



## Physis Scotland Complaints, Academic Appeals and Grievance Procedures

### Introduction

Physis Scotland works with the general principle that most complaints occur through miscommunication or misunderstanding and that issues can be resolved by discussion between the parties with appropriate support where necessary. This approach should be sought in the first instance.

### Definitions

**Complaint:** This relates to issues a student has about any aspect of their training apart from academic decisions.

**Academic Appeal:** This relates to situations where a student is unhappy about an assessment result.

**Grievance:** This relates to matters such as teaching, progress from year to year, an individual's conduct or actions and may also follow a perceived lack of resolution of a complaint.

### Complaints Procedure

The procedure is divided into two parts, an Informal Procedure, which emphasises mediation and resolution at the point where the complaint arose, and a Formal Procedure.

#### Informal Procedure (Stage 1)

If a student has an issue concerning any aspect of their training, except for academic results which comes under a separate procedure, he/she should first seek resolution with his/her year trainer, student adviser or Physis Scotland Directors of Training as appropriate.

Where required this will be mediated by a member of the Physis Scotland Team, or Student Adviser as appropriate. The person acting as mediator will be someone who is not involved in the issue raised.

Where resolution cannot be reached in this way, the following formal procedure will come into force.

#### Formal Complaints Procedure (Stage 2)

1. The student puts his/her concern in writing to the Directors of Training, marking it Confidential.
  
2. Within seven working days of receipt, Physis Scotland will arrange a meeting between the student and the Directors of Training and/or year trainer as appropriate and inform the student of the date. The purpose of this meeting is to discuss and resolve the issue. The student may bring someone with them to the meeting.



3. This meeting will ordinarily take place within fourteen working days of receipt of the complaint.
4. Physis Scotland will provide the student with a written outcome within seven working days of the meeting.

### **Appealing the Decision**

If the student considers the response to the complaint after completion of the formal complaints procedure to be unsatisfactory, he/she may appeal.

The appeal must be submitted in writing to the External Moderator within ten working days of the date of the notification of the outcome of the formal procedure.

The appeal will be considered by the External Moderator who on examining all the evidence from both parties will decide on a course of action.

N.B.

If for any reason the aforementioned procedures are considered by the student to be inappropriate an informal approach may be made to the external moderator from the outset.

### **Academic Appeals Procedure**

A student has the right to appeal in certain circumstances if he or she is unhappy about an assessment result. The student should consider whether the situation may be resolved informally with the marker. A student considering an appeal is encouraged to contact the Student Adviser for advice and assistance.

Those involved in the appeal will not re-assess the assignment or appraise the professional judgement of the marker(s), but will consider whether or not the decision was fair, and if all relevant factors were taken into account.

The appeal must be submitted in writing to the Directors of Training, within 21 days of receipt of the marked assignment. An extension will only be allowed in exceptional circumstances such as when a student, for reasons outwith his/her control did not receive timely notification of the result.

#### ***Grounds for Appeal***

These are as follows:



- additional information is now available that was not, and could not have been available to the marker at the time; where had it been available could have led the marker to making a different decision
- an irregularity in the conduct of the assessment.

A student may NOT appeal on grounds which:

- could have been considered by the marker had information been given prior to submission date.
- the student has no valid reason for having failed to give such information in time.

Please note: disagreement with the academic judgement of the marker is not valid ground for appeal.

### **Academic Appeal**

Students should submit their appeal in writing to the External Moderator and the Physis Scotland Directors of Training within the time limit stated above and include the following information:

- name and student number
- current contact address for correspondence, including email address
- year of programme
- result being appealed
- the grounds for appeal
- supporting evidence
- the resolution being sought

The Directors of Training will acknowledge receipt of the Appeal within 3 working days of receipt of the appeal, and pass the appeal to the External Moderator who shall attempt to resolve the matter, within 21 days of receipt either giving a decision or specifying a date for the decision.

### **Grievance Procedure**

This relates to matters such as teaching, progression from year to year, an individual's conduct or actions and may also follow a perceived lack of resolution of a complaint



## Grounds for a Grievance

A grievance can only be made on one of the following grounds:

1. Unsatisfactory delivery or administration of the training programme
  - inadequate teaching was provided for some or all parts of the programme;
  - published information about the programme was substantively misleading
  - the training programme was not organised or delivered in accordance with the information and documentation provided to students on the programme.
2. A decision to terminate, defer or refuse admittance on to the next level of the training programme in line with Deferral, Termination and Refusal Policy and Procedures which can be found in the Physis Scotland Training Manual.

## Time Limits

There are certain time limits for the submission of a grievance and students must ensure that the grievance is taken as soon as possible after the relevant event and within 21 days. In respect to the alleged unsatisfactory delivery or administration of a programme this must normally be before the end of the academic year in question.

## Informal Procedure (Stage 1)

Students are advised to have an informal discussion before making the grievance. Students may wish to prepare a first draft of the grievance complaint prior to this to help focus on the core issues. The appropriate person to have the discussion with will vary depending on the circumstances of the grievance and may be one of the following: year trainer, student adviser, Physis Scotland Directors of Training.

## Guidelines for Preparing the Written Grievance

First prepare a short summary of 50 words maximum considering the questions below:

1. Why do I need to take out a grievance
2. What do I hope the result will be?

Then prepare the full statement, considering the following questions:

3. Could I have done anything differently?
4. If yes, what and why did I not do this?



The full statement needs to be a clear explanation of what did or did not happen. Students should clearly demonstrate how their grievance meets the grounds for grievance outlined above.

### **Formal Procedure (Stage 2)**

1. The statement should be sent to the Directors of Training. This will be acknowledged in writing within 7 working days of receipt.
2. The grievance complaint will be considered and a decision on whether to proceed with the grievance complaint. If the decision is not to proceed Physis Scotland will confirm this in writing to the student with the reasons for the decision.
3. If the decision is to proceed, the Directors of Training will investigate the complaint. If the complaint is being made against the Directors of Training, an experienced member of the training team will investigate. A panel comprising the Directors of Training and a member of the training team will be formed and chaired by one of the Directors. The composition and chair of the panel may vary depending on the nature of the grievance. The student will be informed as to who the panel members will be.
4. The Panel Chair will contact the people involved in the grievance with a copy of the complaint and an invitation to submit a written response within 28 days.
5. A date will be set for a Panel Hearing.
6. The student and any others involved will be invited to attend a hearing and the panel may put questions to each person. Any person required to attend the hearing may be accompanied by a friend or colleague.
7. The sole purpose of the panel hearing is to investigate the grounds of the grievance made by the student; the interview shall not in any way constitute or be seen to constitute a disciplinary hearing against any member(s) of staff or the training team.
8. Where necessary, an independent person drawn from COSCA or UKATA may be appointed to advise the panel either orally or in writing.



9. The Panel shall inform the student and Physis Scotland of the outcome, giving detailed reasons for the decision and what compensating action, if any, should be taken in respect of the student.

### **Appealing the Decision**

1. Where the student wishes to appeal the decision of the Panel, this should be made in writing to the External Moderator together with all the supporting documentation.
2. The External Moderator will investigate and make a decision based on all the evidence.
3. The External Moderator's decision is final.