

Focus Fitness UK - Learner Appeals and Complaint Policy

What are the key policy principles?

To provide an avenue for all appeals or complaints to be addressed in a fair, efficient and confidential manner.

Focus Fitness UK - People Responsibilities

Learners

You are responsible for:

- Ensuring that you are fully aware of the appeals and complaints policy when you are considering appealing to a decision made on any aspect of your learner journey.

IAG

- Ensure you fully understand the full details of the appeals and complaints procedure and cover this in IAG.

Tutors/Assessors

- Ensure you fully understand the full details of the appeals and complaints and have covered this during delivery.

Education Manager/Head of Education

- Responsible for audit compliance and schedule
- To conduct an appeal or complaints procedure

What is the process?

Policy statement:

The appeals and complaints process are not a method of circumventing or setting aside the professional judgment of Focus Fitness UK Tutors/Assessors on the performance of learners. It is a way of ensuring that as far as possible all relevant circumstances affecting a learner's performance are brought to light and considered before a final decision is taken. Consequently, if an appeal is successful, the decision reached will normally be in accordance with the regulations set out by the awarding organisation.

Procedures:

We will ensure that, at the beginning of the programmes our learners are informed of the appeals and complaints procedure as well as at the beginning of every assessment they will be undertaking by Focus Fitness UK Tutors/Assessors.

Where an appeal has been put forward, we will not discriminate in anyway and conduct the appeal as per the Focus Fitness UK and the awarding body requirements.

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Owner:	Dave Donnellan/Matt Brown
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Formal appeal process

Stage 1

If a learner disagrees with an assessment decision made by the assessor, or the learner feels that they have been unfairly treated in the assessment process, the learner has the right to appeal the outcome in line with the appeals procedure, set and authorised by Focus Fitness UK, and the awarding organisation Active IQ.

At Focus Fitness UK, we strive to deal with complaints within 24-48 hours, with the learner notified of receipt of complaint.

Internal appeals process – conducted by Focus Fitness UK

Stage 1: The learner is to appeal the assessment decision to their tutor. The learner is to notify the tutor and lodge an appeal in writing. The tutor is to consult with the assessor regarding the decision. The outcome can be a re assessment, or a decision overturned by the tutor, if this is unresolved, stage 2 of the internal appeals process is conducted. If the assessor is also the tutor, the appeals process goes straight to internal appeals process stage 2.

The learner must state the following in their appeal using the following format to the Education Manager ian.murray@focusfitnessuk.com

Learner name

Title of programme, qualification or unit(s) and date of assessment

Course start date

Name of assessor

Nature of the enquiry/complaint/appeal

Stage 2: The appeal is then sent to the Education Manager, who will analyse the evidence and conduct an interview, separately with the learner and the assessor. The Education Manager has the right to overturn the decision, conduct an observed re assessment, or agree with the assessor's decision. Following the decision, the learner has the right to take the complaint to the awarding organisation and

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initiate the external appeals procedure. The Education and Quality manager will collate all evidence and follow the procedure for filing complaints in line with Active IQ's regulations.

External appeals process – Conducted by Active IQ in communication with Focus Fitness UK

Stage 1

Formal appeal process

Upon receipt of all appeals, following the initial review outlined above, the Head of Quality Assurance or Lead External Verifier will acknowledge receipt of the appeal within two working days and aim to respond fully to the appeal within 20 working days. Please note that in some cases the review process may take longer, for example if a centre visit is required, further information is sought from the appellant or others, or the matter is particularly complex. In such instances we will contact all parties concerned to inform them of the likely revised timescale.

The appeal will be reviewed by one or more of the following:

- Active IQ External Verifier allocated to the named centre (unless they are directly connected to the appeal)
- Active IQ Lead External Verifier
- Active IQ Head of Quality Assurance

We will ensure that the person carrying out the Stage 1 review does not have a personal interest in the dispute and was not involved in the original decision.

In the event that Active IQ determines that none of the individuals listed above are in a position to review the previous decision, it reserves the right to move straight to Stage 2.

Following the review of the appeal at Stage 1, we will write to the appellant with details of, and summarised reasons for our decision to either:

1. amend our original decision; or
2. uphold the original decision

If the original decision is upheld following the Stage 1 review, the appellant must confirm within 15 working days, if they wish to proceed to Stage 2 of the appeals process.

Stage 2

Independent review appeals process (fee chargeable)

If you decide to proceed to the independent appeal stage, you must describe, in writing, why you disagree with the Stage 1 appeal decision, and provide any additional supporting evidence that has not previously been provided. We will arrange for an independent review to be carried out.

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This review will be carried out by the Director of Quality and Standards (unless they have been directly involved in any aspect of the decision or appeal process prior to this point, in which case the Managing Director will carry out this role to the extent that they have not been directly involved with the matter previously) and/or an independent reviewer.

The independent reviewer must meet the following criteria:

- they must not be an employee of Active IQ, be an Assessor working for Active IQ, be otherwise directly.
- connected to Active IQ or have been associated in such a capacity for at least two years prior to the date of the decision under review.
- they must have the relevant competence to make a decision in relation to the appeal; and
- they must not have a personal interest in the decision outcome.

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