Appeals Policy and Process - EPA

Regulatory References: I1, I2

Purpose

This policy aims to outline the steps a provider or apprentice must take when submitting an appeal.

Who does this policy/process apply to?

This policy is aimed at providers and apprentices, who are using, or have used, any of the products or services offered by Innovate Awarding, and want to submit an appeal regarding:

- The results of assessments
- Decisions regarding Reasonable Adjustments and Special Considerations
- Decisions relating to any action to be taken against an apprentice or provider following an investigation into malpractice or maladministration
- The way in which a complaint has been handled

When to use this policy?

Appeals can be made by individual apprentices, a nominated provider employee (Appellant) on behalf of an apprentice, or a cohort of apprentices. An appeal can be submitted initially as an enquiry or Stage 1 appeal. Stage 2 appeals can only be submitted after a Stage 1 appeal.

'Appellant' refers to the person who requests the appeal.

The Policy

Response times

We will acknowledge receipt of all appeals within 2 working days. A decision will be made and communicated to you within a maximum of:

- 5 working days following acknowledgement for an Enquiry Stage appeal
- 10 working days following acknowledgement for a Stage 1 appeal
- 20 working days following acknowledgement for a Stage 2 appeal

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Fees

- Enquiry Stage - £15.00
- Stage 1 - £50.00
- Stage 2 - £500.00

All appeals will be charged if the appeal is not upheld.

Appeals against centre-delivered assessments for Apprentice Assessment Standards

If apprentices wish to appeal an assessment decision which was from a centre-delivered assessment, they should appeal directly to Innovate following the process below. If the appeal is not upheld Innovate will invoice the provider. It will be the providers decision if they wish to pass the fee charge onto the apprentice or employer. We reserve the right to withhold claiming certification if there are any outstanding unpaid appeal charges.

Where other apprentices may be affected by Innovate Awarding decisions

In cases where the result or outcome of an appeal may affect other apprentices or providers, appropriate action will be taken depending on the nature of the appeal.

This action could include a full review of standardisation procedures or processes, training for Innovate Awarding staff, additional sampling of apprentice assessments or additional quality assurance support.

We will always keep apprentices and providers informed of our actions.

How to appeal

The enquiry or appeal request **must** be made within **10 working days** of the provider or apprentice being informed of the decision or outcome. The correct forms must be completed.

Apprentices who wish to appeal their assessment results, or a decision affecting their achievement, should be supported by the provider. The apprentice or provider submitting the appeal on behalf of the apprentice must use the appropriate form.

For appeals against assessment decisions there are three stages to the appeal process.

Enquiry stage

This is a review of decisions regarding results for any assessment method. The review will consider if we've correctly and fairly applied our relevant policies,

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processes and procedures relating to the original decision. This stage **does not** involve any remarking of the apprentice's work. This will be reviewed by the Assessment Manager (AM) or other appropriate Manager in their absence. If the enquiry stage appeal is not upheld, a charge of £15.00 will be incurred by the provider.

The findings and results of this review will take no longer than 5 working days. If the provider or apprentice is not satisfied with the outcome of the enquiry stage, the appellant can submit the appeal for a Stage 1 within 5 working days of the enquiry outcome.

Stage 1

This is a review of the assessment decision (review of marking). This is conducted by an Innovate Awarding employee, who was not part of the original decision, but who is qualified to verify assessments. The findings and results of this review will take no longer than 10 working days. As this will be a reassessment, if the reviewer does not agree with the original grade, it could be downgraded or upgraded. If the Stage 1 appeal is not upheld, a charge of £50.00 will be incurred by the provider. If the provider or apprentice is not satisfied with the outcome of Stage 1, the appellant can submit the appeal for Stage 2 within 5 working days of the Stage 1 outcome.

