

# *Enquiries and Appeals Policy and Procedure*

**September 2017**

## Contents

<b>1</b>	<b><i>Introduction</i></b> .....	<b>3</b>
1.1	Purpose.....	3
1.2	Scope of the policy and grounds for appeal .....	3
1.3	Regulatory authorities .....	4
1.4	Responsibilities .....	4
1.5	Review arrangements .....	4
1.5.1	Situations brought to our attention by the regulators .....	4
1.6	Fees .....	5
1.7	Complaints .....	5
<b>2</b>	<b><i>Enquiries about results</i></b> .....	<b>5</b>
2.1	Introduction .....	5
2.2	Process .....	6
2.3	Flowchart .....	7
<b>3</b>	<b><i>Appeals against assessment decisions</i></b> .....	<b>8</b>
3.1	Introduction .....	8
3.2	Process .....	8
3.3	Flowchart .....	11
<b>Appendix</b>	<b><i>Excerpt from Ofqual General Condition of Recognition</i></b> .....	<b>12</b>
	Enquiry About Results - application form .....	14
	Appeals against results - application form .....	16

## *Enquiries and Appeals Policy and Procedure*

### *1 Introduction*

#### **1.1 Purpose**

This policy sets out information about our service for enquiries about results and appeals against assessment decisions, including those made relating to reasonable adjustments and special arrangements, the circumstances in which they may be made and the processes which must be followed.

Learners or centres may wish to submit an enquiry about results, normally in cases where results vary considerably from those expected. The clerical check of results may conclude the enquiry, or a learner/centre may decide to progress to appeal. An appeal against an assessment decision may be submitted without having already submitted an enquiry about results.

We publish this policy, procedure and process flowcharts on our websites and in centre handbooks, to support the process of appeal of assessment decisions in a timely manner.

Where an associated investigation leads to the discovery of a failure in its assessment process, we take all reasonable steps to:

- identify any other learner who has been affected by the failure;
- correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure;
- ensure that the failure does not recur in the future.

#### **1.2 Scope of the policy and grounds for appeal**

This policy is provided for the use of VTCT customers, being learners who are taking or have taken VTCT or ITEC assessments, and personnel with responsibilities for managing, delivering, assessing and quality assuring qualifications in approved centres offering VTCT or ITEC qualifications, who wish to appeal against decisions as set out above, because procedures were not applied consistently, properly or fairly.

### **1.3 Regulatory authorities**

This policy addresses the requirements of the relevant regulatory authorities' criteria. The relevant conditions from Ofqual's General Conditions of Recognition are included as an appendix to this document.

### **1.4 Responsibilities**

VTCT as the awarding organisation is responsible for ensuring that all appeal decisions:

- are taken by individuals who have no personal interest in the decision being appealed;
- are dealt with by at least one decision maker who is not an employee of the awarding organisation, an assessor working for it, or otherwise connected to it;
- are always taken by persons who have appropriate competence.

VTCT personnel are required to follow the related procedures in order to deal with enquiries about results and appeals as effectively as possible.

Centres are responsible for ensuring that all personnel involved in the management, delivery and assessment of VTCT and ITEC qualifications are fully aware of the policy and conversant with the related procedures.

Centres must have their own internal appeal arrangements in place and provide easy access to them for learners who wish to appeal against a decision taken by the centre. Where appropriate, the centre's own appeals procedures must be exhausted before an appeal is raised with the awarding organisation.

### **1.5 Review arrangements**

This policy is reviewed annually as part of VTCT's self-evaluation activity, which considers customer and regulatory feedback and good practice guidance.

#### **1.5.1 Situations brought to our attention by the regulators**

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

## 1.6 Fees

For an Enquiry About Results, VTCT charges the appellant a fee of £12.50 per learner.

For an appeal VTCT charges the appellant a fee of £150 per learner which is refunded should the appeal be successful.

## 1.7 Complaints

VTCT has a separate complaints policy and procedure, which should be followed by centres/learners who are dissatisfied with any other aspect of our services than those listed above. For further information please contact the awarding organisation.

## 2 *Enquiries about Results*

### 2.1 Introduction

The VTCT Enquiries About Results service is available for centres to enquire about assessment results issued by VTCT, normally in cases where the results vary considerably from those expected. An enquiry may be made on behalf of one or more than one learner.

An enquiry about results is a formal written request from the centre to VTCT for a review of the assessment decision relating to VTCT or ITEC qualifications.

An enquiry can be a request for an administrative check of the accuracy of the results themselves, or in relation to decisions made regarding reasonable adjustments and special considerations, or external quality assurance decisions.

This may take the form of a request for one of the following:

- a clerical check;
- a remark of the assessment by a different marker.

The request must be accompanied by the written permission of the learners for the centre to make the request. Receipt of requests unaccompanied by the written permission of learners may be treated as centre maladministration.

So that the enquiry can be dealt with as soon as possible after the related assessment, it is important to adhere to the timescales for submission set out in the process below.

A fixed fee is charged for this service. The fee is refunded fully if the outcome of the assessment is changed because of the enquiry.

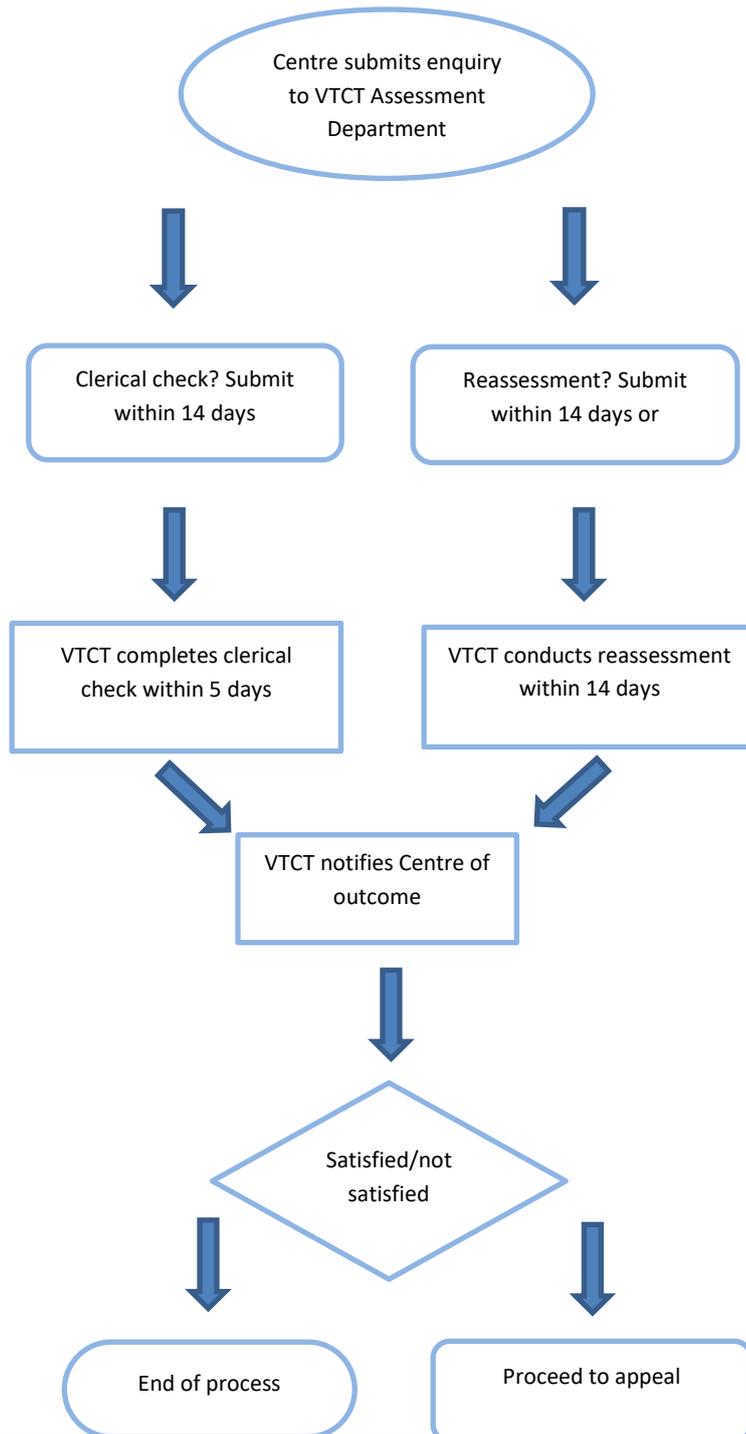
Where the outcome of an enquiry brings into question the accuracy of other results, VTCT will take all reasonable steps to protect the interests of all learners who are affected.

If the centre or learner(s) are dissatisfied with the outcome of the enquiry, the centre should initiate the first stage Enquires About Results procedure.

## 2.2 Process

- Send your request to the Assessment Department at VTCT, with full details of the requested enquiry, accompanied by all supporting documentation and the written permission of each learner involved.
- Submit the request within 14 working days or for series based assessment refer to the Key Dates document published, of the receipt of results by the centre examinations officer, or within 5 days in the case of an enquiry about a reassessment following a clerical check.
- VTCT acknowledges receipt of written enquiries about results within 7 working days from receipt.
- VTCT undertakes the check and notifies the designated centre contact within 7 working days, or in the case of a remark, 14 working days from receipt of the enquiry of the outcome of the enquiry. If for any reason these timescales cannot be achieved, VTCT informs the centre contact of the anticipated timescale.
- The written report is sent by recorded delivery and provides details of any recommendations as well as the decision.
- Possible outcomes of the enquiry are:
  - no change;
  - a change to the results which may be either higher or lower than previously issued.
- VTCT will amend its learner records accordingly.
- If the centre or the learner(s) are not satisfied with the outcome of the enquiry, an appeal may be submitted in line with the VTCT appeals procedures.

