

Operational Procedures

GQA 412



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Appeals Policy

Introduction

This policy is aimed at customers, including learners, who are delivering/enrolled on or have taken a GQA Qualifications approved qualification or unit, or are engaged in end-point assessments carried out by GQA Qualifications.

It sets out the process that should be followed when submitting appeals to GQA Qualifications and the process GQA Qualifications will follow when responding to appeals. It is also for use by GQA Qualifications to ensure they deal with all appeals in a consistent manner.

Centre Responsibilities

It is important that staff involved in the management, assessment and quality assurance of GQA Qualifications accredited qualifications and learners are aware of the contents of the policy.

In addition, centres must have internal appeal arrangements which learners can access if they wish to appeal against a decision taken by the centre. If an individual wishes to appeal against a decision taken by a centre, they must first go through the centre's appeals process before bringing the matter to GQA Qualifications.

Review Arrangements

GQA Qualifications will review the policy annually as part of the self-evaluation arrangements and revise it as and when necessary in response to customer and learner 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 appropriate Regulatory Authorities).

Fees

GQA Qualifications reserve the right to charge an upfront nominal fee of £50 to cover the administration and personnel costs involved in investigating an appeal, this will be refunded if the appeal is 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.

GQA Qualifications Responsibilities

The Chief Executive is accountable for ensuring the implementation of this policy. The Operations Manager is responsible for carrying out the requirements of this policy. Where either party is implicated in the appeal the Chief Executive will be responsible for appointing suitable person(s) to carry out these activities.

Areas Covered by the Policy

This policy covers:

- Appeals from learners and/or centres in relation to an assessment decision on the basis that GQA Qualifications did not apply procedures consistently or that procedures were not followed properly and fairly
- Appeal of an assessment decision made by GQA Qualifications
- Appeals from centres in relation to an GQA Qualifications decision concerning a centre's application to offer any GQA Qualifications qualification.
- Appeals from centres concerning the contents of a centre monitoring report.
- Appeals from centres and/or learners relating to a GQA Qualifications decision to decline a centre's request to make reasonable adjustments or give special considerations
- Appeals from centres or learners in relation to the application by GQA Qualifications of a sanction/action on a centre resulting from a verification visit or an investigation into malpractice or maladministration or a decision to amend a learner/set of learners results following a malpractice or malpractice investigation
- Appeals from centres relating to a decision made by GQA Qualifications following an investigation into a complaint about a centre.
- Appeals that suggest that GQA Qualifications has not applied its procedures consistently or those procedures were not followed properly, consistently and fairly.

PLEASE NOTE THAT GQA WILL NOT HEAR ANY APPEAL WHERE CENTRE APPROVAL HAS BEEN REMOVED IN ACCORDANCE WITH CLAUSES 12a(iii), 12a(iv) OR 12a(v) OF THE GQA APPROVED CENTRE AGREEMENT.

Process for Raising an Appeal

Centres/learners have 20 working days from the date that they were notified of the decision that they are appealing against in which to lodge an appeal against the decision. This includes assessment results, so learners/staff are advised to retain their course evidence until they receive the result.

If a centre is appealing on behalf of its learner(s), they must ensure that they have obtained the written permission of 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 or should have exhausted their centre's own appeals process before appealing to GQA Qualifications.

In the latter case, learners must provide GQA Qualifications with evidence that they have first appealed to their centre. It is expected that learners will only appeal directly to GQA Qualifications in exceptional circumstances.

Centres should appeal in writing, addressed to
GQA Qualifications Ltd,
Unit 1 Twelve O'clock Court,
Attercliffe Road,
Sheffield,
S4 7WW.

Reports must include the following:

- The Centre name, address and contact details
- The learner's/learners' name(s) and GQA Qualifications registration number(s)
- Date(s) on which the centre or the learner received notification of GQA Qualifications decision
- The title and number of the GQA Qualifications qualification affected or nature of service affected (if appropriate)
- The full nature of the appeal
- The contents and outcome of any investigation carried out by the centre relating to the issue
- The date of the report and the name, position and signature of the individual appealing the decision.

Situations Brought to GQA Qualifications Attention by the Regulatory Authorities

Where the regulators notify GQA Qualifications of failures that have been discovered in the assessment process of another awarding organisation, GQA Qualifications will review whether or not a similar failure could affect GQA Qualifications own assessment processes and arrangements.

Initial Review of the Dispute Details

Wherever possible, GQA Qualifications will try to resolve disputes before they reach an appeal stage. GQA Qualifications will undertake an initial, informal assessment of all potential dispute information and write to the learner/centre with details of the decision.

If GQA Qualifications are unable to resolve a dispute in this way, the appeals process will be available for learners/centres. In all instances, GQA Qualifications will ensure that the person carrying out this initial assessment will not have a personal interest in the dispute.

Formal Appeal Process

Upon receipt of any appeal, the Operations Manager will acknowledge receipt within 48 hours and will aim to respond fully to the appeal within 20 days. Please note that in some cases the review processes may take longer, for example, if a centre visit is required. In such instances, GQA Qualifications will contact all parties concerned to inform them of the likely revised timescale.

All appeal decisions will involve the following:

- an individual from GQA Qualifications who has no personal interest in the decision being appealed
- the GQA Chief Executive Officer, Operations Manager or Office Manager

All individuals involved in the appeal decisions must have the relevant knowledge and expertise to make a decision in relation to the appeal.

Following the review of the appeal, GQA Qualifications 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 which has been reviewed
- to confirm GQA Qualifications stands by the original decision and in doing so the rationale for this decision.

GQA Qualifications will also request that it is confirmed, in writing within 15 days, whether the appellant now accepts this decision or if they wish to proceed to the independent review appeals process.

If no communication is received within the above timescale, the decision will stand

Independent Review Appeals Process

If the appellant decides to proceed to the independent appeal stage, the appellant must inform GQA of this within 10 working days.

At this point arrangements will be made for an independent review to be carried out.

An independent reviewer will be appointed, this individual must meet the following criteria:

- they will not be an employee of GQA Qualifications, be working as an assessor for GQA Qualifications us, or be otherwise connected to GQA Qualifications.
- they must have the relevant knowledge and expertise to make a decision in relation to the appeal
- they must not have a personal interest in the decision being appealed.

The Independent Reviewer will review all the evidence which took place during previous stages and review whether GQA Qualifications have applied the procedures fairly, appropriately and consistently in line with the policy.

The independent review process may involve:

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

The Independent Reviewer's decision is final in relation to how GQA Qualifications will consider such appeals and GQA Qualifications will inform the appellant of 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 as a complaint.

Please note, Regulatory Authorities are unable to overturn assessment decisions or academic judgements.

Successful Appeals and/or Issues Brought to GQA Qualifications Attention by The Regulators

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

- amending the risk profile of the centre concerned
- identifying any other learners who have been affected and correcting or, where it cannot be corrected, mitigating as far as possible the effect of the failure affected following an appropriate investigation)
- reviewing 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

GQA Qualifications will also cooperate with any follow-up investigations required by the qualifications regulators and if appropriate agree any remedial action with them

Storage and Use of Information

All information and data collected regarding any appeals made to GQA Qualifications Ltd will be stored securely on GQA Online.

Depending on the nature of the appeal this information will be stored against either a centre or learner. This information will only be made available to relevant persons.

Information may be used to 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.