



Assessment Appeals Policy

Version & Notes	Submitted to F&HR	Outcome	Submitted to TB	Outcome	Review Date
Version I	21.2.14	Approved	12.3.14	Approved	April 2015



Assessment Appeals Policy

1.0 **General Statement**

1.1 As part of its recognition as a Centre for Accredited Training and as an accredited training provider, Children in Wales has in place systems and procedures to ensure that all learners have the right to appeal against any assessment decision made.

2.0 **Principles**

2.1 Fairness to all learners is central to this policy. Children in Wales is committed to quality assurance processes which are based on impartial, evidence-based judgements. Nevertheless, all centres and learners are entitled to enquire about, or appeal against, assessment or other decisions. The purpose of this policy is to make sure that individual learners know how they can enquire about assessment, or other decisions, or appeal against an outcome of an enquiry.

3.0 **Scope of Policy**

3.1 This Policy relates to:

- Assessors/Tutors/Trainers, including Associates of Children in Wales involved in delivering accredited training
- Internal Verifiers
- Learners
- Quality Assurance Managers of awarding bodies
- Staff of Children in Wales involved in accredited training provision

3.2 This Policy relates to assessment by staff of Children in Wales only. In the case of external assessment (e.g. external verification) awarding bodies have their own appeals procedures which can be supplied on request.

4.0 **Related Policies**

4.1 This Policy should be read in conjunction with the following:

- Children in Wales Accredited Training Policy Series
- Equality Policy

5.0 **Guidance**

5.1 The guidance, at Appendix 1, sets out:

- The principles which should be followed when making decisions about assessment appeals.
- The procedures that should be followed when making an assessment appeal.

6.0 **Appendices**

1. Guidance, Principles & Procedures to be followed in relation to Assessment Appeals.

Appendix 1

Guidance, Principles & Procedures to be followed in relation to Assessment Appeals

1. Introduction

- 1.1 Children in Wales is required to have a centre policy on enquiries and appeals about results. Children in Wales is required to communicate the enquiries and appeals policy to staff and learners. Children in Wales will ensure that the appropriate procedure will be explained to learners and will provide a copy of the procedure to learners during the first day of the course.

2. Definition of Appeal

- 2.1 An enquiry or appeal can be made when a learner disagrees with an assessment decision made by Children in Wales.
- 2.2 An enquiry is a formal request, in writing, for a review of an awarding or grading/level decision or of a decision as categorised in 2.1.
- 2.3 An appeal is a formal request, in writing, for a review of the outcome of the enquiry conducted by Children in Wales.

3. Making an Enquiry or Appeal

- 3.1 All enquiries and appeals must be made in writing and clearly state the reasons for the enquiry/appeal. Relevant supporting documents should also be provided.
- 3.2 There is normally no cost to the learner in making an enquiry about, or an appeal against, assessment decisions.

4. Making an Enquiry

- 4.1 Learners can enquire, in writing, to the Administration Manager, Children in Wales, within 30 working days of receiving a decision made by the appeals process at the relevant centre.
- 4.2 Children in Wales records the date the enquiry is received.
- 4.3 Children in Wales acknowledges the enquiry within five working days of receiving the enquiry.

- 4.4 Children in Wales appoints an investigating officer who keeps the learner informed at relevant stages of the investigation.
- 4.5 The enquiry is conducted in line with regulatory requirements.
- 4.6 Children in Wales may request further information from the learner, and discussions with staff.
- 4.7 All relevant evidence, e.g. of the learning achieved, of enquiries and appeals, must be submitted and retained.
- 4.8 The investigating officer produces a written report for the learner, normally within 30 working days of receiving the enquiry. Any revised timescale is negotiated and agreed between Children in Wales and the learner who submitted the enquiry.
- 4.9 If the learner is not satisfied with the outcome of the enquiry, the learner may submit an appeal.

5. Making an Appeal

- 5.1 Learners can appeal against the outcome of the enquiry, in writing, to the Chief Executive, Children in Wales, within ten working days of the date on the enquiry report.
- 5.2 An appeals panel considers the appeal.
- 5.3 The panel includes a member of the Children in Wales corporate management team, a member of the Children in Wales Trustee Board and an independent, who has quality assurance expertise and who has not been employed by Children in Wales or has not been a member of a Children in Wales Trustee Board during the previous seven years.
- 5.4 The panel appoints a Chair.
- 5.5 No member of the appeals panel will have been involved previously in the enquiry.
- 5.6 The appeal is conducted in line with regulatory requirements.
- 5.7 The appeals panel may request additional information from the learner, discussions with staff and/or visit the centre.
- 5.8 The Chair of the appeals panel produces a written report for the learner.

- 5.9 The report may contain actions for Children in Wales and/or actions, recommendations or sanctions for the centre, as appropriate.
- 5.10 If a learner is still not satisfied with the outcome of the independent appeals panel, the learner can refer the matter to the regulator:

6. Appeal Outcome

- 6.1 If an enquiry or appeal is found to be vexatious, made without sufficient grounds and serving only to cause annoyance, the learner will be charged a fee to cover the costs of the enquiry/appeal process.
- 6.2 Children in Wales expects most enquiries and appeals from individual learners to be resolved within the centre. However, if a learner remains dissatisfied with the outcomes of Children in Wales's internal appeals procedure, the learner may pursue an enquiry and appeal with the regulator.
- 6.3 Where the outcome of an enquiry or appeal brings into question the validity of results for other learners in the same cohort, the investigating officer/appeals panel decides whether or not the outcome warrants reassessment of all those affected. In line with regulatory requirements, Children in Wales will take appropriate action to protect the interests of all learners and the integrity of units and/or qualifications and the integrity of the Quality and Credit Framework.
- 6.4 If a learner is still not satisfied with the outcome of the independent appeal panel, the learner can refer the matter to Agored Cymru
- 6.5 Children in Wales will cooperate with any follow up investigations required by the qualifications regulators, and, if necessary, agree appropriate remedial actions with them.

7. Appeal to the regulator

- 7.1 If a learner is still not satisfied with the outcome of the referral to Agored Cymru, the matter can be further referred to the regulators.

- 7.2 The two regulators are:

7.2.1 The contact details for the Welsh Government are:

Head of Investigations and Compliance
Qualifications and Learning Division
Ty'r Afon
Bedwas Road
Bedwas

Caerphilly
CF83 8WT

7.2.2 The contact details for the Quality Assurance Agency for HE are:

Assistant Director (Complaints and Concerns)
The Quality Assurance Agency for Higher Education
Southgate House
Southgate Street
Gloucester
GL1 1UB

7.3 The appeal to the regulator is the final avenue of appeal for centres/learners and its decisions are, therefore, final.

8. Monitoring

8.1 Children in Wales reports annually to Trustee Board on its enquiries and appeals arrangements, including the number and nature of enquiries and appeals and their outcomes.