



Document title	Appeals Policy and Procedure for End-Point Assessment
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Appeals Policy and Procedure for end-point assessments

1. Aims and Objectives

Awarding UK is the end-point assessment service based within Bishop Grosseteste University (BGU).

Awarding UK is committed to ensuring that standards of end-point assessment (EPA) are consistent, valid, reliable, transparent and in line with the requirements of all external quality assurance requirements. However, we recognise that there may be occasions when a Learner may wish to query or appeal an end-point assessment decision.

Objectives

- to ensure all Learner end-point assessment decisions are open and transparent;
- to ensure all Learners have the right to appropriate redress.

2. Definitions

The Customer is the organisation that makes the booking for the EPA with Awarding UK. It could be an Employer or Training Provider.

3. Range and Scope

The policy and procedure covers all Learner end-point assessments offered through Awarding UK.

4. Who can appeal?

A Learner;

A Learner's appointed representative;

The Customer.

An appeal may be lodged on behalf of a Learner or a group of Learners with the explicit permission of that Learner/group of Learners.

5. Grounds for Appeal

A Learner or Customer would have grounds for appeal against an assessment decision in the following situations:

- the skills, knowledge and behaviours were not assessed according to the set criteria;
- the conduct of the assessment did not conform to the published requirements of the apprenticeship standard;
- valid and agreed Reasonable Adjustments and/or Special Considerations were not taken into account at the time of assessment, which Awarding UK were aware of prior to the assessment;
- agreed deadlines were not observed by Awarding UK staff;
- the current apprenticeship standard assessment plan was not adhered to.

Extenuating circumstances identified post-assessment should be addressed via our Special Considerations policy. Any other area which has resulted in dissatisfaction may be addressed via our complaints procedure.

6. Appeals Procedure

Restrictions – An application for appeal must be founded on one or more of the accepted grounds for appeal, as detailed in section 5. Each apprenticeship standard has its own assessment plan, which determines the range of assessment methods and grading. There may be grades for individual assessment components or the Learner may only receive one overall grade. An enquiry can be made for any assessment component where the apprentice receives a specific result for that component.

Timescales – If the Learner or Customer wishes to make a formal appeal, they or their designated representative must apply to Awarding UK, in writing through an application form available on our website, for a re-assessment. This must be done within 10 working days of receiving the original assessment result. Awarding UK will normally acknowledge receipt of all appeals within 3 working days and will include details of when an outcome of the enquiry would be expected.

Stage 1

The Assurance and Delivery Officer, on receipt of the stage 1 appeal application form (Annex A), will arrange for a review of the assessment decision to be undertaken by an Awarding UK employee, who was not part of the original decision but who is qualified to verify assessments. The findings and results of this review will enable an objective, evidence-based judgement to be reached and will take no longer than 10 working days.

The process will vary depending on the assessment methods used, for example:

- for assessments with written responses, including projects, these will be reviewed, including a clerical check;
- for assessment with multiple-choice questions, a clerical check will be completed to ensure that Learner's answers have been correctly marked;
- for portfolios all the evidence will be reassessed;
- for observations, presentations, interviews or professional discussions, a review of all documents and recording completed by the Independent End-Point Assessor will be completed.

Outcomes – There are three possible outcomes from the stage one process:

- the result is upgraded (e.g. the grade is changed from a fail to a pass) – Awarding UK will amend its records accordingly and inform the Education Skills Funding Agency (ESFA);
- the result is confirmed. Awarding UK will provide feedback on the decision;
- the result is downgraded (e.g. the grades is changed from pass to fail) – Awarding UK will amend its records and inform the ESFA.

Awarding UK team will send notification with details of the outcome to the appellant. If the result is



confirmed or downgraded, the notification will include information on how to appeal (Stage 2). A Stage 1 appeal does not involve feedback on the Learners' performance in EPA.

Stage 2

The Learner or Customer may submit a stage 2 application if they remain dissatisfied following the outcome of the stage 1 appeal. All stage 2 appeal applications must be made within 10 working days of the stage 1 outcome notification. The purpose of a stage 2 appeal is to identify if the correct process, procedure and policies were followed, for a range of activities (listed below). The appeal is usually desk based and completed by a panel of Awarding UK Employees not involved in the original decision. The panel are not usually subject matter experts, but will be expert on all the relevant processes, procedures and policies. The same process is followed for every type of appeal.

- outcome of stage 1 – an appeal reviews the outcome of the stage 1 activities. It does not involve re-assessing a Learner's work;
- malpractice – an appeal can be made against any decision, penalty of sanction made following the investigation. For example, the Learner may be disqualified from an assessment. It is not possible to appeal the findings of a malpractice investigation;
- Reasonable Adjustments and access arrangements – If Awarding UK has declined an application, it is possible to appeal this decision. This can be done before the assessment takes place;
- Special Consideration – If Awarding UK has declined an application it is possible to appeal this decision.

The stage 2 appeal application form must include the reason for the appeal and details of specific instances where the Learner or Customer believes that correct procedures were not followed in reaching the original decision. Additional supporting documentation must be included with the application and be clearly referenced.

