



Skillsfirst Awards

Appeals Policy

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Skillsfirst Awards Appeals Policy

Introduction

This policy is aimed at Skillsfirst Awards Ltd (Skillsfirst) centres and learners, who are delivering, or are registered on a Skillsfirst qualification. It sets out the steps to follow when submitting appeals to Skillsfirst and the actions we will take when responding.

It is also for use by Skillsfirst staff to ensure they deal with all enquires and appeals in a coherent and consistent manner.

Centre responsibility

It is important that centre staff involved in the management, assessment and quality assurance of Skillsfirst qualifications, are fully aware of the contents of this policy.

As part of our requirements to be a Skillsfirst centre, you must have arrangements in place for learners to make an appeal if they feel that the results from an assessment are incorrect. These arrangements must be accessible to all learners. This policy should explain that learners are only able to appeal internal assessment decisions with the centre, although it is possible, with Skillsfirst's agreement, that the External Verifier could be the final point of arbitration.

Review arrangements

Skillsfirst will review this policy annually as part of its self-evaluation arrangements and revise it as and when necessary in response to customer and learner feedback. In addition, Ofqual may require us to change our Appeals Policy to comply with their requirements, or issue good practice guidance which leads us to make amendments, from time to time.

Areas covered by the policy

This policy covers:

- appeals from learners¹ and / or centres relating to an assessment result / decision,
- appeal against an External Verifier's decision to override a centre's assessment or IQA decision,
- appeals from centres relating to a Skillsfirst decision concerning a centre's application to become a Skillsfirst centre, or to offer a Skillsfirst qualification,
- appeals from centres relating to a Skillsfirst decision to decline a request to make reasonable adjustments or give special considerations,
- appeals from centres relating to the application by Skillsfirst of a sanction / action following an external verification or investigation activity,
- appeals from centres relating to a Skillsfirst decision following an investigation into malpractice or maladministration, or

¹ Appeals against assessment results can only be made to the organisation that made the decision. Where internal assessment is used, a learner can only appeal a result with their centre; where external assessment is used, a learner can appeal to Skillsfirst, but only when the centre believes there is a reasonable basis for an appeal. In such cases, the centre should take the appeal forward on behalf of the learner(s).

- appeals from learners following a decision to amend a learner / set of learners' results following a malpractice / maladministration investigation.

Process for raising an appeal

An appeal can only be made on the basis that Skillsfirst did not apply its procedures consistently, or that procedures were not followed properly and fairly.

Centres have 20 working days from the date Skillsfirst notified them of a decision / result, in which to lodge an appeal. Where applicable, all evidence should be retained in line with Skillsfirst requirements and made available if required, to support the appeal.

Any appeal on behalf of your learners must have been discussed with the learner(s) before it is submitted to Skillsfirst, as grades / results can go down as well as up as a result of an appeal. You should request written permission from the learner, and upload this as part of the supporting information.

In order to raise an appeal, centres must complete and submit the Appeals Form in QMIS. You will be required to supply relevant supporting information.

Fees for appeals

There is a cost for all appeals; an invoice will be raised upon receipt of an appeal. The full cost of an appeal will need to be made to Skillsfirst within 5 working days of the invoice date. If the invoice is overdue, the appeal will be paused until full payment has been received.

If an appeal is upheld, the full fee will be refunded.

If the appellant withdraws the appeal at any time, the fees **will not** be refunded.

Appeal type	Fee £
Appeal against assessment decision (per learner / assessment)	300
Appeal against an External Verifier's decision to override a centre's assessment or IQA decision (per learner)	300
Appeal against sanction(s) imposed against centre/qualification approval status	300
Appeal against decision on reasonable adjustments (per learner)	300
Appeal against special considerations decision (per learner)	300
Appeal relating to any action to be taken against a learner following an investigation into malpractice or maladministration (per learner / assessment)	300
Appeal relating to any action to be taken against a centre following an investigation into malpractice or maladministration	300
Appeal submitted to the External Verifier for final point of arbitration (minimum of one day, at daily rate of £250)	250+

Process for dealing with an appeal

Initial review

Skillsfirst will acknowledge receipt of the appeal within 2 working days of the appeal being submitted.

The initial review will be conducted by the Compliance Team. If the Compliance Team have a personal interest in the decision being appealed, another member of Skillsfirst staff will be designated. If it is deemed all appropriate Skillsfirst staff have a potential conflict of interest, an independent consultant who is not an employee of Skillsfirst will be appointed.

The initial review will consist of ensuring the appeal documentation is complete, and Skillsfirst processes have been followed prior to the formal review taking place.

The initial review will be completed within 10 working days following receipt of the appeal. If any supporting evidence/documentation is missing, the appeal will be paused until the information is received.

Skillsfirst will inform the appellant once the initial review is complete. The appellant can choose to withdraw the appeal at this stage and must notify Skillsfirst within 5 working days. In order to meet Skillsfirst timescales, the formal review will start immediately.

Formal review of appeal

Skillsfirst will confirm the appeal decision within 25 working days of the completion of the initial review. This timeframe may need to be extended if for example, a centre visit is required. In such cases, Skillsfirst will inform the appellant of the expected timescale for the decision to be made.

The formal review will be conducted by an independent reviewer, who is not an employee of Skillsfirst, an assessor working for it, or otherwise connected to the organisation. They will also have the relevant competence and will not have a personal interest in the decision being appealed. If necessary, the independent reviewer will call on others to provide specific expertise. We will ensure that these individuals do not have a personal interest in the decision being appealed.

The independent reviewer will review all evidence provided and decide if Skillsfirst has applied its procedures fairly, appropriately, consistently and in line with its policy. This will include the independent reviewer documenting all expert discussions, reviews of evidence and their recommendations.

The formal review may involve:

- a discussion with the appellant, learner, centre staff and / or Skillsfirst personnel
- a request for further information from the appellant, learner or Skillsfirst personnel and / or
- a centre visit.

The independent reviewer's decision is final and will be communicated in full to the appellant.

If the centre / learner still believe that Skillsfirst has not followed its procedures consistently, or that the procedures were not followed properly and fairly, they are entitled to raise the matter with the Regulator.

Successful appeals and / or issues brought to our attention by the Regulator

Where an appeal has been successful, or where a review following notification from the Regulator indicates a failure in our processes, we will give due consideration to the outcome and will take appropriate actions such as:

- notify the regulator(s) if an adverse effect has occurred, or could have occurred;
- amend the profile record of the centre concerned,
- identify any other learners who have been affected and amend their results;
- correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure;
- review and amend its relevant processes and policies to ensure that the failure does not occur again.

Compliance with the Regulator's appeals process

Skillsfirst will comply with the requirements set out by the Regulator. We will give due regard to the outcome of any appeals in relation to a qualification(s) we make available.

In the event the Regulator notifies Skillsfirst of failures that have been discovered in the assessment process of another awarding organisation, we will review whether or not a similar failure could affect our assessment process. If a potential failure is identified, Skillsfirst will take the same action as if a failure has been discovered in relation to it by virtue of the application of the Regulators appeals process.

We will fully comply with the Regulators' appeals process if the Regulator is investigating an appeal relating to Skillsfirst.

We will also cooperate with any follow-up investigations required by the Regulator and if appropriate agree any remedial action with them.

Contact us

If you have any queries about the contents of this policy, or wish to give feedback, please contact our Customer Services Team on 0121 270 5100 or email them at customerservices@skillsfirst.co.uk