

Procedural Appeals Policy

1. What does this policy document cover?

- 1.1 This document describes LCME's policy on the management of appeals following the completion of processes outlined in the following LCME policies:
- Complaints Policy
 - Equality of Opportunity, Reasonable Adjustments & Special Considerations Policy
 - Malpractice & Maladministration Policy
 - Sanctions Policy
 - Whistleblowing Policy
- (Applicable Policies)
- 1.2 This policy applies in circumstances where there has been an outcome relating to formal complaint, reasonable adjustment, special considerations, an investigation into malpractice, maladministration or whistleblowing, or the application of sanctions.
- 1.3 This policy does not apply to appeals relating to exam results. Please follow the process outlined under the LCME Appeals Against Results Policy for appeals against exam results.

2. What are the grounds for an appeal?

- 2.1 You may appeal a decision by LCME relating to the Applicable Policies on one or more of the following grounds:
- a. Procedural error – where the process leading to the decision being appealed against was not conducted in accordance with LCME's procedure and policies.
 - b. New information or evidence which was not known at the time of the original decision being made and for which there is a reasonable explanation for its absence during the initial decision-making process (1) is now available, and (2) could potentially materially affect the original decision.
 - c. The decision being appealed against was manifestly unreasonable.

3. How to Submit and Appeal & Timescales

- 3.1 If you wish to raise an appeal against a decision LCME has made, the appeal must be submitted within **15 working days** of the date of issue of the outcome letter from the relevant process above.
- 3.2 Appeals submitted outside of the time limit will not be accepted, save for exceptional circumstances.

4. Stage 1 Appeal - what happens next?

- 4.1 LCME will acknowledge receipt of your appeal documentation within **5 working days**.
- 4.2 In the case of an appeal against a decision we have made, your request will be allocated to a member of the head office team, who is wholly unconnected with the original decision-making process, and who will review the evidence relating to your case, referring to others involved as necessary. The outcome will be communicated to you within **20 working days**. In complex appeal cases, you will be notified of the outcome within **50 working days**. In instances where it has not been possible to resolve the appeal within required timelines, you will be informed of the reasons for the delay and the expected date of the appeal outcome.

5. Stage 2 Appeal

- 5.1 If you remain dissatisfied with the result of the Stage 1 Appeal, you can submit a Stage 2 appeal. If you wish to raise a Stage 2 appeal, you should respond to the correspondence within **15 working days** of receiving the outcome from the Stage 1 process above.
- 5.2 Appeals submitted outside of the time limit will not be accepted.

6. Stage 2 Appeal - what happens next?

- 6.1 On receiving a Stage 2 Appeal, LCME will appoint a suitable member of the central team to co-ordinate the investigation. An independent external reviewer, who is not an employee of LCME who has had no input into any previous process relating to the appeal, will also be appointed.
- 6.2 The independent external reviewer will have access to all the available information relating to the appeal. They will assess the information and the grounds for appeal and produce a report detailing final outcomes and the actions LCME is recommended to take as a result.
- 6.3 We aim to conduct the investigation within **20 working days**. Where an investigation proves more complex, LCME will report on progress regularly until a conclusion is reached.

7. Communication of outcomes

- 7.1 The investigation will determine one of two outcomes.
- a. If the appeal is upheld, LCME will suggest appropriate action to rectify the situation.
 - b. If the appeal is rejected, no further action will be taken.

8. Contacting the regulator

- 8.1 If you remain dissatisfied with the outcome of the appeal process, specifically about how LCME handled it, you have the opportunity to escalate the matter to the relevant regulator:
- Ofqual: <https://www.gov.uk/government/organisations/ofqual/about/complaints-procedure>

- Qualifications Wales: <https://qualifications.wales/about/complaints/#complaining-about-an-awarding-body>
- CCEA: <https://ccea.org.uk/contact/complaints>

Glossary of Terms

Applicable Policies	means the LCME procedures and policies (with the exception of Appeals against Results policy) which are applicable to this Policy.
Candidate	means an individual who is registered with LCME to undertake an LCME examination.
LCME	means London College of Music Examination

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