In the event the stage 2 appeal application follows a stage 1 outcome, the application form must include details of how the Learner or Customer believed that Awarding UK did not follow the correct process, procedure and policy documentation during the stage 1 activity.

The process will be the same for all activities. The Administration Officer acts as panel clerk and will review the application and ascertain whether there is enough information for the appeal to go to the panel. The appellant will be notified in writing if further information is required. If the appeal goes to the independent board, the clerk will send an acknowledgement letter upon receipt of the appeal and make arrangements for payment of the appropriate fee (by invoice or cheque). This will normally be within 10 working days following receipt of the stage 2 appeal application. The clerk will request full documentation of any actions taken in the case and any additional evidence from both parties.

Though this is not an expectation, the appellant is entitled to be accompanied by one other person, such as a peer, family member or friend – but not a legal representative – at the panel review. If the appellant wishes to be accompanied then all parties should inform the clerk in advance, at least 5 working days prior to the panel meeting date, providing the name of the accompanying person.

The person accompanying may advise the appellant, but is not permitted to speak on their behalf. It is important to hear one voice in order to maintain clarity. The appellant may however declare in writing that they wish for a third party to represent them throughout their appeal. This representative must



agree to act in this capacity. In such circumstances the clerk will liaise with the third party throughout the appeal.

If for a good reason the appellant is unable to attend, they may make a request that their representative attends on their behalf. In such cases, the panel will only be required to consider representations submitted by the representative and not any written or oral representations made by the appellant before, during or after the panel meeting.

Unless the appellant has provided written permission for a representative to act on their behalf, resulting in the direction of communications by Awarding UK to the representative and not the appellant, it is the appellant's responsibility to relay relevant information and communications from Awarding UK under this Procedure to any other third party.

A panel of three of the following, or their nominated deputies, will be convened to review the application and associated documentation:

- BGU EPAO Responsible Officer;
- BGU EPAO Manager;
- BGU EPAO Assurance and Delivery Officer;
- BGU EPAO Business Development Officer;
- BGU Registrar and Secretary;
- BGU Head of Quality and Compliance;
- BGU Dean of Faculty;
- BGU Pro Vice-Chancellor (Students);
- BGU Deputy Vice Chancellor.

Two out of the three panel members must be independent, having had no involvement with the operational delivery of Awarding UK. The third panel member must be someone who understands the EPA process, but who has not been involved with the EPA for the appellant. The EPAO delivery team will act as the presenting team for the panel.

There are two possible outcomes from the stage two process:

- the appeal is upheld because any one of the correct processes, procedures or policy documents were not followed. Awarding UK will send a letter of notification to the Learner or Customer which will include proposed remedial action (e.g. possible clarification of procedures or remarking a Learner's work);
- the appeal is rejected because all the processes, procedures and policy documents were followed. Awarding UK will send a letter of notification, which will include information about appealing externally to Awarding UK.

Awarding UK will reasonably endeavour to conclude a stage 2 appeal within a period of 30 working days. In the event this will take longer, an anticipated completion date will be communicated to the appellant in writing at the earliest opportunity in the process.

7. Implementation

In dealing with appeals the following protocols will be adhered to:

Appeals must be submitted in writing by the Learner or person acting on behalf of, using the appropriate application form, stating the grounds for the appeal and providing any corroborating evidence. Persons acting on behalf of the Learner must have explicit written permission to do so, if this is missing from the application, Awarding UK will be unable to proceed.

The Learner must be informed about the appeals procedure and have access to a copy of the written procedure. The Learner will be permitted to be accompanied to an appeal meeting. Written records of all appeals will be retained by the appropriate person(s) including the outcome of the appeal and reasons for the outcome.

8. Final Option

Following all stages of the Awarding UK Appeals process, if an agreement has not been met, Learners undertaking the end-point assessment can appeal directly to the External Quality Assurance Organisation (EQAO) identified on the relevant apprenticeship standard. Your appeal will either be rejected or upheld. The decision of the EQAO is final.

9. Fees

A fee to cover the administration costs will be charged. The Customer will be invoiced for the correct fee. Where the outcome of an enquiry or appeal is in favour of the Customer, there will be no charge. Awarding UK charges a fee for a stage 2 appeal if it is not upheld. **The amount is £400.**



Annex A

EPA Appeals Procedure Application Form

This application must be completed and submitted within 10 working days of the Assessment decision

Learner name:	
Learner Date of Birth:	
Date of End-Point Assessment:	
Date Learner received notification of End-Point Assessment decision:	
Employer/Organisation name:	
Address:	

Full nature of the appeal (setting out clearly why you think we did not apply or follow processes fairly or correctly and any evidence which supports this including the assessment evidence you believe meets the requirements): please continue on separate sheet if necessary

Learner signature:
Date:

For office use only:

Acknowledgement of receipt (within 3 working days)	Stage 1 complete:
Review of assessment decision organised (within 10 working days)	Stage 2 required:

**Annex B
Appeals Process**