## 2.3 Enquiries About Results – Flowchart



## 3 *Appeals against assessment decisions*

### 3.1 Introduction

Approved centres offering VTCT or ITEC qualifications are expected to have their own appeal policies and procedures in place. These procedures must be fully exhausted prior to any appeal to VTCT as the awarding organisation being made.

Appeals to VTCT about an assessment decision or Enquiry About Results must be submitted within 20 working days of the publication of that decision. For this reason, all coursework should be retained for at least 20 days beyond the date of results notifications or the publication of Enquires About Results.

Centres wishing to appeal on behalf of learners must obtain the written permission of the learner(s) concerned and advise the learner(s) that grades/results can go up or down following investigation.

VTCT undertakes to report its findings and decision to the centre/learner within 20 working days. Learners who are not satisfied with the outcome are given the option to retake the assessment.

If at this stage the matter remains unresolved, then a further appeal for independent review of the case is possible. The outcome of the review will be made known within a further 8 weeks. The decision of the independent review panel is final.

### 3.2 Process

- The centre completes the appeal application form (see page 14) and submits it to the VTCT head office within 20 days of receipt of the related assessment decision(s) or completion of an enquiry about results.
- All sections of the form must be completed and all supporting information including the centre's report on the outcome of its own appeal review must be attached. An incomplete application will be returned to the centre for completion before it is processed by the awarding organisation, and as such could delay the process.
- The assessment is re-marked. In the case of an appeal against a practical examiner's decision, the original examiner will produce a full report for review by an internal quality assurance panel to ascertain whether moderation is necessary, and if it is deemed so, this will take place.

- If the assessment decision is deemed correct, VTCT will notify the centre and learner, setting out the reasons for its decision in full.
- If the assessment decision is revised, the revised result and certificate will be issued together with the report setting out the reasons for the decision in full.
- If other assessment decisions may be affected by the result of the appeal, all similar results will be recalled and reviewed in the same way.
- If the centre/learner is not satisfied with the appeal outcome, they may write to VTCT within 15 days of receiving the outcome, to request reassessment or an independent review.
- In the case of reassessment, the following will apply:
  - The re-examination will normally take place within 8 weeks of the receipt of the written request.
  - For theory assessments, a theory examination paper will be provided to the centre by the agreed date. Standard theory assessment regulations and procedures will apply. The assessment will be independently marked. If other assessment decisions may be affected by the result of such an appeal, all similar results will be recalled and reviewed in the same way.
  - For practical assessments, reassessment will take place at the learner's own centre or another centre as agreed with the awarding organisation. The standard practical assessment regulations and procedures apply. A different practical examiner will conduct the assessment. The grade will be reviewed by a member of the quality assurance team. If other assessment decisions may be affected by the result of such an appeal, all similar results will be recalled and reviewed in the same way.
- In the case of independent review, the following will apply:
  - VTCT will appoint a review panel which includes a reviewer who has not been employed by the organisation in any capacity for the past 7 years, is not in any way connected to it or have any personal interest in the appeal or its outcome. The reviewer will have the necessary knowledge and skills to reach an appropriate decision about the appeal.
  - The reviewer will review all the evidence and the procedures applied by the awarding organisation to ensure it has been fair, appropriate and consistent with the appeals policy and procedure.
  - The review process may involve discussion with and a request for information from the appellant and awarding organisation personnel, and a centre visit.
  - The reviewer will report their findings to the review panel which will reach a decision on the appeal.



- If at any stage of the process the assessment decision is proved to be incorrect and the appeal is upheld, VTCT will:
  - issue the new results and certification;
  - update all related records held by the awarding organisation;
  - review related policies and procedures and take remedial action to prevent or mitigate a recurrence of the circumstances giving rise to the appeal;
  - recall and review in the same way all similar results for any other assessment decisions which may be affected by the outcome of such an appeal.

### 3.3 Appeals against assessment decisions - Flowchart



## Appendix

### Excerpt from Ofqual General Condition of Recognition June 2016

#### Condition I1 Appeals process

I1.1 An awarding organisation must establish, maintain and comply with an appeals process in relation to all qualifications which it makes available, which must provide for the appeal of –

- (a) the results of assessments,
- (b) decisions regarding Reasonable Adjustments and Special Consideration, and
- (c) decisions relating to any action to be taken against a Learner or a Centre following an investigation into malpractice or maladministration.

