

Appeals Policy – Awarding Organisation

Introduction

This policy is aimed at customers, including learners, who are delivering/enrolled on or have taken an Occupational Awards approved qualification or unit. It sets out the process that should be followed when submitting appeals to Occupational Awards and the process Occupational Awards will follow when responding to appeals.

It is also for use by Occupational Awards to ensure they deal with all appeals in a consistent manner.

Centre Responsibilities

It is important that staff involved in the management, assessment and quality assurance of Occupational Awards qualifications and learners are aware of the contents of the policy.

In addition, centres must have internal appeal arrangements which learners can access if they wish to appeal against a decision taken by the centre. If an individual wishes to appeal against a decision taken by a centre, they must first go through the centre's appeals process before bringing the matter to Occupational Awards.

Review Arrangements

Occupational Awards will review the policy annually as part of the self-evaluation arrangements and revise it as and when necessary in response to customer and learner feedback or requests from, or good practice guidance issued by, the regulatory authorities (e.g. to align with any appeals and complaints process established by the regulatory authorities such as Ofqual). This review will take place in June each year.

If you would like to feedback any views please contact Occupational Awards via the details provided at the end of this policy.

Fees

Occupational Awards will charge an upfront nominal fee of £50 to cover the administration and personnel costs involved in investigating an appeal, this will be refunded if the appeal is upheld.

In the case of group appeals, the fee per learner will be reduced, depending on the number of learners, and if the appeal is upheld, the fee waived. Where such appeals are partially upheld, the fee will be proportionately waived.

Occupational Awards Responsibilities

The Responsible Officer is accountable for ensuring the implementation of this policy. The Lead External Quality Assurer is responsible for carrying out the requirements of this policy. Where either party is implicated in the appeal the Chief Executive will be responsible for appointing suitable person(s) to carry out these activities.

Areas Covered by the Policy

This policy covers:

- Appeals from learners and/or centres in relation to an assessment decision on the basis that Occupational Awards did not apply procedures consistently or that procedures were not followed properly and fairly
- Appeals from centres in relation to an Occupational Awards decision concerning a centre's application to offer an Occupational Awards qualification.
- Appeals from centres concerning the contents of a centre monitoring report.
- Appeals from centres and/or learners relating to an Occupational Awards decision to decline a centre's request to make reasonable adjustments or give special considerations
- Appeals from centres or learners in relation to the application by Occupational Awards of a sanction/action on a centre resulting from a verification visit or an investigation into malpractice or maladministration or a decision to amend a learner/set of learners results following a malpractice or malpractice investigation
- Appeals from centres relating to a decision made by Occupational Awards following an investigation into a complaint about a centre.
- Appeals that suggest that Occupational Awards has not applied its procedures consistently or those procedures were not followed properly, consistently and fairly.

Process for Raising an Appeal

Centres/learners have 20 working days from the date that they were notified of the decision that they are appealing against in which to lodge an appeal against the decision. This includes assessment results, so learners/staff are advised to retain their course evidence until they receive the result.

If a centre is appealing on behalf of its learner(s), they must ensure that they have obtained the written permission of the learner(s) concerned as grades/results can go down as well as up as a result of an investigation.

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 Occupational Awards. In the latter case, learners must provide Occupational Awards with evidence that they have first appealed to their centre. It is expected

that learners will only appeal directly to Occupational Awards in exceptional circumstances.

Centres should complete the Appeals Form at the end of this policy, which is also available on request through the details stated in the 'contact us' section of this policy.

Alternatively, centres may submit their own report accompanied with documents and supporting evidence.

Reports must include the following:

- The Centre name, address and contact details
- The learner's/learners' name(s) and Occupational Awards registration number(s)
- Date(s) on which the centre or the learner received notification of Occupational Awards decision
- The title and number of the Occupational Awards qualification affected or nature of service affected (if appropriate)
- The full nature of the appeal
- The contents and outcome of any investigation carried out by the centre relating to the issue
- The date of the report and the name, position and signature of the individual appealing the decision.

Situations Brought to Occupational Awards Attention by the Regulatory Authorities

Where the regulators notify Occupational Awards of failures that have been discovered in the assessment process of another awarding organisation, Occupational Awards will review whether or not a similar failure could affect Occupational Awards own assessment processes and arrangements.

Initial Review of the Dispute Details

Wherever possible, Occupational Awards will try to resolve disputes before they reach an appeal stage. Occupational Awards will undertake an initial, informal assessment of all potential dispute information and write to the learner/centre with details of the decision.

