

Appeals

2023 POLICY

C Continually strive
for excellence

A Act with integrity
and be respectful
at all times

R Responsive and
flexible to learner
and employer needs

E Encourage and
support high
aspirations

1. Introduction

This policy is aimed at customers, including centres, training providers, learners and apprentices, who are delivering, enrolled on, or have taken Heart of England Training approved qualification/unit and/or end-point assessment. It sets out the process to follow when submitting appeals to the organisation and the process followed when responding to enquiries and appeals.

It is also for use by Heart of England Training staff to ensure all enquiries and appeals are dealt with in a consistent manner.

2. Areas covered by the policy

- Appeals from educators, learners, apprentices, employers, centres and/or training providers in relation to an assessment decision on the basis that Heart of England Training procedures were not applied consistently or that company procedures were not followed properly and fairly.
- Appeals from educators concerning the contents of a Heart of England Training centre monitoring report.
- Appeals relating to a Heart of England Training decision to decline a request to make reasonable adjustments or give special considerations.
- Appeals from educators or learners/apprentices in relation to the application by Heart of England Training for a sanction or action on a manager, educator resulting from a monitoring visit, or an investigation into malpractice or maladministration, or a decision to amend a result or set of results following a malpractice or malpractice investigation.
- Appeals from educators or learners/apprentices relating to a decision made by the Heart of England Training following an investigation into a complaint.
- Appeals if it is believed Heart of England Training has not applied procedures consistently or that the procedures were not followed properly, consistently and fairly.

The policy has been divided into two sections as follows:

Section A - Enquiries and appeals of assessment results

This section details the process to follow regarding Heart of England Training assessment results or lodge an appeal relating to assessment results for a candidate or group of candidates.

Section B - All other appeals

This section details the process to lodge an appeal regarding a decision taken by Heart of England Training in any other circumstance e.g. complaints, malpractice/maladministration, accreditation, exam centre approval etc.

3. Academy responsibility

It is important that staff involved in the management, delivery, assessment and quality assurance of Heart of England Training qualifications/units and/or end-point assessments at Academies and other training providers, and learners/apprentices, are aware of the contents of this policy.

4. Review arrangements

Heart of England Training will review this policy annually as part of its self-evaluation arrangements and revise it as and when necessary in response to customer and candidate feedback, or requests from, or good practice guidance issued by, the regulatory authorities (e.g. to align with any appeals and complaints process established by the regulatory authorities such as Ofqual or the Institute for Apprenticeships).

5. Situation brought to company attention by the regulatory authorities

If the regulators notify Heart of England Training of failures that have been discovered in the assessment process of another awarding organisation or end-point assessment organisation (EPAO), the company will review whether or not a similar failure could affect the assessment processes and arrangements.

6. Information required when raising an appeal

When submitting an appeal relevant supporting information must be provided, such as the following (where applicable) in writing:

- Candidate name and Heart of England Training URN
- Date the centre, candidate received notification of the company decision
- Title of the qualification or end-point assessment affected or nature of service affected
- Full nature of the appeal and reasoning
- Contents and outcome of any investigation carried out relating to the issue

Heart of England Training will not consider any telephone requests for enquiries or appeals.

7. Section A – Enquiries and appeals of assessment results

Before an enquiry or appeal is lodged with the Heart of England Training the candidate and centre are encouraged to review the exam script against the examiners feedback provided (where applicable). For centre marked units, tutors are required to provide appropriate feedback directly to their candidate.

In relation to end-point assessments, the apprentice and training provider are encouraged to review the end-point assessment submission against the assessor's feedback provided (where applicable). For any elements of the end-point assessment that are marked internally, training providers/employers are required to provide appropriate feedback directly to their apprentice.

If further information is required on a candidate's performance in a Heart of England Training assessment, an enquiry may be raised.

8. Raising an enquiry about assessment results

1. Individual candidates are advised to request a full exam report in the first instance which provides a detailed report of their examination or assessment performance. This report provides a specific guide to strengths and weakness in each assessment component.
2. There is a fee for this service. Please see Heart of England Training's current fees list at www.hoet.co.uk.
3. A candidate, or a manager, educator may request a full exam report on the candidate's behalf, no later than **two weeks** following the date the results are published.
4. Full exam reports are issued within **two weeks** of written application.
5. The information provided in a full exam report may be used to help candidates understand how the final result was arrived. A breakdown of marks awarded in each question/component is provided in the report with full feedback. Where candidates still have questions about the final result, the first step should be to discuss the report with their tutor (or with the Heart of England Training if you are a distance learner or external candidate). In many cases this will resolve any queries and help candidates understand how and why they were awarded a particular percentage mark and grade. It is recommended that a full exam report is purchased before proceeding to stage 1 of the formal appeals process.
6. Where questions remain, the learner, apprentice, employer or centre may initiate an appeal of candidate assessment results by applying to the company head of quality and assessment within **two weeks** of receipt of the exam report.

*If a manager, educator has a general concern about a group of assessment results received, the company head of quality and assessment may undertake an initial assessment of the situation to ascertain if the issue can be resolved before initiating the formal appeals process. Managers, trainers/assessors must raise any concerns with the head of quality and assessment no later than **two weeks** following the date the results were published.*

9. Appeals of assessment results

Stage 1 – Review and re-mark of an assessment result

1. Candidates who wish to appeal their assessment result should be supported by their manager, educator and should have exhausted their centre/training provider's own appeals process (where applicable) before appealing to Heart of England Training.
2. If a manager, educator wishes to appeal on behalf of a candidate, they must ensure they have written permission from the candidate, as results/grades can go down as well as up as a result of an appeal investigation.
3. A candidate or a manager, educator on the candidate's behalf (with the candidate's consent), may request a stage 1 appeal in writing to Heart of England Training head of quality and assessment no later than **four weeks*** following the date the results were published. *or within **two weeks** of receipt of an exam report.
4. The head of quality and assessment will acknowledge the request to appeal within 48 hours of receipt.
5. A stage 1 appeal will be carried out by a senior examiner who has had no previous involvement in the marking or moderation process of the assessment in question for the candidate concerned and will include the following as appropriate:
 - A full clerical re-check
 - A review of the examiner's marks sheets and the original marks awarded for each component undertaken against the approved mark scheme for the assessment. Marks may be confirmed or amended appropriately.
 - A full re-mark of the individual assessment submission.
 - A feedback report from the appeal examiner.
6. Heart of England Training aims to respond to stage 1 assessment appeals in writing within **15 working days** of receipt of the written request. *Please note that in some cases the process may take longer, for example with a group appeal. In such instances, the company will contact all parties concerned to inform them of the likely revised timescale.*
7. For units/qualifications, a successful appeal of an assessment result is defined as an increase in the grade awarded for the qualification/unit. Any change to the percentage mark that does not affect the overall grade achieved will not be considered a successful appeal.
8. For end-point assessments, a successful appeal is defined as an increase from Fail to Pass, or as an increase in the attainment mark banding achieved. Any changes to the mark outside of these parameters will not be considered a successful appeal.

9. If the centre, training provider or candidate is unhappy with the outcome following stage 1 of the appeals process, they are entitled to proceed to stage 2 where an independent review of Heart of England Training procedures will be carried out.

Stage 2 – Independent review of an assessment appeal

1. There is a fee for this service. Please see the company's current fees list at www.hoet.co.uk.

2. If following the conclusion of a stage 1 appeal it is decided to proceed to stage 2, the candidate, or manager, educator on the candidate's behalf (with the candidate's consent), must appeal in writing to the Heart of England Training head of quality and assessment no later than **two weeks** following the outcome of stage 1 being confirmed.

3. In this instance Heart of England Training will arrange for an independent review of company procedures to be carried out.

4. A stage 2 appeal will be carried out by someone who is not an employee of Heart of England Training, an examiner, or someone otherwise connected to the organisation. They will also be someone with the relevant competence to make a decision in relation to the appeal and will have not a personal interest in the decision being appealed.

5. The independent reviewer will review the evidence from the above stages and assess if Heart of England Training applied its procedures fairly, appropriately and consistently in line with this policy.

6. The independent reviewer's decision is final in relation to how Heart of England Training considers such appeals and the company will advise of the outcome of the review in writing within **15 working days** of receipt of the written request.

