

**LEARNER APPEALS AND DISCIPLINARY PROCEDURES POLICY**

**Assessment Appeals Procedure**

This Appeals process is for use where there are no guidelines set out by the External Validating/Awarding Body.

Learners are made aware of these procedures and know how to use them when applicable. This is done by information provided during Induction and the Appeals Procedure is placed on the Learners’ notice board for continuous reference.

In the absence of a formal procedure, the following guidelines must be used.

**Stage 1**

The Learner wishing to appeal against an assessment decision must discuss the reasons for the appeal with the Internal Verifier. The Internal Verifier will then look at the assessment decision with the Assessor concerned.

**Stage 2**

If the Learner remains dissatisfied with the decision reached, the Learner must give notice of the appeal to the Internal Verifier within 5 days of receiving the assessment decision, using the Appeal Form here.

**Stage 3**

The Internal Verifier will arrange for an Independent Marker to reconsider the assessment decision.

The Internal Verifier or the Independent Marker will notify the Learner of the decision within 5 working days of receiving the appeal, using the Appeal Form.

**Stage 4**

If the Learner is still unhappy with the reconsidered assessment decision, the Internal Verifier or the Independent Marker must forward the documentation to the Director of Quality & Training or Principal within 48 hours of the re-assessment decision being given to the Learner.

The Director of Quality & Training or Principal will make a decision based on the evidence supplied by the Assessor, the Internal Verifier and the Learner. The Learner must accept the decision of the Director of Quality & Training or Principal as final. This does not affect the Learner's right to follow the Awarding Body’s Appeals procedure.

The Appeal Form is photocopied, with the master copy kept in the Internal Verifier’s file and a copy given to the Learner.

**Disciplinary Procedure**

Minor issues with Learners should be resolved informally. However, where there are repeated minor problems or serious offences are committed, the following Disciplinary Procedure will take effect.

**Stage One: Formal Verbal Warning**

**Stage Two: First Written Warning**

**Stage Three: Second Written Warning**

**Stage Four: Exclusion**

It remains at the discretion of the Academy/College to skip any of these stages should this be considered the most appropriate course of action.

**Minor Offences**

Typical examples of minor offences include but are not limited to:

* Consistent lateness, defined as more than 3 times in any 2 week period
* An unacceptable level of unauthorised absence, defined as more than 3 times in any 2 week period
* Leaving Academy/College without authorisation at any time
* Inappropriate conduct towards Teachers, other Learners or Gym staff/members
* Refusal to attend specific classes
* Lack of commitment to coursework

**Serious Offences**

Serious offences include but are not limited to:

* Theft
* Damage to Academy/College property, vandalism of Academy/College property
* Being under the influence of alcohol or drugs
* Violence or threatened violence towards teachers or other Learners
* Bullying and/or harassment, whether verbal, physical or sexual
* Any breach of the Academy’s/College’s Equal Opportunities Policy
* Any activities which bring the Academy/College into disrepute or seriously disrupt the work of the Academy/College, its Learners or associated businesses
* Any breach of the Reynolds Group Health & Safety Regulations
* Any criminal proceedings being brought against a Learner, whether directly associated with the Academy/College or not
* Refusal to participate in Academy/College activities either partially or in their entirety
* Plagiarism, cheating or malpractice

**Absence**

If you are unable to come into the Academy/College due to sickness or personal circumstances you need to call the main line between 8am and 8.30am.

Learners must apply to their relevant Programme Manager to be absent from Academy/College using the [Learner Absence Authorisation Form.](http://docs.reynoldsgroup.co.uk/images/Learner_absence_form.pdf)

If a Learner is absent without authorisation more than 3 times throughout the course the Disciplinary Procedure will be initiated.

If we cannot contact you at all you automatically be withdrawn from programme after 6 weeks.

**Lateness**

If you are late more than 3 times in any 2 week period, the Disciplinary Procedure will be initiated.

**Appeals**

If you wish to appeal against any decision that has resulted in a Formal Verbal Warning or a Written Warning, the following procedure will apply:

* The Learner should complete an Appeal Form and submit it to the Administrative Assistant
* The Administrative Assistant will discuss the arrangements of an Appeal Interview with the Principal or Director of Quality & Training, to take place at a time that is convenient to everyone. This will be attended by the Learner, the member of staff who originally raised the complaint, and an independent member of staff who was not involved in dealing with the original warning. A note-taker will also be in attendance. Any others who were involved in any way, such as witnesses, may also be invited to attend. The Learner may be accompanied by a person of their choice, such as a friend, fellow Learner, or parent/guardian.
* Notes from the Appeal Interview and the resultant decision will be communicated in writing to the Learner as soon as possible, but within seven days of the date of the Interview. The outcome of the Appeal Interview is final.

