



Appeals Policy

Introduction

This policy includes the procedure for making an appeal to Qualsafe Awards (QA) and describes how our staff will deal with it.

Appeals can be made by:

- Learners
- Trainers
- Centre staff
- Anyone involved with QA

Learners, Trainers or Centre staff must initially make their appeal to their Centre, QA will only consider an appeal after the Centre has had the opportunity to resolve the appeal.

Grounds for an appeal

Appeals can be made about an assessment or any other decision made by QA or one of our approved Centres, including:

- Quality/results of assessments
- Decisions made regarding reasonable adjustments or special considerations
- Administration errors
- Withdrawal of certification or action plans resulting from monitoring audits
- Decisions relating to any action taken following a malpractice/maladministration investigation

Learners have the right to appeal against assessment decisions if they think:

- The Trainer has made the wrong assessment decision
- There has been a clerical error in recording a result

If a Learner is not satisfied with the outcome of the Centre appeals process, they can appeal to QA.

Only people who have appropriate competence and no personal interest in the decision being appealed will make appeal decisions.

Centre's responsibility

Our Centres should give Learners, Trainers/Assessors and Centre staff information about their own appeals process and access to a copy of the QA *Appeals Policy*.

Centres can arrange to have a Learner reassessed or their work checked by a Trainer/Assessor not previously connected to the Learner. If the Centre does not have an alternative Assessor, they can contact QA and we will appoint one for them.

The Centre must record and document all evidence and information about every appeal, including who carried out the reassessment and the appeal outcome. Centres must forward these records to QA for reporting purposes and make them available for inspection, quality assurance and audit purposes.

Appeal records

QA will keep records of all appeals we deal with and submit information about their number, type and outcomes to the Qualification Regulators (e.g. Ofqual) as require.

Appeals to Qualsafe Awards

Registering an appeal

If the alternatives have failed to produce a satisfactory outcome for the Centre or person and they feel that they have grounds for an appeal, they should register their appeal with QA. They can do this by completing an *Appeals Form* (available on the QA website) and by emailing this to appeals@qualsafeawards.org.

Appellants are required to pay a fee of £100 before any appeal will be accepted.

They must include all relevant information, including their reasons for the appeal and all supporting evidence, and this must be done within 20 working days from receipt of the Centre appeal decision or other situation giving rise to the appeal. Any appeal received more than 20 working days after the Centre appeal decision was issued or which does not include all relevant supporting evidence will be rejected.

Dealing with an appeal

Appellants will receive an acknowledgement from QA within five working days. We will then:

- Log the appeal and allocate a reference code. If applicable, links will be made to the appropriate Conditions of Recognition
- Complete an investigation within 20 working days of receiving the query, unless further information or a Centre visit is needed
- Tell the appellant whether the appeal is:
 - Upheld – detailing the action(s) to be taken and who by
 - Not upheld – detailing the reasons for this and their right to request an appeal review by our Governing Body.

In the case of assessment decisions, our Operations and Compliance Manager will focus on whether the procedure followed was:

- Consistent with the appropriate regulatory Conditions of Recognition
- Applied properly and fairly when making assessment decisions

If we find a discrepancy, we will inform the appellant and Centre and issue a corrected result immediately to the Learner (via their Centre).

Appeals review

If an appeal is not upheld and the appellant is unhappy with the outcome, they can ask the QA Governing Body to review the appeals procedure, how this was conducted and the decision made.

The appellant should make their request in writing no more than 15 working days from the QA appeal decision being issued. Appeal review requests received more than 15 working days after the QA appeal decision was issued will be rejected.

In making an appeal review request, the appellant must include:

- Details of the original appeal
- A statement about why they think the appeal process was flawed or the decision was incorrect
- Supporting evidence

An appellant requesting an appeal review is required to pay a £200.00 review fee before the review request will be accepted. This fee is refundable if the appeal is upheld (cheques made payable to *Qualsafe Awards*).

