

Learner Appeals Procedure

1.0 Introduction

As part of the Ofqual regulatory and Awarding Organisation requirements all learners should have fair and reliable assessment in which they play a full part. If this access is to be meaningful the learner has the right to appeal against assessment decisions and/or examination results which are unclear or seem unfair.

- The Appeal may be resolved at any of the following three Stages.
- Appellant can have a friend or colleague at the appeal for support.

2.0 Criteria for Appeal

1. The conduct of the Assessment or Examination
2. If the Appellant feels that they have been treated unfairly... for example:
 - The evidence gathering method used
 - Intrusion into their working relationships has occurred
 - Breach of confidentiality
 - The result of assessment or exam
3. If the Appellant feels that the evidence presented for the assessment reached the required standard and this view was in direct conflict with the Assessor's decision.
4. Adequate opportunity had not been given to the Appellant to demonstrate their competence.

3.0 Stages of the Appeal

3.1 Exam or Controlled Assessment

Stage 1

The Appellant should raise the issue with the Adjudicator either during or at the end of an exam who will then inform the Exams Manager. (In the case of the Appellant reporting direct to the Trainer Assessor, the Trainer Assessor will complete and refer the complaint using the Appeals Form, Appendix A on their behalf to the Lead Internal Quality Assurer).



Appeals_Booklet_20
23_FINAL.pdf

Link: [Appeals_Booklet_2023_FINAL.pdf \(jqc.org.uk\)](https://www.jcq.org.uk/appals-booklet-2023-final.pdf)

If the Appellant is still dissatisfied with the decision the appeal proceeds to Stage 2.

Stage 2

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The Appellant should raise the issue with the Exams using the Appeals Form (Appendix A) within 7 days of the result issue date. If the appellant is under the age of 18, then the parent or guardian can make the appeal on their behalf in writing or using the Appeals Form (Please Refer to Appendix A) addressed to the Exams Manager or Lead IQA.

The exams Manager or Lead IQA have 14 days to investigate and feedback on the appeal decision.

If the Appellant is still dissatisfied with the decision the appeal proceeds to Stage 3.

Stage 3

The third stage involves the right to appeal to the Exams Appeals Panel. The Exams Manager will then pass all the relevant records to the Quality Assurance Manager.

The Quality Assurance Manager representative will convene an Appeals Panel consisting of:

- Quality Assurance Manager
- Independent Lead Internal Quality Assurer
- Independent Trainer Assessor/Internal Quality Assurer
- Where required: the Head of Quality or Senior Manager

The Quality Assurance Manager will carry out further investigation and notify the relevant Awarding Organisation and will respond within 10 working days of a decision or notify of any further investigation required and a time line for completion, unless the Awarding Organisation procedure states otherwise, in this instance the Quality Assurance Manager will give further advice on this information.

3.2 Appeal of Assessment Decision

Stage 1

The Appellant should raise the issue with the Trainer Assessor either during or at the end of an assessment, or in writing (Please Refer to Appendix A, appeals form) within 7 days of the Assessment decision report.

If the appellant is under the age of 18, then the parent or guardian can make the appeal in writing on their behalf (Please Refer to Appendix A, appeals form) addressed to the Lead Internal Quality Assurer who will then discuss the appeal with the Trainer Assessor.

The Trainer Assessor must revisit the assessment decision and provide clear feedback. If the Trainer Assessor is upholding the original assessment decision, then the Appellant will be provided with full information describing what is required to demonstrate their competence.

This should be provided in writing using the Appeals Form with appropriate evidence (Please Refer to Appendix A), and relate specifically to the Standards requirements relevant to the assessment decision/s within 10 working days.

Stage 2

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The Trainer Assessor must then forward the Appeals Form with all appropriate evidence (Please Refer to Appendix A) to the Lead Internal Quality Assurer within seven days of the Assessor's final decision.

The Trainer Assessor will be informed both orally and in writing using the appropriate section of the Appeals Form.

If the Appellant is still dissatisfied with the decision the appeal proceeds to Stage 3.

Stage 3

The third stage involves the right to appeal to the Appeals Panel. The Lead Internal Quality Assurer will then pass all the relevant records to the Quality Assurance Manager within 5 days of the Lead Internal Quality Assurer's decision.

The Quality Assurance Manager will convene an Appeals Panel consisting of:

- Quality Assurance Manager
- Independent Lead IQA
- Independent Trainer Assessor/Internal Quality Assurer
- Where required: the Head of Quality or Senior Manager

Both the Appellant and Trainer Assessor will be invited to make their case to the Panel.

The Panel will reach its decision within 10 working days.

Results of the Appeals Panel will be final.

Details of the appeal will be made available to the External Quality Assurer.

The Awarding Organisation will be involved with the information supplied by the External Quality Assurer. The External Quality Assurer is charged with ensuring the integrity of the process and is able to issue advice but they will not be involved in the Appeals Process itself either as a Panel Member or Arbitrator.

The Awarding Organisation will respond to direct requests from Appellants, Trainees, Parents and Employers seeking advice on making an appeal. Information on the relevant Awarding Organisation will be given to the Appellant on request.

3.3 End Point Assessment

Stage 1

The Appellant should raise the issue with their Trainer Assessor at the end of- the End Point Assessment exam who will then inform the Exams Manager. The Trainer Assessor will complete and refer the appeal using the Appeals Form, Appendix A on their behalf to the Exams Manager who will raise the complaint with the End Point Assessment Organisation.

The End Point Assessment Organisation appeals process will then be followed.

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If the Gen2 Appeals Procedure has been exhausted and the Appellant is still dissatisfied, they can make a final appeal to the qualification's regulator.

Ofqual, Spring Place, Herald Avenue, Coventry, CV5 6UB.
Phone: 0300 303 3346 info@ofqual.gov.uk

Please give them the following information if you have it:

- what the complaint is about
- your full name and candidate number (if you have one)
- your school, college or training provider's name and number
- the name of the awarding organisation or exam board
- the qualification or unit title and code number
- copies of any relevant supporting documents

Ofqual promise to:

Acknowledge receipt of your complaint within two working days of receiving it and give you a full response within 30 working days. If this is not possible, Gen2 will let you know after 15 working days.

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Appendix A

Learner Appeals Form

Appellant Name:	
Appellant Registration Number:	
Name of Assessor/Adjudicator:	
Name of IQA/Exam Manager:	
Appeal Panel Representative:	
Course Title and Level:	
Description of Appeal:	
Please attach the following: - Assessor/Appellant Assessment Plan - Summary of Assessment/Exam result - Portfolio of Evidence (where relevant to the review)	
Assessment/Exam adjudicator feedback to support outcome:	

For Assessment Centre Use Only

Appeal to Lead IQA/Exam Manager:		Date:	
Feedback to support outcome:			
Referral to Quality Panel:		Date:	
		Date of Meeting:	

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Feedback to support outcome:

Final Outcome:

I agree that the decisions made are to my satisfaction:

Appellant Signature:

Date:

I agree that the final outcome has been accepted by the appellant:

Appeal Panel Representative signature:

Date:

Version	Reviewer	Summary of Change	Review Date	Old Code	New Code
3	Jean Sullivan	Document refresh of responsibilities	06/03/2024	QD071	n/a
4	Jean Sullivan	Document refresh of responsibilities	17/07/2024	QD071	n/a
5	Susan Walker	Document refresh of responsibilities	26.6.2025	QD071	n/a