**Cheating and Plagiarism**

The acts of Plagiarism and cheating are considered by Reynolds Training Academy to be acts of academic dishonesty and, where proven, would be subject to the implementation of the cheating and plagiarism procedures set out below.

**Cheating**

Intellectual dishonesty may take the form of cheating when one presents as one's own the work of another. Some examples of cheating include, but are not limited to, the following:

* Copying an examination, assignment or other work to be evaluated
* Inappropriate collaboration on work to be evaluated
* The use of "cheat sheets"
* Buying/selling examinations, term papers
* Having another Learner take an exam; having another Learner write a term paper or assignment for which the Learner will receive credit
* Submitting work for which credit has already been received in another course without the express consent of the Tutor/Assessor

**Plagiarism**

Plagiarism is the representation of another's words, thoughts, or ideas as one's own. While it is expected that a Learner who is engaged in writing will utilise information from sources other than personal experience, appropriate acknowledgment of such sources is required.

Plagiarism includes:

* Paraphrasing the ideas, interpretation, expressions of another without giving credit
* Inventing sources
* By failing to acknowledge or document sources, a Learner is guilty of representing the thought of others as the Learner's own

Sources of information should always be credited through References.

**Procedure**

Any Learner who is suspected to have committed an act of cheating in any assessment will be subject to the Learner Disciplinary Procedure and the assessment outcome will be disregarded.

Any Learner who is suspected to have plagiarised in any assessment will be subject to the Learner Disciplinary Procedure and the assessment outcome will be disregarded.

The overall outcome will depend on the particular circumstances of the cheating or plagiarism, the level of the qualification and the understanding of the Learner. This will be decided at the discretion of the Assessor. Where it is clear that the Learner was unaware of what constitutes plagiarism, they will be given an opportunity to resubmit their work.

Individual Awarding Bodies offer guidance on cheating and plagiarism and this should be referred to for clarification for particular qualifications if necessary.

Should a Learner wish to appeal against any assessment decision, they should refer to the Appeals Procedure.

**Malpractice**

Reynolds Training seeks to avoid potential malpractice by ensuring that Learners and staff understand what constitutes malpractice and the penalties for attempted and actual incidents of malpractice.

**Malpractice by Learners**

This list is not exhaustive and other instances of malpractice may be considered by the Academy/College at its discretion:

* Plagiarism of any nature
* Collusion by working collaboratively with other Learners to produce work that is submitted as individual Learner work
* Copying (including the use of ICT to aid copying)
* Deliberate destruction of another’s work
* Fabrication of results or evidence
* False declaration of authenticity in relation to the contents of a portfolio or coursework
* Impersonation by pretending to be someone else in order to produce the work for another or arranging for another to take one’s place in an assessment/examination/test

**Malpractice by Academy/College Staff**

This list is not exhaustive, and other instances of malpractice may be considered by the Academy/College at its discretion:

* Inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the candidate's achievement to justify the marks given or assessment decisions made
* Failure to keep candidate coursework/portfolios of evidence secure
* Fraudulent claims for certificates
* Inappropriate retention of certificates
* Assisting Learners in the production of work for assessment, where the support has the potential to influence the outcomes of assessment, for example where the assistance involves Academy/College staff producing work for the Learner
* Producing falsified witness statements, for example for evidence the Learner has not generate
* Allowing evidence, which is known by the staff member not to be the Learner’s own, to be included in a Learner’s assignment/task/portfolio/coursework
* Facilitating and allowing impersonation
* Misusing the conditions for special Learner requirements
* Falsifying records/certificates, for example by alteration, substitution, or by fraud

**Procedure**

Where malpractice is suspected an investigation will be conducted in a form commensurate with the nature of the malpractice allegation. Such an investigation will be supported by the Director of Quality & Training or Principal and all Personnel linked to the allegation. It will proceed through the following stages, which will be fully documented:

* + Initial investigation
  + Initial report
  + Further report if necessary

The individual concerned will be made fully aware at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven.

The individual will be provided with an opportunity to respond to the allegations made and will be advised of how to appeal against any decision.

RTA Learner Appeals and Disciplinary Procedures Policy – reviewed 8-8-2023 / 1-3-2024