



Learner Appeals Policy

1. Introduction

Any learner undertaking a programme with the Company (Think Employment Ltd) who is unhappy about any aspect of the assessment process has the right to complain through the Complaints / Praise Policy.

If, however, the learner disagrees with an assessment decision, the following process should be taken:

2. The Process

Learners who are unhappy about any aspect of the assessment process should first discuss the problem with the Tutor within 5 working days of receiving their result.

For assessments that are taken using automated testing software which has been approved by BCS, City & Guilds, Skillsfirst, Ascentis, NCFE, Open Awards and TQUK, the appellant should:-

- Make their reasons clear at this time.
- In the event of a Learner raising a complaint, the assessment report, which will have been produced by the system, will be fully discussed with the Learner.
- An action plan will be agreed and a further assessment date scheduled. In some circumstances the Learner may be offered a free re-test (e.g. if there had been hardware or software problems).
- If the Learner is unhappy with the decision of the Tutor, the Learner must write within 5 working days to the Head of Operation, who will fully review the complaint and attempt to find a solution.
- If a solution is not agreed on between the Head of Operation and the Learner, the awarding body appeal procedure will be followed. See details below.

For qualifications that are assessed by the tutor/assessor:

- The Learner must make their reasons clear at this time to the tutor/assessor.
- The tutor/assessor will review his/her assessment with the Learner, explaining the judgement decision.
- Should the Learner not be happy with this judgement decision, the Learner must write to the lead Internal Quality Assurer within 5 working days.
- The lead Internal Quality Assurer (IQA) will review the assessment within 5 working days of receiving the enquiry and will inform the Learner of his/her decision.
- If the Learner is unhappy with the decision of the lead IQA, the query will be sent to the awarding body's External Quality Assurer (EQA) for him/her to review the assessment. The IQA will inform the Learner of the EQA's decision as soon as he/she receives this decision. The EQA's decision is final.

The centre will keep a written record of each stage of the process with dates and outcomes.

3. Result enquiry

For some qualifications such as functional skills, the exam paper is marked by the awarding body. If a learner wishes his/her paper to be remarked, he/she should submit an enquiry to the awarding body rather than an appeal.

When the remark goes in favour to the learner, the awarding body does not charge; however, when the remark confirms the initial grade, the awarding body applies a fee. If the learner has requested the remark, the learner will be required to pay this fee.

4. Awarding bodies' appeals process

Note: the awarding bodies use the term "Centre Manager." For the Company, the awarding body Centre Manager is the Head of Central Support. The wording in this section is taken from the awarding body's wording.

BCS

- If a learner is not able to resolve an appeal relating to a BCS Assessment at the approved centre, then he/she has the right to appeal to BCS. This can be done via the BCS centre manager, contact details below, or direct to the BCS Quality Team in writing. Learner appeals must be made to BCS within 20 working days of the date of the assessment together with the appeal fee (details of the appeal fee on BCS website). This fee will be refunded if the Learner's result improves following the appeal. The address will be supplied on request.
- BCS will acknowledge receipt of the appeal and advise the learner or centre of the timescale for a decision.
- The BCS Representative will investigate the circumstances of the appeal and make a report to the appeals panel. In very exceptional cases, the appeals panel may request the Centre Manager possibly accompanied by the Learner, to attend a meeting of the panel to provide further explanation of the circumstances of the appeal.
- Appeals panel decisions will be given in writing to the Centre Manager and the Learner and are final.

City & Guilds

- If the Learner is not able to resolve an appeal relating to a City & Guilds Assessment at the approved centre, then he/she has the right to appeal to City & Guilds. This may be done by completing the E2 form, which is available on the City & Guilds website – cityandguilds.com. there will be a charge to make an appeal, the details of which are on the City & Guilds website.
- Appeals must be made to City & Guilds within 40 working days of the date your examination result was issued by City & Guilds.
- City & Guilds will acknowledge receipt of the application within 2 working days and will provide written outcome of the appeal within 32 days of the date the application was acknowledged.
- After a review, the appeal will either be upheld or rejected. City & Guilds will send a letter of notification to the learner.

