

Introduction

This policy outlines GATR's approach for providing candidates with a means of making an appeal, the steps to follow and how GATR considers appeals it receives.

Definitions

Enquiries: allows candidates to ask for clarification or exemplification on specific or general issues.

Appeals: allow candidates to question a decision or judgement. An appeal is a process through which the outcome of a decision may be challenged.

Grounds for Appeals

Appeals submitted by candidates can only be made regarding one of the following:

- a) Assessment decisions
- b) Conduct of assessment and quality assurance practices
- c) Decisions regarding reasonable adjustments and special considerations
- d) Decisions relating to any action to be taken against a candidate, following an investigation into malpractice or maladministration.

Candidates may lodge an appeal on the following grounds:

- a) Where a candidate can provide adequate evidence that their assessment was adversely affected by illness and/or other factors that they were unable (or, for valid reasons, unwilling) to divulge before the Assessor made their decision.
- b) Where there is clear evidence of administrative error (e.g. omission of an assessment or mark; where someone has made an error in adding up different marks; incorrect application of any special assessment conditions or penalties that may apply to a case; incorrect application of published assessment schemes)
- c) Where there is clear evidence that the assessment was not conducted in accordance with the relevant regulations.
- d) Against outcomes of investigations into cheating, plagiarism or malpractice.

Unacceptable Grounds for Appeal

The following examples would not be acceptable as grounds for appeal:

- a) Where the appeal challenges the Assessor's academic judgment and/or is based solely on dissatisfaction with an assessment outcome.
- b) Where the complaint is frivolous or vexatious or wholly without substance or merit.

Process

Appeals will be heard internally within GATR in the first instance. If satisfactory resolution cannot be agreed, then the documented escalation to Skills for Justice Awards (SFJ Awards) and then to the Regulatory Authorities shall be utilised.

Any deficiencies in process or behaviour shall be resolved in order to prevent future recurrence. Such resolutions shall be documented as part of the Management Review.

When to Appeal

Appeals will only be considered if they comply with the definition above and the appellant can submit a case with credible evidence that any conduct or decision was unfair or in breach of regulatory requirements.

Time limits

Candidates may appeal any time during the course of their assessment process or within one calendar month of being provided with their final results and feedback.

Roles and Responsibilities

Candidates:

Must familiarise themselves with the centre's enquiries and appeals policy.

Centre Staff including assessors:

Must familiarise themselves with the centre's enquiries and appeals policy and procedure.

Administrative Staff:

Ensure every stage of a candidate's appeal is recorded and logged and that communication with the candidate is maintained in accordance with the timescales provided in this policy.

Head of Centre:

Ensure the centre has an appeals policy in place to meet centre approval requirements.

Ensure centre staff and learners are aware of the centre's appeals policy.

Ensure appeals are handled consistently and in accordance with this and the centre's other relevant policies.

Ensure that appeals investigations are completed fully and fairly within the timescales set by this policy.

Ensure that appeals and the appeals policy is reviewed annually and development of the policy including lessons learnt are recorded and shared across the business.

Internal Quality Assurance (IQA) Manager

Ensure that, when an appeal is escalated from Head of Centre, the IQA maintains independence and, if necessary, forms an Appeals Panel made up from the GATR directors

Ensures that, if necessary, the appeal is escalated to SFJ Awards.

SFJ Awards' Quality and Assessment Manager

To consider appeals received from GATR IQA.

SFJ Awards' Awarding Organisation Manager (Responsible Officer)

To ensure appeals are handled in accordance with this policy Stage Definitions

The process will be conducted fairly and consistently, in line with regulatory requirements. SFJ Awards may request further information from the centre, speak with learners, speak with centre staff or arrange a centre visit as part of their investigation. Appellants will be kept informed throughout the process.

Stages to an Appeal

Stage One

At stage one, an appeal is referred to as an enquiry and dealt with on a semi-formal basis. GATR will make every attempt to answer the query in full and avoid the need for the enquiry to progress to stage two

GATR hope that the majority of matters can be resolved informally.

Enquiries can be made informally, orally or in writing. GATR will deal with enquiries from candidates promptly:

GATR will acknowledge enquiries within 5 working days;

GATR will deal with simple telephone enquiries quickly;

GATR will appoint an appropriate member of staff to respond to the enquiry;

GATR will respond to written enquiries (email, letter) within 5 working days after acknowledgment.