I1.2 For these purposes, the appeals process must provide for –

- (a) the effective appeal of results on the basis that the awarding organisation did not apply procedures consistently or that procedures were not followed properly and fairly,
- (b) all appeal decisions to be taken by individuals who have no personal interest in the decision being appealed,
- (c) all appeal decisions to involve at least one decision maker who is not an employee of the awarding organisation, an Assessor working for it, or otherwise connected to it,
- (d) appeal decisions to be only taken by persons who have appropriate competence, and
- (e) timelines for the outcome of appeals.

I1.3 An awarding organisation must publish information on its appeals process to enable the results of assessments to be appealed.

I1.4 Where the application of an appeals process in the case of a Learner leads an awarding organisation to discover a failure in its assessment process, it must take all reasonable steps to –

- (a) identify any other Learner who has been affected by the failure,
- (b) correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and
- (c) ensure that the failure does not recur in the future.

## **Condition I2 Compliance with Ofqual's appeals and complaints process**

I2.1 An awarding organisation must comply with the requirements of any appeals and complaints process established by Ofqual in the form in which it may be published by Ofqual and revised from time to time.

I2.2 An awarding organisation must give due regard to the outcome of any such appeals or complaints process in relation to a qualification which it makes available.

I2.3 Where the application of any such appeals or complaints process in the case of a Learner leads an awarding organisation to discover a failure in its assessment process, it must take all reasonable steps to –

- (a) identify any other Learner who has been affected by that failure,
- (b) correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and
- (c) ensure that the failure does not recur in the future.

I2.4 Where Ofqual notifies an awarding organisation of failures that have been discovered in the assessment process of another awarding organisation, the awarding organisation must review whether or not a similar failure could affect its own assessment process.

I2.5 Where, following a review, the awarding organisation identifies such a potential failure, it must take the same action as if a failure has been discovered in relation to it by virtue of the application of Ofqual's appeals and complaints process.

## *Enquiry About Results - application form*

### **Part A: Candidate Consent Form**

#### **Information for Candidates**

**The following information explains what may happen following an enquiry about the result of an examination or assignment.**

If your examination centre makes an Enquiry About the Result of one of your examinations or assignments after your subject grade has been issued, there are two possible outcomes:

Your original mark

- is confirmed as correct, and there is no change to your grade.
- is changed, so your final grade may be higher or lower than the original grade you received.

In order to proceed with the Enquiry About Results, you must sign the form below. This tells the head of your centre that you have understood what the outcome might be, and that you give your consent to the Enquiry About Results being made.

Candidate Number:	Candidate Name:
Qualification:	Unit Code:

I give my consent to the head of my examination centre to make an enquiry about the result of the examination or assignment listed above. In giving consent, I understand that the final subject grade awarded to me following an Enquiry About Results may be lower than, higher than, or the same as the grade which was originally awarded for this subject.

Learner Signature: .....

Centre Name: .....

Date: .....



*Enquiry About Results - application form*

**Part B: Centre Consent Form**

**Information for Centres**

**VTCT charges a fee of £12.50 per learner per unit for an Enquiry About Result. The fee will be refunded if the EAR is successful in changing the learner’s grade. It is only possible to submit an EAR for an examination if within 2 marks of a grade boundary.**

**Details of enquiry**

Please state the reason for your enquiry e.g. for assignments, specify which learning outcome(s) you believe have been achieved and indicate where the evidence for these can be found within the assignment evidence:

Centre Number:	Centre Name:

Signature on behalf of centre: .....

Date: .....

This form should be retained on the centre’s files for at least 6 months following the outcome of the Enquiry About Results.

Once completed, please email this form to **exams@vtct.org.uk**.

**Centre Contact Information**

Email address: .....

Phone number: .....



*Appeals against results - application form*

Centre Name:		Qualification/unit title	
Centre Number:		Date of assessment	
Learner Name:		Date appeal submitted	
Learner VTCT/ITEC Registration No			
Please provide the following information/attach the related evidence:			
The nature of the appeal			
The outcome of the centre appeal			
Evidence to support the appeal			
Centre representative		Learner	
Name		Name	
Role			
Contact email		Contact email	
Contact phone number		Contact phone number	
Signature		Signature	
Date		Date	

Attach this form to the front of documents when submitting by mail, and send to Lucy Strand (VTCT Qualifications) [lucystrand@vtct.org.uk](mailto:lucystrand@vtct.org.uk) or Nicole Onyon (ITEC Qualifications) [n.onyon@itecworld.co.uk](mailto:n.onyon@itecworld.co.uk)

When submitting electronically, please include all evidence as file attachments.