Skillsfirst

- If the Learner is not able to resolve an appeal relating to a Skillsfirst Assessment at the approved centre, then he/she has the right to appeal to Skillsfirst. This may be done by completing the appeals form, which is available on Skillsfirst website – skillsfirst.co.uk. There will be a charge to make an appeal, the details of which are on the Skillsfirst website.
- Appeals must be made to Skillsfirst within 20 working days of the date your examination result was issued by Skillsfirst.
- Skillsfirst will acknowledge receipt of the appeal within 2 working days.
- The Skillsfirst Customer Service Team Leader will undertake, within 10 working days, an initial, informal assessment of the appeal to ensure the appeal documentation is complete and to ascertain if the issue can be resolved before it goes to a formal appeal.
- The appeal will either be upheld or rejected and the Learner will be informed of the decision.
- Should the Learner wish to go through a formal appeal, he/she will need to follow the instructions given by the Skillsfirst Customer Service Team Leader.

Ascentis

- Learners who wish to appeal about their assessment results or about a related decision should either be supported by their centre or should have exhausted their centre's own appeals process before appealing to Ascentis. In the latter case, the Learner must provide evidence that they have first appealed to their centre. It is expected that learners will only appeal directly to Ascentis in exceptional circumstances.
- The centre/learner appealing has 20 working days from the date they receive notification of a decision made by Ascentis in which to lodge an appeal against that decision.
- Submitting an Enquiry about results: There may be occasions where we make assessment decisions that you do not agree with. An enquiry about results can be submitted to Ascentis in relations to assessment decisions made by head office or External Quality Assurers. For a full description of the enquiry types and fees, please refer to ascentis.co.uk site.
- Upon receipt of all appeals, Ascentis will acknowledge receipt of the appeal as soon as possible and within **2 working days** and aim to respond fully to the initial review of the potential appeal within **20 working days**. Please note that in some cases the review processes may take longer, for example, if a centre visit is required. In such instances, Ascentis will contact all parties concerned to inform them of the anticipated timescale.
 - Ascentis will undertake an initial, informal assessment of all potential appeals to ensure the application is complete and to ascertain if the issue can be resolved before it goes to a formal appeal.
 - If the appellant decides to proceed to the formal appeal stage Ascentis will arrange for an independent review to be carried out by an independent party.
 - The Independent Reviewer's decision is final in relation to how Ascentis will consider the outcome of such appeals. Ascentis will notify the appellant of the outcome of the review within 20 working days of receipt of the appeal. If the

appellant is not satisfied with the outcome at this stage they are entitled to raise the matter with the relevant qualification regulator.

ProQual

- If learners have enquiries about assessment decisions affecting their results they should first speak to their assessor to discuss the matter. The assessor should be able to explain any assessment decisions and if necessary explain to the learner what they must do in order to meet the required standard.
- All enquiries relating to assessment or other decisions should be dealt with at approved centre level, if the outcome is not satisfactory, then the centre should contact the Operations Manager who will initiate an investigation.
- A learner whose appeal has not been upheld by his or her approved centre may specifically request ProQual to review the conduct of the appeal. The request will be addressed to the EQA Verifier through the approved centre.

NCFE

- You must submit an appeal application **within 30 working days of receiving the original decision**, the outcome of an enquiry, or the outcome of a review of an appeal (Stage 1)
- The decision of whether or not to accept the application for an appeal is based on several factors, and you will be notified within **5 working days** from the date the appeal was submitted if it has been accepted or rejected.
- If accepted to stage 1, we will aim to resolve an appeal within 20 working days of acceptance. An appeal outcome report will be sent within 5 days of the decision being made, either upholding or rejecting the appeal at this stage.
- You have the right to submit an appeal to the Independent Appeals Committee (stage 2) following completion of the stage 1 appeals procedure if you are not satisfied with our decision/outcome. We will aim to confirm acceptance within 5 working days, and once the committee have made a decision you will be informed within 5 working days.
- If the stage 2 review found that we had not correctly applied our processes, procedures or policies fairly or consistently, we will send you an appeal outcome letter or email, which will include remedial actions to be completed, including appropriate timescales.
- If the stage 2 review found all processes, procedures and policies to have been applied correctly and in a fair and consistent way the appeal will be rejected. The decision of the Independent Appeals Committee is final and will complete our appeals procedure. We will not accept any further appeal.

Open Awards

- The Company's staff member or the learner must submit their appeal **within 30 working days** to Open Awards at the address provided in section 4 below. The appeal submission should include the learner's name and registration number; details of the qualification affected; a full statement for the reasons of the appeal, as well as any investigation carried out by the Company (if relevant) and supporting evidence/documents; the signature of the learner.
- The learner will receive an acknowledgement of receipt within 5 working days.