The Governing Body will consider the appeal. For appeal purposes, the group will be made up of three members of the Governing Body or other independent people appointed by QA if necessary. Members of the appeals group will be appointed for a specific appeal and will be completely independent of the organisation involved.

The Governing Body is not permitted to re-mark or reassess work but may request that the work is re-marked or reassessed if they establish that correct procedures have not been followed.

Our Governing Body will:

- Complete their review within 15 working days of reviewing the query
- Tell the appellant if the appeal is:
- Upheld - detailing any action to be taken and who by (the review fee is also returned)
- Not upheld – detailing the reasons for this, any further actions to be taken and who by and their right to complain to Ofqual if they are dissatisfied with any aspect of the outcome or process.

Complaints – Ofqual

public.enquiries@ofqual.gov.uk

Telephone: 0300 303 3344

Monday to Friday, 9am to 5pm

Appeal outcome affects Learners

If an appeal outcome throws doubt on other results, QA will also investigate these results. We will do everything we can to protect the interests of all Learners and the integrity of the units and/or regulated qualifications. We will cooperate fully with the Qualification Regulators in any follow-up investigations and to take agreed remedial action, including:

- Identifying any other Learners affected
- Arranging for all affected Learners' evidence to be reassessed by another Assessor
- Informing the Centre certification is suspended for decisions by the Assessor, pending re-training
- Arranging for a cross section of Learners' evidence from that Centre, across Assessors, time, units and awards to be re-checked by another Assessor to make sure the failure in the assessment process does not recur
- Informing the Centre if other Assessors are included in the investigation and any action taken
- Recording of action taken against the relevant Assessors on our Customer Portal to make sure inappropriate actions cannot take place
- Amending original judgements when required and inform the Centre and Learner, providing revised documentation as necessary
- Arranging an external quality assurance visit to draw up an action plan with the Centre's Responsible Person, to develop staff and the Centre's Internal Quality Assurer if necessary
- Our External Quality Assurer confirming completion of any action plan to Qualsafe Awards
- Re-instating the Centre with an appropriate risk rating status. Re-checking Learners' evidence for Trainers at appropriate intervals to ensure consistent accurate judgements are being made
- Lowering risk status once we are satisfied that judgements are accurate.

Assessment methods challenged because of appeal

If the validity of a particular assessment method is challenged as a result of an appeal, QA will take the action to maintain the integrity of the qualification and protect the cohort of Learners, including:

- Forwarding the assessment process for consideration by the Governing Body. They will inform QA of their findings and any action to be taken to protect the cohort of Learners
- Immediately contacting all affected Learners and telling them what will happen next
- Informing all affected Centres of the suspect assessment process and taking appropriate action to protect the integrity of the qualification
- Keeping a record of all suspect material to make sure it is not used in future assessments
- Keeping a record of the appeal and outcome and provide details to the regulators as required

Timescale for appeals

Appeals must be made within 20 working days of the original decision or incident.

We will acknowledge appeals within five working days of receipt.

We will investigate and notify our decision within 20 working days (if appropriate*).

Our Governing Body will hold appeal reviews and notify their decision within 15 working days (if appropriate*).

*If the investigation will take longer than the targeted number of working days for the decision, we will tell the appellant.

Qualsafe Awards

Policy review arrangements

QA will review this policy on an ongoing basis as part of our continuous improvement activities and revise it as and when necessary in response to customer and Learner feedback, changes in our practices or the outcome of investigations. In addition, we may update this policy in light of operational feedback to make sure our arrangements for dealing with appeals remain effective and fit for purpose.

Contact us

If you have any queries about the contents of this policy, contact our customer service team:

Tel: 0330 660 0899* / 01274 381414

Calls may be recorded for training and quality purposes.

**Costs to call this number will vary depending on your phone company's access charge.*

Email: info@qualsafeawards.org



Anita Goodfellow

Chief Executive

17 November 2021

Owner: CEO

Regulatory References: Office of Qualifications and Examination Regulations (Ofqual) *General Conditions of Recognition* (C2,11)

QA Documents Referenced: *QA Customer Complaints Policy*