

# The Teacher Learning Academy Appeals Procedure

## Context

The appeals procedure forms part of the Quality Assurance Framework for the Teacher Learning Academy (TLA) recognition system. It is designed to be an equitable and transparent process for teachers' appeals against not recognised decisions by verifiers and moderators at stages 1,2 and 3 of the TLA. If the teacher is not appealing against the judgement, but has concerns about other aspects of the verification process, the teacher will need to follow the complaints procedures.

The approach to the verification and moderation of stage 4 presentations is still in pilot.

## The Appeals Procedure

### 1 Purpose

To set out an equitable and transparent process by which teachers can appeal against not recognised decisions at stages 1, 2 and 3 of the TLA.

### 2 Background

2.1 The TLA has agreed verification criteria against which judgements are made for each of the four stages of recognition. All not recognised judgements are moderated; a teacher can appeal against this judgement if dissatisfied with the outcome of the presentation at stages 1, 2 and 3.

2.2 Fig. 1 shows the different stages in the appeals procedure. In summary:

- If a teacher initiates an appeal and there is a disagreement between judgements after moderation the logistics partner (Cambridge Education, CE) refers the appeal to the GTC for 'blind' verification by one of the appeals panel verifiers.
- If the 'blind' verification disagrees with the original judgement or significant aspects of the feedback the appeal is referred to the appeals panel for a final decision.
- Provided that the appeals panel is satisfied that the referring teacher has provided adequate information outlining their discontent on all the issues identified within the feedback and presentation on the completed appeals form it will consider the proposed intervention.

2.3 This document sets out process for handling appeals and the terms of reference for the appeals panel.

### 3 Terms of Reference for the Appeal Panel

#### 3.1 Authority

The panel will review and decide cases where teachers wish to appeal against the original not recognised judgement, as made by the verifier and moderator. The appeals panel is the final arbitrator of a decision for the Teacher Learning Academy.

#### 3.2 Membership

Membership of the panel will comprise of:

- the Quality Manager of the TLA or a representative, who will act as the Chair of the panel
- the Quality Assurance Manager of the logistics partner (CE) or a representative
- GTC Quality Adviser (or another adviser with verifier stage 3 experience) and
- Two experienced Appeals panel verifiers

#### 3.3 Professional and administrative support

The panel should not include any member who took part in the original decision or subsequent consideration of the case. If any member of the panel believes from the information provided that they have personal knowledge of the individual they should declare this to the Chair of the appeals panel who will then seek to replace them on the panel. The panel should have the opportunity to commission external expertise if this is relevant. If there is instrumental dispute of the facts it is proposed that the panel should be able to seek the advice of a separate independent arbitrator i.e., one of several nominated external experts with current knowledge of TLA verification.

#### 3.4 Quorum

At least three members of the panel must be present, including the Chair and at least one experienced verifier.

#### 3.5 Frequency of meetings

The panel will meet once per academic term.

#### 3.6 Terms of reference

3.6.1 The panel will consider and decide upon, appeals against decisions taken under the TLA Framework.

3.6.2 Members of the panel should declare, before considering the appeal, whether they have any personal interest in the case.

3.6.3 In hearing the appeal the panel will consider:

- whether the original judgement was valid in terms of process factors considered, and criteria applied, and/or
- any new relevant information provided by those appealing and which members of the panel feel is necessary to inform the panel hearing.

3.6.4 The panel will consider the appeal within the following framework:

- taking into account all relevant information, including the original and subsequent judgements and feedback giving proper consideration to the claims of the teacher as outlined in the submitted appeals form
- taking into account only material factors
- acting in the utmost good faith and
- taking a decision that is in every sense reasonable.

## 4 Appeals Process

### 4.1 Who may appeal

Appeals to the panel may be made by a teacher dissatisfied with the outcome/ judgement of their presentation at stages 1, 2, or 3. The appeal will be against a presentation that is not recognised and this presentation will therefore have been moderated at least once.

### 4.2 Method of making an appeal

The Appeal form can be obtained by contacting the TLA Helpline on 0330 1239 121 or by email at: [quality@teacherlearningacademy.org.uk](mailto:quality@teacherlearningacademy.org.uk)

Appeals should be made in writing to the QA Manager (CE) stating the grounds for the appeal and should be made within 20 working days of being notified of the right to appeal. This notification should accompany all communications of not recognised decisions to teachers.

On receipt of a completed appeal form outlining reasons for discontent the case will be referred to the appeals panel. The TLA Quality Manager and QA Manager (CE) will be notified. However, If the presentation has already been verified a third time as not recognised, e.g. as part of CE's 2<sup>nd</sup> tier or GTC's 3<sup>rd</sup> tier moderation, and all three judgements agree, this feedback will be sent to the Appellant and the appeal will cease. If one judgement out of the three is recognised, the appeal will continue. The presentation will be made available without previous feedback to the GTC and will provide the name of a panel verifier who will conduct a blind verification and will notify CE of the judgement reached.

### 4.3 Grounds for appeal

This should include whether:

- the original judgement was valid in terms of process factors considered, and criteria applied as may be evident from the written feedback, and /or
- any new relevant information is available which would materially affect the decision.

### 4.4 Arrangements for the hearing of the appeal

Teachers are given the opportunity to make a representation through the completion of the appeals form. Teachers will not be required or permitted to attend appeals panel hearings. The appeals panel will meet once a term where required, to consider all outstanding appeals. The presentation and all feedback (first verification, moderation and appeals re-verification) will be made available to the panel to consider. The panel will retire to make their decision in accordance with the terms of reference.

The recommendations that can be reached by the appeals panel are limited to:

- the appeal be upheld and the original decision overturned
- the rejection of an appeal
- the rejection of an appeal but with a recommendation that the panel review some aspects of its criteria or procedures.

Fig. 1 The Appeals Process



## 5 General

### 5.1 Communication

The appeals panel will nominate a member of the panel to feedback the decision to the teacher and confirm the outcome with CE. Feedback on the decision will be in writing in the first instance. The nominated panel member will also provide clarification via a telephone conversation if requested.

If the original verification/ moderation judgement has been overturned, the above nominee should also feedback to the verifier and moderator concerned. This should be done within two days of the panels meeting.

### 5.2 Confidentiality

The individual and her/his school or support partner should remain unidentified and unidentifiable throughout the whole process wherever possible and appropriate. Information about the individual will be revealed to the panel as required by paragraph 3.2 above. Panel members are committed to respecting the confidentiality of the teacher and the discussions of the panel. Subsequent references to the work of the panel e.g., summative reporting to the Standards Committee, will ensure that individuals remain unidentified and unidentifiable.

### 5.3 Reporting Procedures

Decisions of the appeal panel will be presented to the Standards Committee. An annual review of decisions will be taken to ensure that:

- decisions are consistent with the principles adopted by the policy
- decisions are consistent with previous similar decisions
- all minutes of the panel will be written in such a way as to ensure the confidentiality of any information that could identify any individual in the case considered by the panel.

## APPENDIX ONE: PRACTICAL ARRANGEMENTS

### Expenses

The TLA will meet the cost of expenses of the visiting panel members. All expenses must be recorded on the expenses claim form provided by staff on the day of the appeal and receipts must accompany any claim. Claim forms should be returned to the GTC Quality Administrator **within 10 working days** of the appeal date.

### Travel

The TLA will reimburse the cost of public transport (standard class) incurred by the visiting panel members. All persons are expected to ensure the most economical travel ticket is purchased (advance purchase of tickets will be possible in most circumstances and will normally reduce the costs – purchasing train tickets via [www.thetrainline.com](http://www.thetrainline.com) offers significant cost savings and should be used whenever practical).

Public transport costs will only be reimbursed on production of receipts – please ensure you obtain and retain receipts which must accompany any claim.

Travel between normal place of work (or home) and the local rail station will be reimbursed on production of receipts (taxis only where no other public transport is available). Where it is necessary to use a private car to travel to the local rail station the Council will reimburse mileage at 23.8p per mile where the claimant is responsible for all costs of the vehicle. The rate is reduced to 9p per mile where the claimant is responsible for fuel costs only. In no circumstances will the Council reimburse private car mileage at a level which exceeds the cost of using available public transport for any journey.

### Verification fee

The Council will reimburse the employer of a teacher i.e., verifier, attending an appeals panel meeting, subject to a daily rate maximum of £200. This is not an allowance. It is a reimbursement for additional costs incurred by the school.

The claim form provided should be completed by the employer and returned to the GTC Quality Administrator, TLA **within 10 working days** of the appeals panel meeting.

### Contact information

TLA appeals are administered by the Quality Administrator (GTC) based at the GTC's London Office:  
General Teaching Council for England  
Whittington House  
19–30 Alfred Place  
London  
WC1E 7EA.

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