1 This procedure is applicable to all current or recent Mid Essex ITT applicants who are:

- appealing against being rejected prior to interview
- appealing against being rejected following an interview
- appealing against conditions in a conditional offer

3. Submitting an Appeal

3.1 After being notified of an outcome, applicants should submit their intention to appeal the decision within 14 days (10 working days) to the Director.

3.1 Intentions to appeal should be made in writing or via email.

4. Timing of Appeals

4.1 Mid Essex ITT must notify applicants of their right to appeal and of the time frame in which to appeal.

4.2 Applicants have 14 days (10 working days) to notify Mid Essex ITT if they wish to appeal to a decision.

4.3 Appeals will be completed within 90 calendar days of the start of the formal stage.

5. Stages of Appeal

5.1 Early Resolution

5.2 Formal Stage (including Appeals Committee)

5.3 a Review Stage

5.4 Independent External Review (OIA)

6. Early Resolution

6.1 Mid Essex ITT will give applicants an opportunity to seek clarification of a decision, or to discuss their concerns with a nominated member of staff. This will provide an opportunity

to manage the applicant's expectations before they decide whether to submit a formal appeal.

6.2 Where appropriate and proportionate the applicant should be provided with a written outcome.

7. The Formal Stage

7.1 On receipt of a formal appeal, Mid Essex ITT will undertake an initial evaluation to check that the appeal is submitted under the correct procedures, falls within the grounds upon which an appeal may be made, is submitted within any deadline, and is in the required format. This process may result in:

- the appeal proceeding for consideration
- the appeal being rejected because it is not made under the permissible grounds.
- the applicant being referred to a different procedure

7.2 The formal stage will be dealt with by staff who have not been involved previously.

7.3 If the applicant's expectations appear to go beyond what Mid Essex ITT can reasonably deliver, or what is in its power to deliver, the staff member should explain this to the applicant as soon as possible in writing in order to manage expectations about possible outcomes.

7.4 The procedures followed should be proportionate to the nature of the appeal and the complexity of the issues raised. The member of staff investigating the appeal may talk to key staff and consider documents and other evidence.

7.5 Appeals can be reviewed by a panel, the Appeals Committee – see Appendix L6

7.6 Mid Essex ITT will write to the applicant setting out its decision at the conclusion of this stage.

7.7 If the applicant is not satisfied with the outcome, they should submit a request for review to the Director in writing or via email within 14 days (10 working days).

8. The Review Stage

8.1 The review stage is where the applicant can appeal to Mid Essex ITT for a review of the process of the formal appeal to ensure that appropriate procedures were followed, and that the decision was reasonable.

8.2 A request for a review may be on limited grounds, including but not confined to:

- a review of the procedures followed at the formal stage
- a consideration of whether the outcome was reasonable in all the circumstances
- new material evidence which the applicant was unable, for valid reasons, to provide earlier in the process.

8.3 The review stage will not usually consider the issues afresh or involve a further investigation.

8.4 Mid Essex ITT will allocate the request for review to a designated member of staff not involved at any previous stage.

8.5 An appeal must have been considered at the formal stage before it can be escalated to the review stage.

9. Closing the Appeal at the Review Stage

9.1 If the appeal is not upheld, the outcome of the review stage should be communicated to the applicant in writing by issuing a Completion of Procedures letter as soon as possible and within 28 days.

9.2 The decision should also advise the applicant about their right to submit a complaint to the OIA (see External Independent Review) within 2 months.

9.3 If the appeal is upheld, Mid Essex ITT will provide the applicant with a Completion of Procedures letter and explain how and when it will implement any remedy, and whether that includes an apology.

10. Independent External Review

10.1 If Mid Essex ITT dismisses the applicant's appeal, it will notify the applicant of:

- Their right to submit a complaint to the Office of the Independent Adjudicator (OIA) for review;
- The time limit for doing so (12 months)
- Where and how to access advice and support: https://www.oiahe.org.uk/

11. Appeals and Confidentiality

11.1 Appeals should be handled with an appropriate level of confidentiality, with information released only to those who need it for the purposes of investigating or responding to the appeal. No third party should be told any more about the investigation than is strictly necessary in order to obtain the information required from them.

12. Appeals and Representatives

12.1 Applicants can appoint a representative to support them during the appeals process.

12.2 There is an expectation that applicants, their representatives and staff members should act reasonably and fairly towards each other and treat the processes themselves with respect.

12.3 Mid Essex ITT has a responsibility to protect its staff against unacceptable behaviour.

12.4 If an applicant's behaviour is deemed unacceptable, their access to staff or procedures might be restricted. Mid Essex ITT will inform the applicant if a decision has been made to restrict access, and the procedures for reviewing such a decision.

13. Frivolous or vexatious complaints and appeals

13.1 Examples of such complaints and appeals include:

- complaints or appeals which are obsessive, harassing, or repetitive
- insistence on pursuing non-meritorious complaints or appeals and/or unrealistic, unreasonable outcomes
- insistence on pursuing what may be meritorious complaints or appeals in an unreasonable manner
- complaints or appeals which are designed to cause disruption or annoyance
- demands for redress which lack any serious purpose or value.

14. Mid Essex ITT may terminate consideration of a complaint or appeal if it considers it to be frivolous or vexatious. In such cases, Mid Essex ITT should write to the applicant explaining why it is terminating consideration of the matter. The applicant should be provided with details of how to appeal against the decision and any associated timescale.