7. If the manager, educator or candidate is still unhappy with the outcome of the appeal following stage 2 of the appeals process, they are entitled to raise the matter with the relevant qualification or end-point assessment regulator (e.g. Ofqual in England or Institute for Apprenticeships for end-point assessments).

10. Section B – All other appeals

To appeal a decision made by Heart of England Training relating to any case other than assessment results, such as; complaints, malpractice/maladministration, accreditation, exam centre approval etc., the following process must be followed:

Stage 1 – Appeals

1. Centres, training providers or candidates may request a stage 1 appeal in writing to Heart of England Training no later than **two weeks** from the date the company informs you of the decision.

2. If a centre or training provider appeals on behalf of a candidate, it must ensure that it has obtained the written permission of the candidate concerned.
3. Upon receipt of the appeal, the relevant Heart of England Training senior manager - depending on the nature of the appeal - will acknowledge receipt within 48 hours.
4. An appropriate Heart of England Training senior manager - depending on the nature of the appeal - will undertake a review of the appeal submitted. There is no fee for this service. In all instances the company will ensure that the person carrying out a stage 1 appeal does not have a personal interest in the decision being appealed.
5. The company aims to respond to a stage 1 appeal of this nature in writing within **15 working days** of receipt of the written request.
6. The company will write to the appellant with details of the decision to either:
 - Amend the original decision in light of the new rationale/evidence being put forward and which has now been reviewed
 - To confirm that the original decision remains and in doing so provide the rationale for this decision and request that you confirm, within 14 days, whether you now accept this decision or if wish to formally proceed to stage two of the appeals process
7. If the manager, educator or candidate is unhappy with the outcome following stage 1 of the appeals process, they are entitled to proceed to stage 2 where an independent review of Heart of England Training's procedures will be carried out.

Stage 2 – Independent review of an appeal

1. There is a fee for this service. Please see the company's current fees list at: www.hoet.co.uk.
2. If following the conclusion of a stage 1 appeal it is decided to proceed to stage 2, the candidate, or manager, educator on the candidate's behalf (with the candidate's consent), must appeal in writing to Heart of England Training no later than **two weeks** of the decision being confirmed.
3. In this instance the company will arrange for an independent review of the procedures to be carried out.
4. A stage 2 appeal will be carried out by someone who is not an employee of the Heart of England Training, a company examiner, or someone otherwise connected to the organisation. They will also be someone with the relevant competence to make a decision in relation to the appeal and will have not a personal interest in the decision being appealed.
5. The independent reviewer will review the evidence from the above stages and assess if the company applied its procedures fairly, appropriately and consistently in line with this policy.

The independent review process may involve:

- A discussion with the appellant or the candidate and Heart of England Training staff
- A request for further information from the appellant, the candidate or Heart of England Training staff
- A manager, educator visit by authorised Heart of England Training staff

6. The independent reviewer's decision is final in relation to how the Heart of England Training considers such appeals and the company will advise of the outcome of the review in writing within **15 working days** of receipt of the written request.

7. If the centre, training provider or candidate is still unhappy with the outcome of the appeal following stage 2 of the appeals process, they are entitled to raise the matter with the relevant qualification or end-point assessment regulator (e.g. Ofqual in England or Institute for Apprenticeships for end-point assessments).

Successful appeals and/or issues brought to attention by Ofqual or other qualification/end-point assessment regulator

In situations where an appeal has been successful, or where an investigation following notification from Ofqual or other qualification/end-point assessment regulator indicates a failure in procedures, Heart of England Training will give due consideration to the outcome and take action as appropriate such as:

- Amend the record of the candidate
- Identify any other candidates 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 candidate affected following an appropriate investigation)
- Review 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
- In relation to an appeal of candidate results, refund the appropriate fee

The company will also cooperate with any follow-up investigations required by the qualifications/end-point assessment regulator and if appropriate agree any remedial action with them.

11. Contact us

Should there be any queries regarding the contents of this policy, please contact Heart of England Training head of quality and assessment on **01788 568425** or by email. Details can be found on the company website at www.hoet.co.uk

This policy is reviewed annually by the company directors and governors.

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