

# LEARNER APPEALS POLICY AND PROCEDURE

NextStep Training Ltd

## Introduction

As an Accredited Assessment Centre, we have an appeals procedure in place. This is to ensure that learners know they have the right to challenge an assessment decision about which they are dissatisfied. If learners know they have the right to challenge an assessment outcome, they have the right to appeal.

The reasons for an appeal are likely to be:

- Learners do not understand why they are not yet regarded as competent, because of unsatisfactory feedback from their tutor/assessors
- Learners believe they are competent and that the tutor/assessor has misjudged them or has failed to utilise some vital evidence
- The learner is unhappy about the number of opportunities offered to demonstrate competency
- The learner feels they experienced discrimination in the assessment process

There are two types of accredited course offered at NextStep Training Ltd:

- Internally marked assessment /exams
- Externally marked assessment /exams.

## 1 Internally marked assessments and exams

1.1 On internally marked assessments/exams, NextStep Training Ltd's tutor/assessors are responsible for assessing work and awarding grades. The results are then sent to the examining body who award the qualification.

1.2 In order to ensure consistency, we have a detailed quality assurance process of internal moderation and standardisation. The awarding body will also sample tutor/assessors' marking and our internal procedures to make sure judgements are consistent with other training providers /ATP and organisations.

1.3 Where work is internally assessed, a candidate will have the right to appeal if they consider that, relation to their work:

- an administrative, or similar, error has occurred
- the assessment process was not conducted in accordance with the programme or unit guidelines, or our assessment policy.
- Their performance was affected by ill health or some other valid reason during the assessment.

1.4 Any assessment appeal should be supported by appropriate evidence, e.g., examples to support their submission or medical evidence.

1.5 They may not appeal the academic judgement of members of staff, nor their academic integrity. This includes the mark awarded for a particular piece of work or any judgement of demonstration of competence standards.

1.6 If they have a concern, they should, in the first instance, discuss the matter with their tutor/assessor. Alternatively, if they do not feel able to speak to their tutor/assessor, speak to the course leader or programme manager. This should normally be done within one week of receiving the result of any assessment/exam.

1.7 If this does not resolve the matter they should:

- appeal in writing to the relevant Head of Programme, normally within two weeks of receiving the result of any assessment/exam;
- supply any evidence they want to be considered;
- tell us if they wish to meet as part of their appeal; e.g., to supply evidence, or if they are unable to put the details of their appeal in writing.

1.8 On receipt of an appeal the Programme manager or Head of centre will address their grounds and investigate as appropriate. We will send them a full response, normally within 20 working days. If their appeal is more complex and requires additional investigation it may take longer to respond to them. We will tell them by the end of the initial 20 working days if this is the case and will give an indication of how long it will take us to respond.

1.9 There is no further internal appeal. If they wish to make an external appeal (e.g., with the awarding body such as NCFE, BCS or ICQ), they will be advised how to do this as part of our decision.

## 2 Access Arrangements or special considerations

2.1 In accordance with the regulations, NextStep Training Ltd:

- recognises its duty to explore and provide access to suitable courses, through the access arrangements process submit applications for reasonable adjustments and make reasonable adjustments to the service the centre provides to disabled candidates.
- complies with its responsibilities in identifying, determining and implementing appropriate access arrangements and reasonable adjustments.

2.2 Examples of failure to comply include:

- putting in place access arrangements/adjustments that are not approved
- failing to consider putting in place access arrangements (which may be a failure to comply with the duty to make reasonable adjustments)
- permitting access arrangements/adjustments within the centre which are not supported by appropriate evidence
- charging a fee for providing reasonable adjustments to disabled candidates AARA.

### 2.3 Special consideration

2.3.1 Where NextStep Training Ltd can provide appropriate evidence to support an application, it will apply for special consideration at the time of the assessment for a candidate who has temporarily experienced illness, injury or some other event outside of their control when the issue or event has had, or is reasonably likely to have had, a material effect on the candidate's ability to take an assessment or demonstrate his or her normal level of attainment in an assessment.

### 2.4 Centre's decisions relating to access arrangements, reasonable adjustments and special consideration

2.4.1 This may include NextStep Training Ltd's decision not to make/apply for a specific reasonable adjustment or to apply for special consideration, in circumstances where a candidate does not meet the criteria for, or there is no evidence/insufficient evidence or has failed to request the access arrangements/provide appropriate evidence within the timescale set out by the awarding body, to

support the implementation of an access arrangement/reasonable adjustment or the application of special consideration.

