



## Appeals Policy

2019

## Document Control

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## Change History

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0.1	April 2019	First draft	Steven Wingate
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## Change Mechanism

Any person seeking to alter this document must consult the author before making any change. ECQN Ltd Change Authority must endorse any alterations to the approved version of this document before any wider dissemination of the altered document.

The person making the alteration must indicate every change between the previous (approved) document version and the altered document version.

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## **Introduction**

This policy is aimed at our customers, including Apprentices, who will be using ECQN as their End point assessment, It sets out the process you should follow when submitting appeals to ECQN and the process we will follow when responding to enquiries and appeals.

It is also for use by ECQN staff to ensure they deal with all enquiries and appeals in a consistent manner.

## **Areas covered by the policy**

- Appeals from Apprentices, employers and/or centres in relation to an assessment decision on the basis that ECQN procedures were not applied consistently or that ECQN procedures were not followed properly and fairly
- Appeals from centres in relation to a ECQN decision concerning results for the End point assessment process.
- Appeals from Training Providers and/or Apprentices relating to a ECQN decision to decline a request to make reasonable adjustments or give special considerations
- Appeals from Apprentices relating to a decision made by ECQN following an investigation into a complaint
- Appeals if you believe ECQN has not applied its procedures consistently or those procedures were not followed properly, consistently and fairly

The policy has been divided into two sections as follows:

### **Enquiries and appeals of assessment results**

This section details the process to follow to enquire about ECQN assessment results or lodge an appeal relating to assessment results for an Apprentice, or group of Apprentices,

### **All other appeals**

This section details the process to follow to lodge an appeal regarding a decision taken by ECQN in any other circumstance e.g. complaints, malpractice/maladministration, accreditation etc.

### **Our responsibility**

It's important that ECQN staff involved in the management, assessment and quality assurance of ECQN Assessments, and our Apprentices are aware of the contents of this policy. In addition, ECQN must

have internal appeal arrangements which Apprentices can access if they wish to appeal against a decision taken by ECQN.

### **Review arrangements**

ECQN will review this policy annually as part of its self-evaluation arrangements and revise it as and when necessary in response to customer and Apprentices, 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 skills for Care).

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

### **Situations brought to our attention by the regulatory authorities**

If the regulators notify ECQN of failures that have been discovered in the assessment process of another end point assessment centre, we will review whether or not a similar failure could affect our own assessment processes and arrangements.

### **Fees**

Fees are applicable for this service but will be refunded appropriately where an appeal is successful. Please see ECQN's current fees list on its website at [www.ecqnltd.co.uk](http://www.ecqnltd.co.uk).

### **Information required when raising an appeal**

When submitting an appeal please provide relevant supporting information such as the following (where applicable) in writing:

- Apprentices, name(s) and ECQN URN(s)
- date(s) the Apprentices, received notification of ECQN's decision
- title of ECQN Assessment affected, or nature of service affected
- full nature of the appeal and reasoning
- contents and outcome of any investigation carried out by you relating to the issue

ECQN will not consider any telephone requests for enquiries or appeals.

### **Enquiries and appeals of assessment results**

Before an enquiry or appeal is lodged with ECQN, Apprentices, are encouraged to review the assessment script(s) against the assessors feedback provided (where applicable).

If further information is required on a apprentice's performance in an ECQN assessment, an enquiry may be raised.

### **Raising an enquiry about assessment results**

1. Individual Apprentices are advised to request a full assessment report in the first instance which provides a detailed report of their assessment performance. This report provides a specific guide to strengths and weakness in each assessment component.
2. There is a fee for this service. Please see ECQN's current fees list on its website at [www.ecqnltd.co.uk](http://www.ecqnltd.co.uk).
3. Apprentices, or employer may request a full assessment report no later than **two weeks** following the date the results were published. Application forms may be downloaded from ECQN website at [www.ecqnltd.co.uk](http://www.ecqnltd.co.uk). . There is a fee for this service. Please see ECQN's current fees list on its website at [www.ecqnltd.co.uk](http://www.ecqnltd.co.uk).
4. Full assessment reports will be issued within two weeks of written application.
5. The information provided in a full assessment report may be used to help Apprentices understand how the final result was arrived at. A breakdown of marks awarded in each question; 1a, 1b, 2a, etc. will be provided in the report with full feedback. Where Apprentices still have questions about the final result, the first step should be to discuss the report with their EPA). In many cases this will resolve any queries and help Apprentices to understand how and why they were awarded a particular percentage mark and grade.
6. It is recommended that a full assessment report is obtained before proceeding to stage 1 of the formal appeals process.
7. Where questions remain, the Apprentices, employer may initiate an appeal of candidate(s) assessment results by applying to ECQN quality and assessment manager within two weeks of receipt of the assessment report.

If an assessor, or employer has a general concern about a group of assessment results received, ECQN quality and assessment manager may undertake an initial assessment of the situation to ascertain if the issue(s) can be resolved before initiating the formal appeals process.

### **Appeals of assessment results**

#### Review and re-mark of an assessment result

- There is a fee for this service. Please see ECQN's current fees list on its website at [www.ecqnltd.co.uk](http://www.ecqnltd.co.uk) Please contact ECQN quality and assessment manager if you require further information.
- Apprentices who wish to appeal their assessment result(s) could be supported by their employer,

- If an Employer wishes to appeal on behalf of an Apprentices it must ensure that it has obtained the written permission of the Apprentices concerned, as results/grades can go down as well as up as a result of an appeal investigation.
- An Apprentices, or an employer on the Apprentices behalf (with the Apprentices consent), may request a stage 1 appeal in writing to ECQN quality and assessment manager no later than **four weeks\*** following the date the results were published. \*or within **two weeks** of receipt of an assessment report.
- Upon receipt of a request to appeal an assessment result, the quality and assessment manager will acknowledge receipt of the appeal within 48 hours.
- A stage 1 appeal will be carried out by a senior assessor, who has had no previous involvement in the marking or moderation process for the Apprentices concerned for the assessment sitting in question, and will include the following as appropriate:
  - a full clerical re-check
  - a review of the assessor marks sheet(s) and the original marks awarded for each assessment component undertaken against the approved mark scheme for the assessment. Marks may be confirmed or amended appropriately.
  - a full re-mark of the individual(s) assessment script(s). a feedback report from the appeal assessment.
- ECQN aim to respond to a stage 1 assessment appeals in writing within 15 working days of receipt of the written request. Please note that in some cases the processes may take longer, for example with a group appeal. In such instances, ECQN will contact all parties concerned to inform them of the likely revised timescale.
- A successful appeal of an assessment result is defined as an increase in the grade awarded for an ECQN achievement. Any change to the percentage mark that does not affect the overall grade achieved will not be considered a successful appeal.
- If the Apprentices are unhappy with the outcome following stage 1 of the appeals process, they are entitled to proceed to stage 2 where an independent review of ECQN's procedures will be carried out.

### All other appeals

To appeal a decision made by ECQN relating to any case other than assessment results, such as; complaints, malpractice/ maladministration, accreditation etc., the following process must be followed:

### Stage 1 – Appeals

- Apprentices may request a stage 1 appeal in writing to ECQN no later than **two weeks** from the date ECQN informs you of the decision.

- An Apprentices, or an employer on the Apprentices behalf (with the Apprentices consent), Upon receipt of the appeal, the relevant ECQN senior manager - depending on the nature of the appeal - will acknowledge receipt within 48 hours.
- An appropriate ECQN senior manager - depending on the nature of the appeal - will undertake a review of the appeal submitted. There is no fee for this service. In all instances ECQN will ensure that the person carrying out a stage 1 appeal does not have a personal interest in the decision being appealed.
- ECQN aim to respond to a stage 1 appeal of this nature in writing within **10 working days** of receipt of the written request. *Please note that in some cases the processes may take longer, for example, if a centre visit is required. In such instances, we'll contact all parties concerned to inform them of the likely revised timescale.*
- ECQN will write to the appellant with details of our decision to either:
  - amend our original decision in light of the new rationale/evidence being put forward and which has now been reviewed
  - to confirm that we stand by our original decision and in doing so provide the rationale for this decision and request that you confirm, within 14 days, whether you now accept this decision or if wish to formally proceed to stage two of ECQN appeals process
- If the employer or Apprentices is unhappy with the outcome following stage 1 of the appeals process, they are entitled to proceed to stage 2 where an independent review of ECQN procedures will be carried out.

## Stage 2 – Independent review of an assessment appeal

- There is a fee for this service. Please see ECQN's current fees list on its website at [www.ecqnlimited.co.uk](http://www.ecqnlimited.co.uk).
- If following the conclusion of stage 1 of the appeal you decide to proceed to stage 2, the Apprentices or Employer on the Apprentices behalf (with consent), must appeal in writing to ECQN quality and assessment manager no later than **two weeks** following the outcome of stage 1 being confirmed with you.
- In this instance ECQN will arrange for an independent review of ECQN procedures to be carried out.
- A stage 2 appeal will be carried out by someone who is not an employee of ECQN, a ECQN assessor, or someone otherwise connected to our organisation. They will also be someone with the relevant competence to make a decision in relation to the appeal and will have not a personal interest in the decision being appealed.
- The independent reviewer will review the evidence from the above stages and assess if ECQN applied its procedures fairly, appropriately and consistently in line with this policy.
- The independent reviewer's decision is final in relation to how ECQN consider such appeals and ECQN will let you know the outcome of the review in writing within **15 working days** of receipt of the written request.

- If the centre or learner is still unhappy with the outcome of the appeal following stage 2 of the appeals process, they are entitled to raise the matter with the relevant regulator (e.g. Ofqual in England).

### **Successful appeals and/or issues brought to our attention by regulatory bodies**

In situations where an appeal has been successful, or where an investigation following notification from a regulatory body indicates a failure in procedures, ECQN will give due consideration to the outcome and will take action as appropriate such as:

- amend the record of the Apprentices, or an employer
- identify any other Apprentices who have been affected and correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure (e.g. amend the results for the Apprentices, or an employer affected following an appropriate investigation)
- review our 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
- in relation to an appeal of Apprentices results, refund the appropriate fee.

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

### **Contact us**

- If you've any queries about the contents of the policy, please contact ECQN quality and Assessment Manager Details can be found on ECQN website at [www.ecqnlimited.co.uk.co.uk](http://www.ecqnlimited.co.uk.co.uk).

END OF POLICY