

LIDEEA's Appeals Procedure

Purpose

LIDEEA has a commitment to treat all learners fairly and equally. Appeals procedures are part of the process of ensuring that the company both operates and are seen to operate in a manner that upholds this ideal.

LIDEEA has to comply with the requirements of external bodies (Institute of Leadership and Management); this includes adopting and following relevant appeals procedures.

Statement

LIDEEA allows all learners to appeal against decisions that they perceive as unfair. Learners wishing to appeal should be guided to follow the appropriate procedure depending on the circumstances. If there is no appropriate appeals procedure then a learner is entitled to make a formal complaint.

Individuals generally are more accepting of decisions if they are justified. Therefore learners should always be given as much information as possible about the reasons for any decision that the learner may perceive as being detrimental or unfair. In making decisions staff have to consider all learners and the company in general, not just the individual. If this can be demonstrated without breaking confidentiality to a dissatisfied learner it can help the individual to accept a decision and acknowledge it as fair.

Appeals

When dealing with a learner who is dissatisfied with a formal decision taken by the company the first stage is to ensure that the individual has as much information as possible on the reasons for the decision. If you are unable to deal with the matter then the learner should be referred to an appropriate senior member of staff who can give an explanation.

If the learner already has as much information as possible and still perceives the decision to be unfair then they may wish to appeal against the decision by filling in an Appeal Form.

There are various appeals procedures according to the nature of the decision. The learner should be directed to the appropriate procedure.

It is only if there is no appropriate appeals procedure that a learner should be advised to make a formal complaint.

Learner Disciplinary Procedure

The Procedure describes how learners can appeal against a formal disciplinary penalty, including suspension and exclusion. An explanation of the right to appeal is always included in the written confirmation to the learner of the formal disciplinary penalty.

Further information and copies of the Procedure can be obtained from T&D Manager.

Primary information

General Principles of Appeals Procedures

Appeals relate to formal decisions. Given that there are policies and procedures or guidance notes covering all formal decision making situations there should be a written procedure to cover any potential appeal situation. The following guidance is not a substitute for agreed procedures but is provided to aid general understanding of an appeals process. It could be used should a need arise for an appeals procedure which has not already been anticipated and defined.

Explain the reasons for the decision

The learner may perceive the decision as unfair because s/he is not fully aware of the reasons behind the decision.

The first step is to ensure that the learner has as much information as possible, without breaking confidentiality, about how and why the decision was made. It may be necessary to involve other staff in this process. Written notes should be kept of the learner's case and what has been done in response. Notes should include names of all involved and times and dates; this becomes vital information if the learner chooses to pursue the matter.

Arrange for the decision to be reviewed

If the learner is still dissatisfied then the matter should be passed on and the learner told who is to consider the matter, when and how they will be informed of the outcome.

In deciding the most appropriate person or group to pass the matter on to consideration should be given to the following:

- The person or group must be sufficiently senior to be able to overturn the original decision if they deem it unfair.
- They must be able to be seen as impartial and therefore should not have been involved in making the original decision.
- They must have sufficient knowledge of the circumstances and connected issues to be able to make a judgment which is fair to all parties.
- If the learner later chooses to complain about the matter it must be heard by yet another person or group, therefore if members of the Senior Management Team are involved in the early stages it can force a learner to take their complaint outside of the company.

Inform the learner of the right to complain

If none of the above satisfies the learner then s/he must be informed of the right to make a formal complaint using the Complaints Procedure.