2.4.2. Where NextStep Training Ltd makes a decision in relation to the access arrangement(s), reasonable adjustment(s) or special consideration that apply for a candidate or candidates, and they (or the candidate's parent/carer) disagree with the decision made and reasonably believe that the centre has not complied with its responsibilities or followed due procedures, they should:

- appeal in writing to the Managing Director (responsible for Inclusion and Support), normally within two weeks of receiving the result of any assessment/exam;
- supply any evidence they want considered;
- tell us if they wish to meet as part of their appeal; e.g., to supply evidence, or if they are unable to put the details of their appeal in writing.

2.4.3 To determine the outcome of the appeal, the Head of centre will consult the respective JCQ publication to confirm the centre has complied with the principles and regulations governing access arrangements and/or special consideration and followed due procedures.

2.4.4 You will be informed of the outcome of the appeal within 20 working days. If their appeal is more complex and requires additional investigation it may take longer to respond to them. We will tell them by the end of the initial 20 working days if this is the case and will give an indication of how long it will take us to respond.

2.4.4 If the appeal is upheld, NextStep Training Ltd will proceed to implement the necessary arrangements/submit the necessary application.

### **3 Externally marked assessments and exams**

3.1 If their course is externally assessed or examined, appeals must be made according to the relevant awarding body's appeals procedure. For further information, please contact the Examinations Office within 2 weeks of receiving their results about the process, costs and deadlines for appeals.

#### **3.1.1 Functional Skills exams**

3.1.2 These exams are covered by the Joint Council for Qualifications Post-Results Enquires Service. they will be informed about deadlines and costs during their course.

### **4 Appeals following Reviews of Results (RoR) for Functional Skills exams**

4.1 Appeals following RoR enquiries need to be submitted on their behalf by the Head of Centre within 30 days of receiving their outcome of the RoR. If they want to discuss submitting an appeal following RoR, they need to contact the Examinations Office as soon as possible.

In order to submit an appeal following RoR we will need evidence that an awarding body has:

- used procedures that were inconsistent with regulatory requirements
- applied its procedures improperly and unfairly in arriving at judgements
- improperly applied the marking scheme.

4.2 Head of Centre will assess the evidence and decide whether their appeal fulfils the acceptable grounds as detailed in the JCQ Appeals Booklet. You will be informed of the outcome in writing within 10 working days.

4.3 Candidates are not permitted to make direct representations to an awarding body.

## **5 Centre decision not to support an appeal following Review of Results**

5.1 If they are unhappy with the Head of Centre's decision not to submit an appeal on their behalf following a Review of Results, they can ask for the decision to be reviewed by another senior member of staff.

5.2 They will need to contact the Exams Officer within 3 days of receiving the Head of Centre's decision, and submit further evidence to support the request for an appeal.

## **6 BCS appeals**

6.1 If they are unhappy with the outcome of an appeal submitted to BCS by NextStep Training Ltd, they have the right to submit an appeal directly to BCS. This must be submitted within 20 working days of the date of the assessment or test, and will incur a fee of £10. The fee will be refunded if their result improves following appeal.

6.2 Learner appeals must be submitted to [centresupport@bcs.uk](mailto:centresupport@bcs.uk)

6.3 Once an appeal has been reviewed by BCS, BCS will write to the appellant with details of their decision to either:

- Amend the decision considering the rationale or any new evidence put forward
- Confirm we stand by the original decision.

6.4 The learner will then have the right to seek an independent review. This will be carried out by someone who is not employed by, or otherwise connected to, BCS.

For further information, please contact the learner engagement officer by emailing [admin@nextsteptrainingltd.co.uk](mailto:admin@nextsteptrainingltd.co.uk)

**Candidate appeal form (Coursework)**

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Name of candidate \_\_\_\_\_

Name of assessor \_\_\_\_\_

Name of internal verifier \_\_\_\_\_

Date of assessment \_\_\_\_\_

Unit (s) assessed \_\_\_\_\_

**Stage 1: Tutor/Assessor's comments**

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Assessment details

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Candidate's reasons for appeal

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Candidate's signature \_\_\_\_\_

Date \_\_\_\_\_

Assessor's signature \_\_\_\_\_ Date \_\_\_\_\_

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**Assessor's decision**

Date appeal received \_\_\_\_\_

Date of reply \_\_\_\_\_

Name \_\_\_\_\_

Signature \_\_\_\_\_

**Stage 2 – IQA’s comments**

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Date appeal received \_\_\_\_\_

Date of reply \_\_\_\_\_

Name \_\_\_\_\_

Signature \_\_\_\_\_

**Stage 3 – Appeals Panel’s comments**

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Date appeal received \_\_\_\_\_

Date of reply \_\_\_\_\_

Name \_\_\_\_\_

Signature \_\_\_\_\_

**Entered into Appeals Record Log?**     yes     no

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Date appeal logged \_\_\_\_\_

Name \_\_\_\_\_

Signature \_\_\_\_\_