- Open Awards will review all available information and report the outcome of their investigations **within 30 working days** of receipt of the appeal. However, if the appeal involves a remark, a revised timescale will be agreed on. Two possible outcomes may happen: either the learner's appeal is successful (for example, the original decision is amended, such as a change of an exam's grade), or it has not been successful (Open Awards stands by its original decision).
- If the learner is not satisfied with the above outcome, they may appeal again and an Internal Appeals Panel will review the case. Open Awards will acknowledge the appeal within 5 working days. The Panel will produce a report and recommendations **within 30 working days**.
- If the learner is not satisfied with the report, they may appeal to the External Appeals Panel. This appeal must be received **within 10 working days** of the report. Open Awards will acknowledge the appeal within 5 working days. The Panel will produce a report and recommendations **within 30 working days**. The outcome of this appeal is final.

Training Qualifications UK (TQUK)

- If the learner is not able to resolve an appeal relating to a TQUK Assessment at the approved centre, then he/she has the right to appeal to TQUK. However, they recommend that the Learner make an initial enquiry first. An TQUK staff member will then advise the learner on how to proceed with an appeal.
- Should the learner wish to appeal following the enquiry, the TQUK Appeal Form needs to be submitted within **4 weeks** from the date of an assessment result.
- The learner will receive confirmation of the receipt of the appeal within 2 working days. It will take **20 working days** for the appeal to be reviewed. A date as to when the learner will hear from TQUK will be given on receipt of the appeal.
- The learner has **10 working days** to either accept the appeal outcome or reject it. If the learner rejects the appeal outcome, it will go through the TQUK's Independent Review process. The outcome of this appeal is final.

JCQ

- JCQ Appeals Booklet – effective from November 2020 – is available at <https://www.jcq.org.uk/exams-office/appeals>

5. Taking the appeal further

Should the learner not be satisfied with the final decision of the awarding body, they may raise the issue with the qualification regulator:

Complaints Ofqual
Earlsdon Park
53-55 Butts Road
Coventry
CV1 3BH

Or public.enquiries@ofqual.gov.uk

The learner may also follow Ofqual's procedures at <https://www.gov.uk/government/organisations/ofqual/about/complaints-procedure>.

6. Contact details

Contact	Name	Address/Tel No
Tutor	See the "Contact and responsibility list" document displayed in centre	See the "Contact and responsibility list" document displayed in centre
Head of Operation	See the "Contact and responsibility list" document displayed in centre	See the "Contact and responsibility list" document displayed in centre
Head of Central Support, acting as the Awarding Body Centre Manager	Angela Dennehy	Think Employment Ltd 140 Victoria Street Grimsby N E Lincs DN31 1NX Tel: 01472 898221
BCS Quality Team		qualityassuranceteam@bcs.uk
City & Guilds		centresupport@cityandguilds.com
Skillsfirst		Complete the enquiry on their website – https://skillsfirst.co.uk/contact
Ascentis		Complete the Enquiry about Results form, a copy available from ascentis.co.uk , and email it to qualityassurance@ascentis.co.uk
ProQual	Phil North	Centre to send the appeal details to philnorth@proqualab.com
NCFE		Complete the appeals form at Appeals form (qualhub.co.uk) and email it to appeals@ncfe.org.uk
Open Awards		Appeals must be made in writing and should be addressed to the Head of Quality and Standards at the following address: Open Awards Estuary Commerce Park 17 De Havilland Drive Speke Liverpool L24 8RN
TQUK		Complete and submit the Appeal Form through Creatio Green system. Queries regarding the appeal: quality@tquk.org

7. Review of the Policy

A Senior Manager will review this policy annually or more frequently where there are significant changes in circumstances.

To be disseminated to: All staff / Service Users		Policy Ref: 011
Authorised by: Lead IQA Head of Central Support Head of Quality	Issue Date: March 2015	Review Due: December 2021
Amendments: Sept 2018 - Updated Dec 2018 – Layout amended and Introduction and ‘meanings’ included. Contact list clarified and notified of display in centres. Dec 2019 – No changes Dec 2020 – OCR removed and Open Awards added; appeals form link added for NCFE; replaced Head of Operation with Head of Operation, and Candidates with Learner May 2021 – TQUK appeal process added; enquiry added; Ofqual email address added		