Stage 2

The appeal goes to an appeal panel and all paperwork and decisions are reviewed. The appeal panel's decision is final. If the Stage 2 appeal is not upheld, a charge of £500.00 will be incurred by the provider. We will inform the provider and apprentice as soon as possible, but always within 20 working days of receipt of the Stage 2 appeal.

All appeals for End Point Assessments regardless of stage must be completed before Innovate can claim the Apprentices certificate.

All appeals for Apprenticeship Assessments regardless of stage must be completed before the Gateway to Completion is completed by the provider on Proficient.

The Process

An appropriate stage appeal must be submitted in writing to Innovate Awarding using the relevant stage appeal form; copies can be downloaded from Proficient or our website www.innovateawarding.org.

The forms prompt the appellant for the information we require, and these forms and any supporting documentation should be sent to Innovate Awarding.

Email: compliance@innovateawarding.org

Post: FAO Compliance, Innovate Awarding, Block F, 291 Paintworks, Arnos Vale, BS4 3AW

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Next steps

Enquiry stage

The enquiry will be reviewed by the AM, or other appropriate Manager in their absence, who may ask for additional information. This will be a clerical review that will check the correct process for marking the apprentices work was followed and recorded correctly. It will also ensure where appropriate that any grade boundaries have been applied correctly.

They will consider the enquiry and inform the provider or apprentice as soon as possible of their decision, but always within 5 working days of receipt of the enquiry stage appeal.

If the provider or apprentice is **not satisfied** with the outcome of the enquiry, a Stage 1 appeal may be submitted by completing the **relevant form** within **5 working days**.

Stage 1

The appeal will be reviewed by an AM, Quality Assurer (QA), or an Innovate Awarding employee who is qualified to verify assessments depending on the nature of the appeal, who was not involved in the original assessment decision.

This individual will review all the assessment materials and make a decision regarding the stage one appeal. We will inform the provider and apprentice as soon as possible, but always within 10 working days of receipt of the Stage 1 appeal.

If the provider or apprentice is **not satisfied** with the Stage 1 appeal outcome, the appellant can request it is progressed to Stage 2. This must be done by completing and submitting the **relevant form** within **5 working days** of receiving the results of the Stage 1 appeal.

Stage 2

The appeal will be reviewed by Innovate Awarding's appeals panel.

This panel comprises of a minimum of 5 of the following people:

- Independent person with knowledge of the awarding sector (this person's participation on the panel is compulsory).
- Managing Director of Innovate Awarding*
- Director of Compliance*
- Director of Operations
- Director of Product and Assessment Services
- Head of Assessment Operations
- Head of Quality
- Head of Development
- Head of Regulations and Standards*
- Senior Technical Assessment Manager
- Compliance Event Manager

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- Compliance Support Manager
- Operations Assessment Manager
- Assessment Manager with subject specialism
- Development Manager with subject specialism
- Provider and/or apprentice (if they choose to attend). A total of two people can attend.

*One of these will chair the meeting

A member of the Regulation and Compliance Team will attend the meeting to take notes.

They will meet to review all the evidence submitted and the procedures followed to ensure we have applied them consistently and fairly and in line with our policy. The appellant and/or apprentice will be invited to attend the meeting in person/via Microsoft Teams depending on how the meeting is being conducted. Although the appellant and/or apprentice can attend the panel meeting, they are not permitted to contribute to the meeting/discussion unless input is requested by the panel.

The panel may ask for additional information.

The decision of this panel is final, and we will inform the appellant and apprentice as soon as possible, but always within 20 working days of receipt of the Stage 2 appeal.

Help and guidance

If you would like to talk to an Innovate Awarding member of staff about any aspect of this policy or process, please email compliance@innovateawarding.org.

Associated policies/documents

- Enquiry Form
- Stage 1 Appeals Form
- Stage 2 Appeals Form
- Appeals Log
- Apprenticeship Assessment Reasonable Adjustment and Special Consideration Policy and Procedure
- Malpractice and Maladministration Policy and Procedure
- Complaints Policy and Procedure

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