If Occupational Awards are unable to resolve a dispute in this way, the appeals process will be available for learners/centres. In all instances, Occupational Awards will ensure that the person carrying out this initial assessment will not have a personal interest in the dispute.

Formal Appeal Process

Upon receipt of any appeal, the Responsible Officer will acknowledge receipt within 48 hours and pass to the Lead EQA who will aim to respond fully to the appeal within 20 days. Please note that in some cases the review processes may take longer, for example, if a centre visit is required. In such instances, Occupational Awards will contact all parties concerned to inform them of the likely revised timescale.

All appeal decisions will involve the following:

- an individual from Occupational Awards who has no personal interest in the decision being appealed
- at least one decision maker who is not an employee of Occupational Awards, working as an assessor for Occupational Awards, or otherwise connected to Occupational Awards
- all individuals involved in the appeal decisions must have the relevant competence to make a decision in relation to the appeal.

Following the review of the appeal, Occupational Awards will write to the appellant with details of the decision to either:

- amend the original decision in light of the new rationale/evidence being put forward which has been reviewed
- to confirm Occupational Awards stands by the original decision and in doing so the rationale for this decision. Occupational Awards will also request that it is confirmed, in writing within 15 days, whether the appellant now accepts this decision or if they wish to proceed to the independent review appeals process.

Independent Review Appeals Process

If the appellant decides to proceed to the independent appeal stage, The Responsible Officer and the Chief Executive will arrange for an independent review to be carried out.

The independent reviewer must meet the following criteria:

- they will not be an employee of Occupational Awards, be working as an assessor for Occupational Awards us, or be otherwise connected to Occupational Awards.
- they must have the relevant competence to make a decision in relation to the appeal
- they must not have a personal interest in the decision being appealed.

The Independent Reviewer will review all the evidence which took place during previous stages and review whether Occupational Awards have applied the procedures fairly, appropriately and consistently in line with the policy.

The independent review process may involve:

- a discussion with the appellant or the learner and Occupational Awards personnel
- a request for further information from the appellant, the learner or Occupational Awards personnel
- a centre visit by authorised Occupational Awards personnel.

The Independent Reviewer's decision is final in relation to how Occupational Awards will consider such appeals and Occupational Awards will inform the appellant of the outcome of the review within 20 days of receipt of the independent appeal.

If the centre/learner is still unhappy with the outcome at this stage they are entitled to raise the matter with the relevant qualification regulator.

Successful Appeals and/or Issues Brought to Occupational Awards Attention by The Regulators

In situations where an appeal has been successful, or where an investigation following notification from the regulators indicates a failure in the processes, Occupational Awards will give due consideration to the outcome and will, as appropriate, take actions such as:

- amending the risk profile of the centre concerned
- identifying any other learners who have been affected and correcting or, where it cannot be corrected, mitigating as far as possible the effect of the failure (eg and amend the results for the learner(s) affected following an appropriate investigation)
- reviewing associated processes and policies to ensure that the 'failure' does not occur again or mitigate the situation as far as possible if the failure that occurred cannot be corrected

Occupational Awards will also cooperate with any follow-up investigations required by the qualifications regulators and if appropriate agree any remedial action with them.

Storage and Use of Information

All information and data collected regarding any appeals made to Occupational Awards Ltd will be stored securely on the database system. Depending on the nature of the appeal this information will be stored against either a centre or learner. This information will only be made available to relevant persons.

Information may be used to review associated processes and policies to ensure that the 'failure' does not occur again or mitigate the situation as far as possible if the failure that occurred cannot be corrected.

Contact Us

If you have any queries about the contents of the policy, please contact the Occupational Awards Quality Team on: E: quality@oaawards.co.uk T: +44(0)1235 432032

Appeals Form

Centre No:		Centre name:			
Qualification title or nature of the appeal:					
The learner(s) affected by the appeal about a result (please state learner(s)' registration number					
Learner No:		Learner name:			
Learner No:		Learner name:			
Learner No:		Learner name:			
Learner No:		Learner name:			
Learner No:		Learner name:			
Learner No:		Learner name:			
Learner No:		Learner name:			
Nature and detail of the appeal:					
Supporting evidence is attached:			Yes	<input type="checkbox"/>	No
If so please specify:					
Declaration: I am satisfied that the information provided is accurate and fully support the application.					
Centre co-ordinator:		Date:			
Name (please print)					
Signature:					
<i>For Office Use:</i>					