The outcome of the investigation will be conveyed in writing and will be recorded.

Stage Two

If the appellant is not satisfied with the outcome at stage one, they may progress their appeal to stage two.

The appeal must be made in writing. This must include:

Grounds for appeal

Nature of Appeal

Evidence to back up appeal

Suggested resolution or outcome

GATR will acknowledge receipt of the appeal within 5 working days and will aim to conclude their investigation within 30 working days after the acknowledgement. If the process is expected to take longer, the candidate will be advised of this, the reasons, and the likely amended timescale. The investigation will be conducted by GATR's Head of Centre.

The relevant assessor will be consulted (if necessary) and again, if necessary, an independent assessor will review any paperwork, including marking guides, examination papers or assessor's notes.

The outcome of the investigation will be conveyed in writing and will be recorded.

Stage Three

If the appellant is not satisfied with the outcome at stage two, they may progress their appeal for independent internal GATR review at stage three.

The appeal must be made in writing.

GATR will acknowledge receipt of the appeal within 5 working days and will aim to conclude their investigation within 30 working days after the acknowledgement. (If the process is expected to take longer, the candidate will be advised of this, the reasons, and the likely amended timescale).

Stage three appeals will be reviewed by the Internal Quality Assurance (IQA) manager and Directors of GATR as part of an 'Appeals Panel', if necessary.

The outcome of the review will be conveyed in writing and will be recorded

Stage Four (SFJ Awards)

If the appellant is not satisfied with the outcome at stage three, they may progress their appeal to SFJ Awards.

Candidates must follow and exhaust the centre's appeals and complaints procedure fully before making an appeal to SFJ Awards.

The Candidate must make the centre aware of his/her intention to submit an appeal to SFJ Awards.

As part of their investigation, SFJ Awards will examine the procedures used by the centre to investigate the original appeal submitted by the candidate.

SFJ Awards will acknowledge receipt of the appeal and will process it as per SFJ Awards' internal policies.

The appeal must be made in writing.

The appellant will be informed how to appeal to SFJ Awards. GATR will provide all documentary records in relation to the appeal so far to SFJ Awards.

SFJ Awards will be requested to keep GATR aware of all the process stages and timelines.

Support & Communication

During the complete appeals process, the candidate will be kept informed in writing regarding progress of all stages, where essential.

During the appeal process, the appellant will be given contact details of an Independent GATR Assessor who could be reached by the appellant in case the appellant require some support, guidance, advice or representation while the appeal is being considered by GATR internally.

Written Records

The candidate will be requested to authorise the processing and storage of information pertaining to the appeal in an electronic format and that they agree that it may be used for any purpose deemed relevant to this appeal and for GATR's internal operations improvement and lessons learnt.

In accordance with Data Protection the records may be kept for a maximum of 5 years.

Corrective Action

If during an enquiry or appeal GATR identifies an issue which threatens the integrity of a qualification, GATR will take the following action:

- a) Identify all learner(s) who may have been affected
- b) Correct or, where it cannot be corrected, mitigate as far as possible the effect of the problem by process or policy change and;
- c) Take action to ensure that the issue does not recur in the future.
- d) Where the outcome of an appeal questions the validity of other results at the centre, GATR will take action to protect the interests of other candidates and the integrity of the award of units and/or qualifications. This may include:
 - i. A further review of learners' work by an independent assessor not involved previously in the final verification of the awards.
 - ii. A full review of assessors' skills including additional training & development.
 - iii. A review of the unit(s) of assessment through its unit review process in conjunction with SFJ Awards.

The Head of Centre and Internal Quality Assurance Manager will take responsibility for initiating the most appropriate course of action with technical advice from GATR personnel.

Monitoring

Investigated appeals will be monitored and reviewed by GATR during the annual Centre Management meetings

GATR Centre Management will be responsible for monitoring the effectiveness of the process.

If an appeal received has the potential to lead to an adverse effect, the Centre will take action accordingly by review and process /policy change as required.

Policy Review

This policy will be reviewed annually by the Head of Centre and Internal Quality Assurance Manager as part of GATR annual policy and Centre Management Review and revised as necessary in response to lessons learnt, customer feedback, changes in legislation and guidance from the Qualifications Regulators.

Related Document(s):	G202 - Complaints GA206 - Management Review GA213/F1 - Enquiries & Appeals Form
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	GA213/F2 - Enquiries & Appeals Log
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