



## **TRAINED Academy Centre Appeals Policy**

### **Introduction**

This policy is aimed at our customers, including learners, who are delivering/enrolled on or have completed a TRAINED Academy qualification or unit. It sets out the process you should follow when submitting appeals to us, and the process we will follow when responding to appeals.

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

### **Centre's responsibility**

It is important that all staff involved in the management, assessment and quality assurance of qualifications with TRAINED Academy and learners are aware of the contents of the policy.

In addition, you must have internal appeal arrangements which learners can access if they wish to appeal against an assessment decision taken by your centre. If an individual wishes to appeal against a decision taken by a centre, they must initially complete the centre's appeals process before bringing the matter to Active IQ.

### **Review arrangements**

We will review the policy annually as part of our self-evaluation arrangements and revise it as necessary in response to customer and learner feedback or requests from, or good practice guidance issued by, the regulatory authorities (eg to align with any appeals and complaints process established by the regulatory authorities such as Ofqual).

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

### **Fees**

We will charge a nominal fee of £50 to cover the administration costs involved in investigating an appeal if the appeal is not upheld. In the case of group appeals, the fee per learner will be reduced, depending on the number of learners, and if the appeal is upheld, the fee waived. Where such appeals are partially upheld, the fee will be proportionately waived.

### **Areas covered by the policy**

This policy covers:

- appeals from learners in relation to an assessment decision on the basis that the centre did not apply procedures consistently or that procedures were not followed properly and fairly
- appeals from a centre in relation to an assessment decision (for either an individual learner or a cohort of learners) being overturned by Active IQ as a result of associated external verification activity
- appeals from a centre in relation to an Active IQ decision concerning a centre's application to offer an Active IQ qualification
- appeals from a centre concerning the content of a centre monitoring report
- appeals from a centre and/or learners relating to an Active IQ decision to decline a centre's request to make reasonable adjustments or give special considerations
- appeals from a centre in relation to the application of an Active IQ sanction/action on a centre resulting from a verification visit or an investigation into malpractice or maladministration or a decision to amend a learner's (or cohort of learners) results following a malpractice or maladministration investigation
- appeals from a centre relating to a decision made by Active IQ following an investigation into a complaint about a centre
- appeals if you believe we have not applied our procedures consistently or those procedures were not followed properly, consistently and fairly

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### **Process for raising an appeal**

An appeal must be formally raised within 20 working days from the date we notified you of the decision you are appealing against – therefore it is essential to advise all staff to retain any evidence relating to the appeal until the outcome is known.

If the appeal is being made on behalf of your learners, written permission must be obtained from the learner(s) concerned, as grades/results can go down as well as up as a result of an investigation.

Learners who wish to appeal about their assessment results or about a related decision should either be supported by their centre and should have exhausted their centre's own appeals process before appealing to us. In the latter case, learners must provide us with evidence that they have first appealed to their centre. It's expected that learners will only appeal directly to us in exceptional circumstances, and the separate Learner Appeals Policy must be followed.

Centres should complete the Appeals Form supplied by TRAINED Academy, or by requesting directly via the 'contact us' section of this policy. Alternatively, you may submit your own report accompanied with documents and supporting evidence. Reports must include the following:

- centre name, address and contact details
- learner's name and Active IQ registration number (if relevant)
- date(s) you received notification of Active IQ's decision
- title, level and number (QAN) of the Active IQ qualification affected, or nature of service affected
- detailed outline and reasons for the appeal
- contents and outcome of any investigation already completed internally by the centre relating to the issue
- date of the report and the appellant's name, position and signature

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

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.

### **Initial review of the dispute details**

Wherever possible we will try to resolve disputes before they reach an appeal stage. We will undertake an initial, informal assessment of all potential dispute information and write to the centre with details of our decision. If we are unable to resolve a dispute in this way, the appeals process will be available for centres. In all instances we will ensure that the person carrying out this initial assessment will not have a personal interest in the dispute.

### **Formal appeal process**

#### **Stage 1**

Upon receipt of all appeals our Head of Quality Assurance or Director of Quality and Standards will acknowledge receipt of the appeal within 2 working days and aim to respond fully to the appeal within 20 working days. Please note that in some cases the review process may take longer, for example if a centre visit is required. In such instances we will contact all parties concerned to inform them of the likely revised timescale.

If, following the outcome of this stage, the appellant disagrees with this, then stage 2 of the process must be followed.

#### **All appeal decisions will involve the following:**

- an individual from Active IQ who has no personal interest in the decision being appealed (usually the Director of Quality and Standards)
- at least one decision maker who is not an employee of Active IQ, be working as an assessor for us, or be otherwise connected to our organisation
- all individuals involved in the appeal decisions must have the relevant competence to make a decision in relation to the appeal

Following the review of the appeal, we will write to the appellant with details of our decision to either:

1. amend our original decision in light of the new rationale/evidence being put forward which

Following the review of the appeal, we will write to the appellant with details of our decision to either:

1. amend our original decision in light of the new rationale/evidence being put forward which has been reviewed
2. confirm we stand by our original decision and in doing so the rationale for this decision and request that you confirm, within 15 days, whether you now accept this decision or if wish to proceed to our independent review appeals process

### **Stage 2: Independent review appeals process**

If you decided to proceed to the independent appeal stage we will arrange for an independent review to be carried out.

The independent reviewer must meet the following criteria:

- they will not be an employee of ours, be working as an assessor for us, or be otherwise connected to our organisation
- they must have the relevant competence to make a decision in relation to the appeal and will not have a personal interest in the decision being appealed

The Independent Reviewer will review all the evidence which took place in the above stages and review if we've applied our procedures fairly, appropriately and consistently in line with our policy.

The independent review process may involve:

- a discussion with the appellant or the learner and Active IQ personnel
- a request for further information from the appellant, the learner or Active IQ personnel a centre visit by authorised Active IQ personnel

The Independent Reviewer's decision is final in relation to how Active IQ will consider such appeals and we'll let you know the outcome of the review within 20 days of receipt of the independent appeal. If the centre/learner is still unhappy with the outcome at this stage they are entitled to raise the matter with the relevant qualification regulator.

### **Stage 3**

As above, the appellant may contact Ofqual or Qualification Wales directly (the government regulatory Active IQ currently operate within), requesting an appeal be heard. Regulators, as a rule, will always want confirmation that all other internal and external procedures have formally been exhausted prior to their involvement, and will seek evidence to confirm this is the case.

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

In situations where an appeal has been successful, or where an investigation following notification from Ofqual indicates a failure in our processes, Active IQ will give due consideration to the outcome and will, as appropriate, take actions such as:

- amend the risk profile of the centre concerned
- identify any other learners 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 learner(s) 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

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

### **Contact us**

If you have any queries about the contents of the policy, please contact our support team on:

E: [megantrainedacademy@gmail.com](mailto:megantrainedacademy@gmail.com)

T: 07557 766 215