

## **Appeals Procedure**

The attainment of a qualification involves assessment in the workplace and decisions being made about a learner's competence in a diverse range of work tasks and activities. At some point during the assessment process the learner may disagree with their assessor's judgement of competence.

An Appeals Procedure is available for any learner who is not satisfied with the decision or feels it is unfair. This process is designed to deal with appeals in a fair, objective and independent way. In addition, it sets out to safeguard against any instances of discrimination.

The following information sets out the elements involved in the Appeals Procedure and will describe the steps each party should take when an appeal is lodged.

### **Grounds for bringing an appeal**

It would be impossible to provide an exhaustive list of grounds for bringing an appeal. Each situation will be dealt with on its own individual merits. However, it is likely that disagreements will fall under one or both categories set out below:

#### *Disagreements about assessment decisions*

- The learner believes that the evidence they have produced does not warrant the assessment decision

#### *Disagreement about the conduct of the assessment process*

- The learner feels that the assessment process has been discriminatory in its conduct
- The assessor demands more evidence that the performance criteria does not require
- The learner feels that they have had unfair access to assessment, i.e., insufficient time being allocated by the assessor

## Implementation of the Procedure

When a learner feels that their assessor's decision is unjustified, and/or that they have been disadvantaged by the conduct of the assessment or the quality assurance process, the learner should raise their issue in the following way:

1. Register their comments on their course feedback form and discuss their concerns with the assessor. The learner and the assessor must consider appropriate action to rectify the situation.
  - a. If the appeal is against the assessor and the learner does not feel they can discuss this with their assessor, the learner refer the matter to the Centre who will arrange for an Internal Verifier to discuss their concerns and try to resolve the situation.
2. If the issue cannot be resolved between the assessor and the learner, the learner should lodge their appeal utilising the Appeals Procedure form, and send this via email within seven working days of the disputed assessment decision or assessment to the Operations Manager. *Any appeals submitted after this timeframe will not be acknowledged.*
3. The Operations Manager will then appoint an Internal Quality Assurer (IQA) to this appeal. The Internal Verifier will then arrange a meeting within twenty working days between both parties to try and find a mutually acceptable solution. The Internal Verifier will re-consider the assessment evidence to ascertain if the decision is valid and appropriate and to give advice and make suggestions about an appropriate course of action to resolve the matter.
  - a. The IQA will take notes during the meeting and email a summary of the points covered during the meeting to the learner. The IQA will request the learner to confirm accuracy of the email's contents by email. If the learner disagrees with the email's contents, they should include their concerns in the email.
4. The IQA will submit, in writing, within twenty working days, full details to the Operations Manager.
5. The Operations Manager will convene the appeals panel within twenty working days to consider the appeal.
6. The Operations Manager will notify the External Quality Assurer (EQA) that an appeal has been lodged and the date and composition of the Appeals Panel, if unresolved. The learner can request access to the EQA and should be so informed.
7. The Operations Manager will be copied into all correspondence and will ensure that all

documentation is collated and recorded for future reference.

### **The Appeals Panel**

The panel should:

- Be small and constituted to be objective and independent.
- Ensure that it has full accounts from all parties involved in the assessment.
- Ensure that no-one involved in the original assessment is on the panel.

The Approved Centre must be able to demonstrate that it can set up a panel which is objective and independent. In some cases, this may mean inviting an experienced NOS/Qualification Assessor or IQA from another Approved Centre to sit on the Panel.

All decisions/actions of the Appeals Panel will be recorded in writing, and be made available to the parties concerned via email and filed by the Operations Manager for examination by the EQA at the regular visit.

The learner will have the right to be accompanied at any interview or meeting by a Trade Union representative or work colleague. The role of the accompanying person is to ensure the interview is conducted fairly and that the content of the discussion is understood by the learner.

### **Possible Outcome of an Appeal**

The outcome of an appeal may be one of the following and the learner will be informed by letter.

1. Confirmation of the original decision.
2. Re-assessment.

Once all aspects of the internal appeals procedure have been exhausted without a satisfactory conclusion, the case can be referred by the appeals panel to the Awarding Body. The Awarding Body will act as final arbiter in the case of unresolved complaints.

The written record and evidence of the Appeal is to be kept by the centre for three years.

The appeals process is outlined in the flow chart below:

