

1.0 Policy

To deliver its strategic policy aims of excellence in: Quality of Practice, the Learner Experience, Stakeholder Relationships, Innovation and Cost Management, Advance Assessments will comply with the Ofqual General Conditions of Recognition, in particular:

Condition I1 – Appeals and certificates

Condition I2 – Appeals process

In addition, Advance Assessments has a has a policy of complying with the UK Quality Code for Higher Education. In particular when responding to any appeals, as described in this procedure, compliance with Quality Code core practice: Q6.

Core practice Q6

The UK Quality Code sets out the following core practice:

The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.

Advance Assessments' strategic aims and this policy will enable the organisation to comply with the Ofqual General Conditions of Recognition on an ongoing basis, particularly: Section I (Appeals and Certificates) that requires awarding organisations to provide for the appeal of:

- a) the results of assessments
- b) decisions regarding Reasonable Adjustments and Special Consideration (see policy and procedure AA_OP_04)
- c) decisions relating to any action to be taken against a Learner or a Centre following an investigation into malpractice or maladministration (see policy and procedure AA_OP_19).

The Advance Assessments appeal process has two possible stages:

- **STAGE 1:** Summary Review
- **STAGE 2:** Independent Review

2.0 Procedure

2.1 The Assessment Manager is responsible for implementation of this procedure.

2.2 **Making an Appeal.** Should a learner, employer, training provider or centre believe that an assessment or other decision was unfair (see items a, b, c above), they should report this as an appeal, by email, to the Assessment Manager. In this procedure the person making the appeal is referred to as the *appellant*. The email address to address appeals to is support@advanceassessments.co.uk. The Assessment Manager will acknowledge receipt of an appeal to the appellant within 2 working days of receipt. Where possible, every reasonable effort should be made to resolve the appeal by the Assessment Manager. This is part of STAGE 1: Early Resolution.

2.3 **Restrictions and Limitations:** In accordance with Ofqual conditions, this process provides for the effective appeal of assessment results or decisions on the basis that Advance Assessments did not apply procedures consistently or that procedures were not followed properly and fairly. Appeals outside these restrictions cannot be considered. All appeals must be notified to Advance Assessments, by email (see item 2.2) within 10 working days of the assessment result or decision being issued. Appeals will not be

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processed at Stage 2 unless a valid contact address and email are provided on the Independent Review of Appeal Form (AA_OF_03B)

- 2.4 **Conflict of Interest:** Where the appeal is related to the actions of the Assessment Manager, or a director, for example where he/she acted as the Assessor or Internal Verifier, then a deputy with no relationship to the substance of the appeal and with appropriate competence must be appointed. The deputy may be from within Advance Assessments. Where it is not possible appoint a deputy from within Advance Assessments that has no relationship to the appeal, an Advance Assessments Independent Governor will act as deputy and conduct the Local Resolution process (Stage 1) according to this procedure.
- 2.5 **Stage 1:** The Assessment Manager (or his/her deputy) will review the details of the appeal and arrange to meet with the appellant, face-to-face, by telephone or video link. This review should take place within 10 working days of the appeal being reported to Advance Assessments. Should it not be possible to complete Stage 1 within this timescale (for example due to absence of parties involved or able to review the appeal), the Assessment Manager (or his/her deputy) will notify the appellant within 10 days of the appeal being lodged, giving an estimation of the delay involved.
- 2.6 The person representing Advance Assessments in Stage 1 of the appeals process is referred to as the **'Responsible Person'** and is identified as such on Form AA_OF_03A.
- 2.7 **Stage 1 meeting:** Present at the meeting will be the Responsible Person, optionally a second member of Advance Assessment staff, the appellant and a peer or trusted adviser that the appellant may wish to accompany her/him. No member of the Advance Assessments team that has a relationship with the subject of appeal may be present at the meeting, the Responsible Person will chair the meeting. A record of the meeting should be made on an Advance Assessments Stage 1 Summary Review of Appeal Outcome Form (AA_OF_03A), by the Responsible Person.
- 2.8 The Responsible Person should upload the completed Form AA_OF_03A report to dedicated section of the Advance Assessments online platform within 2 working days of the Stage 1 meeting, stating whether:
- 2.8.1 the appeal has been upheld and will result in an amended decision with justification(s) for any amendments, OR
 - 2.8.2 the appellant has withdrawn their appeal, OR
 - 2.8.3 the appellant wishes to progress the appeal to Stage 2, Independent Review of appeal and will provide full details on a Form AA_OF_03B: Independent Review of Appeal

This is part of STAGE 1: Summary Review.

- 2.9 Following upload of the completed Form AA_OF_03A report, the Assessment Manager will email the appellant with details of the findings of the Stage 1 appeal. The Assessment Manager should provide this email within 12 working days of the appeal being reported to Advance Assessments, subject to any extension as described in item 2.5.

This is part of STAGE 1: Summary Review.

2.10 **Stage 2:** For appeals that cannot be resolved through the Summary Review procedure described in items 2.5, 2.6, 2.7, 2.8 and 2.9, the appellant may elect to lodge a formal appeal for independent review. In this case an Advance Assessments Appeal Form (AA_OF_03B) must be completed by the appellant. Any supporting evidence that the appellant wishes to be considered as part of his/her formal appeal must be appended to this form. The Appeal Form (AA_OF_03B) must be submitted by the learner, employer, training provider or centre within 14 days of the Stage 1 meeting described in items 2.5, 2.6 and 2.7. The learner, employer, training provider or centre that submitted the appeal form will be notified, by the Assessment Manager, of its receipt within 3 working days.

The Assessment Manager will provide to the appellant a dedicated area on the Advance Assessments online platform for upload of completed Appeal Form AA_OF_03B and supporting evidence and provide a link to this area.

Please ensure that supporting evidence is complete as Advance Assessments may, at its discretion, refuse to consider supporting evidence submitted after the AA_OF_03B Appeal Form is received. Advance Assessments may also, at its discretion, refuse to consider appeals submitted outside the restrictions and limitations described in this procedure.

This is part of STAGE 2: Independent Review

2.11 For an appeal escalated to Stage 2, the review will be conducted by an **Independent Reviewer** who will independently investigate the nature of the appeal in order to establish the relevant facts. The Independent Reviewer will meet the following criteria:

- 2.11.1 will not be an employee, director or shareholder of Advance Assessments
- 2.11.2 have no personal interest in the matter being appealed
- 2.11.3 have relevant competence to make the decision as described in the Independent Reviewer Person Specification
- 2.11.4 have completed an Advance Assessments register of interests that has been reviewed by a director of Advance Assessments.

2.12 **Appeals where Ofqual is the regulatory body:** The Assessment Manager is required to review the Ofqual General Conditions of Recognition prior to a Stage 2 Investigation, to advise the Independent Reviewer and ensure that the Advance Assessments Appeals procedure complies with current best practice. Ofqual General Conditions of Regulation are available at: [Ofqual Handbook: General Conditions of Recognition - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/ofqual-general-conditions-of-regulation)

2.13 At the discretion of the Independent Reviewer, further investigative meetings may be held, to which the appellant may be invited. The appellant may bring one peer or trusted adviser to an investigative meeting. The Independent Reviewer will also be given permissions to access any area of the Advance Assessments online platform that he/she wishes to review, this may include recordings of assessments or meetings, the relevant Stage 1 report and assessment feedback provided to any appellant. Following investigation, the Independent Reviewer will produce a written report on Form AA_OF_03C (Independent Review of Appeal Report) that will provide a complete review of the background (including details of Stage 1), the nature of the appeal and its resolution. This process should be completed in as timely fashion as possible, within 21 days of receipt of the formal appeal form. Should it not be possible to complete Stage 2 within this timescale (for example due to delays in the receipt of third-party evidence), the

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Assessment Manager (or his/her deputy) will notify the appellant within 21 days, giving an estimation of the further delay involved.

- 2.14 Please note that all independent reviews of appeals requested will be charged for. The fee will be charged directly to the learner, training provider or centre submitting the Appeal Form (AA_OF_03B) on receipt of the form. Fees for appeals are published on the Advance Assessments website and may be subject to revision from time to time. Further details are given in item 2.23.
- 2.15 The Independent Reviewer will upload the completed form AA_OF_03C to the dedicated storage area on the Advance Assessments online platform, with guidance from the Assessment Manager, where necessary.
- 2.16 The Independent Reviewer's decision, given in his/her report, is final in relation to how Advance Assessments will consider such appeals.
- 2.17 Where the appeal process determines that an incorrect result has been issued, procedure AA_OP_24 – Incorrect Result Discovery will be followed.
- 2.18 The Independent Reviewer's report (form AA_OF_03C) will be made available to the appellant through the Advance Assessments online platform.
- 2.19 Where a learner, employer, training provider or centre is unsatisfied with the Stage 2 appeal process he/she may complain. Please note that regulatory bodies, including Ofqual, have limitations on what they may investigate. Please refer to Advance Assessments Policy and Procedure AA_OP_23 – Complaints for details of how to make a complaint.
- 2.20 The Assessment Manager will maintain logs of all appeals reported to him/her and make a report on concluded appeals at Practice Review, Improvement and Standardisation Meetings referred to in the Advance Assessments Qualification and Assessment Review, Improvement and Standardisation policy and procedure (AA_OP_07). Where an appeal identifies weaknesses or failures in the processes of Advance Assessments, the reporting process will enable actions to be put in place that:
 - 2.20.1 Identify any other Learner who has been affected by that failure
 - 2.20.2 Correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure
 - 2.20.3 Ensure that any weaknesses or failures do not recur.
- 2.21 The Assessment Manager will hold and maintain records of all appeals and their resolution in the dedicated areas on the Advance Assessments online assessment system, in accordance with the General Data Protection Regulations (GDPR) for 10 years after the date of submission of the appropriate form, before disposal.
- 2.22 The Assessment Manager is required to review the Ofqual General Conditions of Recognition prior to each Stage 2 Investigation relating to Ofqual regulated assessments and qualifications and inform the investigating Responsible Person of any changes in order to ensure that the Advance Assessments Appeals procedure complies with current best practice. Additionally, the Assessment Manager is required to notify Advance Assessments General Practice Review meetings of any changes in Ofqual Conditions or notifications of best practice, in order to maintain ongoing review of Advance Assessments practice, see General Practice Review Meeting procedure (AA_OP_20).

2.23 **Fee:** There will be a fee of £350.00 levied for each Stage 2: Independent Review of appeal undertaken. The fee will be invoiced on receipt of the Independent Review of Appeal Form (AA_OF_03B) and will be waived where an appeal is upheld. For appeals relating to a learner registered on the Advance Assessments platform before the publication of this document (before 20-12-2022), the fee published at the learner's date of registration will be levied, an archive of fee information is openly available on the Advance Assessments platform. There is no fee levied for a Stage 1: Summary Review of appeal.

3.0 Forms/Documents associated with this procedure

3.1 Form AA_OF_03A – Summary Review of Appeal Outcome Form

3.2 Form AA_OF_03B – Independent Review Form

3.3 Form AA_OF_03C – Independent Review of Appeal Report

3.4 Independent Reviewer Person Specification

4.0 Document Revision History

4.1 Following improvement identifications and review with colleagues, the Assessment Manager is responsible for revisions of this policy/procedure and completion of the table below, before issue of the amended policy/procedure.

Date (most recent first)	Revision(s)	Reason for revision(s)	New Version Number	Approved by (Initial)
02/04/2024	Item 2.2 ‘..to address appeals to...’added Item 2.10 - 3 days changed to 3 working days Item 2.10, paragraph 2 ‘...and provide a link to this area.’ Added. Item 2.11.1 Changed to: ‘will not be an employee, director or shareholder of Advance Assessments’ Item 2.11.2 appeal changed ‘matter’ Item 3.13 ‘...recordings of presentations or discussions...’ changed to ‘...recordings of assessment activities or meetings...’	Clarity Practicality Clarity Practicality English Enable more flexible scope.	2024/01	G.M.
19/12/2022	Item 2.10 Term ‘Local Resolution’ changed to ‘Summary Review’ Fee for Independent Review changed from £300.00 to £350.00	Consistency of terms Increase in line with inflation	2022/01	G.M.

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07/12/2021	<p>Reference to complaints removed from this policy and procedure. The document now applies to appeals only. A new, separate, policy and procedure (AA_OP_23) now applies to complaints.</p> <p>In section 2.10 reference to the ESFA for complaints removed.</p> <p>Term 'Responsible Person' as used on the accompanying forms (see item 3.0) defined and introduced into items 2.6, 2.7 and 2.8.</p> <p>Term 'Independent Reviewer' as used on accompanying forms (see item 3.0) defined and introduced into items 2.11 to 2.18</p> <p>Stage 1 appeals re-defined as 'Summary Reviews'</p> <p>Stage 2 appeals re-defined as 'Independent Reviews'</p> <p>Link to Ofqual General Conditions of Regulation added into item 2.21</p> <p>Item 2.17 added – actions to be taken followed the discovery of an incorrect result through an appeal</p>	<p>Ofqual requirement.</p> <p>No longer relevant.</p> <p>Clarity.</p> <p>Clarity</p> <p>Re-naming</p> <p>Re-naming</p> <p>Ease of access for procedure users</p> <p>Actions to be taken in the event of issue of an incorrect result.</p>	2021/05	G.M.
27/07/2021	Further details of relevant Ofqual Conditions added.	Clarity.	2021/04	G.M.

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	Section 2.10 reference to ESFA as third stage of complaint process added.	Further information obtained to identify responsible body.		
07/07/2021	Fee added for Stage 2 investigation.	This provides for payment of the Independent Governor's actions and complies with Ofqual conditions.	2021/03	G.M.
01/07/2021	Name of policy and procedure changed to Qualification and Assessment Review, Improvement and Standardisation Policy and Procedure from Practice Review, Improvement and Standardisation Policy and Procedure	To clearly differentiate between this procedure and the General Practice Review meetings described in policy and procedure AA_OP_20.	2021/02	G.M.
24/05/2021	Time scale for Stage 1 complaints action added. Conflict of Interest statement added with actions for resolution of conflict. Rewording. Section 2.9 on review and sign-off by Independent Governor added.	Ofqual requirement. Ofqual requirement. Clarity. Ofqual requirement.	2021/01	G.M.
06/06/2019	1) References to the UK Quality Code for Higher Education in section 1.0 Policy changed.	1) Compliance with the revised UK Quality Code for Higher Education (May 2018).	2019/01	G.M.