



Appeals and Disputes Policy and Procedure

Appeals and Disputes Procedure

Aim:

The purpose of an appeals and disputes procedure is to allow all relevant parties to question or challenge an assessment and or internal quality assurance decision, or an external quality assurance decision.

Rationale:

An appeals and disputes procedure is an essential component of any approved assessment (to include End-point assessment) centres quality systems.

Principles:

The existence of an appeals and disputes procedure needs to be communicated to all relevant parties ideally for company personnel this should be undertaken at the induction stage of employment. For Apprentices and employers, the company website and End-assessment point guides and briefs will make sure that the Apprentice and employer are aware of the company's appeals and disputes procedure. Information about this procedure will be presented again at a pre-End-assessment point meeting and at the End assessment.

Procedure

Various circumstances may occur that will influence the use of this system. This process may be utilised by many different parties in the quality assurance of the new apprenticeship standards, Diploma or any other approved, endorsed or accredited programme.

Grounds for Appeal

All persons involved in the assessment and internal quality assurance processes have the right to appeal against assessment or internal or external quality assurance decisions which are unclear or seem unfair. The reasons for appeal are:

- One or more parties affected by the assessment and quality assurance process believes the assessment and or quality assurance process or decision has been unfair
- One or more parties affected by the assessment and quality assurance process believes not all the appropriate evidence of competence or presented documentation or assessment or quality assurance decisions has been considered
- One or more parties affected by the assessment and quality assurance process thinks that the assessor or assessment process has misunderstood the context of the evidence generated

- One or more parties affected by the assessment and quality assurance process believes their requirements under special considerations were not supported or appropriately addressed and this adversely impacted on the assessment or quality assurance outcome
- Disagreement of MCQ test results

Apprentice/Employer appeals and disputes:

- In the event an apprentice and or employer wishes to dispute the outcome or grade of the end place assessment, the apprentice and employer will be requested to put their appeal in writing to the Quality Director, within 10 days of receiving the final EPA grade. The Quality Director (QD) will review the assessment documentation and decisions and where required to, interview all relevant parties. The QD will provide their decision in writing to the apprentice and employer within 20 days of receiving the written correspondence, requesting a review of the grade.
- The apprentice and employer on receipt of the report can request a verbal communication with the QD, and this will be arranged within five working days from the request. The QD decision will then be communicated to all relevant parties
- If the apprentice or employer wishes to contest the findings of the QD, they have 5 working days to request a further review. The review must be in the format of a formal email or letter and be directed to the SMT. The SMT will convene a panel of 2 other independent assessors and a different IQA from the one involved in the complaint. All parties will need to make themselves available to the panel for review of the evidence and will be able to make their case. No additional evidence will be looked at; that was not presented in the first appeal. The panel will make a decision within five working days of the panel hearing summation, and all parties will be advised in writing. In specific situations PAL may choose to bring an independent chair to facilitate the work of the panel
- If the apprentice or employer refutes the decision of the above panel, the company will present the appeal and all associated information and evidence to the External Quality assurance organisation, and their decision will be final.

EPA appeals and disputes

- In circumstances where an EPA does not agree with the quality assurance decision then the EPA should raise their concern within seven days of the assessment decision being deferred by the IQA.
- The IQA must re-consider the reasons underpinning the decision and provide clear feedback. If the IQA is upholding the original quality assurance decision, then the EPA must be provided with full information describing what is required to remove the deferment.
- This should be provided in writing by the IQA (email will suffice) and relate specifically to the standards relevant to the quality assurance decision. The IQA must notify their QD of the appeal and make available to all concerned parties copies of the IQA report
- Should the IQA fail to agree a satisfactory outcome with the EPA, the EPA can complete an Appeals Form' which will be forwarded by the IQA to the Quality Director.
- The Quality Director will review all evidence and records in order to consider the appeal. A decision should be made within five working days, and the parties involved must be informed orally and in writing by the Quality Director using the appropriate section of the Learner Appeals Form.
- If the EPA is dissatisfied with the Quality Director's decision, they have the right to appeal to the Senior Management team (SMT). A member of the SMT will decide if the appeal should be taken to the Awarding Organisation or EQA agency. If the nominated SMT makes a ruling on non-accredited qualifications or

programmes their decision will be final and there will be no further recourse for the EPA or IQA. If the SMT representative believes the appeal should be forwarded to the awarding organisation, they will exclusively undertake that task.

- If the appeal is forwarded to the awarding organisation or EQA, the awarding organisations or EQA decision will be final, and all parties will have to adhere to that decision
- **Appeals and disputes against External Quality assurance bodies and awarding organisations**
- In the event that the company wishes to challenge a decision made by a representative of an EQA or awarding organisation a nominated IQA will collect and collate the necessary evidence to sort the appeal and forward this to the Quality Director (note in the case of where Professional Assessment uses another partner's assessment instruments, such as tests, parties must follow the AO/EPAO appeals and disputes policy and procedure)
- The Quality Director will judge if there is a case for the EQA or awarding organisation to answer and if so will contact them directly. If it is judged there is no case to answer the Quality Director will advise the respective IQA and this decision will be final.

Date Created: 6th July 2017

Last Review: 5th July 2018

Next Review: 6th July 2019

Person Responsible for review: Quality Development Director

This Policy has been agreed by Linda Martin, Managing Director

Appeals Form

Apprentice/Client Name	
Employer Name	
EPA Name	
Quality Assurer Name	
Quality Director	
SMT Name of Panel Review	

Please provide details as to the appeal you wish to make (to be completed by the person making the appeal): note the appeal can be made in writing or e-mailed separately.

Signature:	Date:

Name of person(s) responding to the appeal and actions:

Signature:	Date:

Evidence reviewed and decision:

Signature:	Date: