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NQual is committed to providing a high-quality qualification and assessment experience and endeavour to treat all learners fairly and consistently.

Fairness to all centres and learners is central to this policy and we are committed to quality processes that are based on impartial, evidence-based judgements. However, all centres and learners are entitled to enquire about or appeal against, assessment or other decisions.

Purpose

The purpose of this policy is to make sure that centres and learners know how they can appeal against a qualification or assessment outcome.

The policy is also intended for use by NQual staff to ensure that all appeals are dealt with fairly and consistently.

The following instances may give rise to an appeal:

- Appeal of results on the basis that NQual did not apply procedures consistently or that procedures were not followed properly and fairly.
- Appeals from centres or learners relating to an NQual decision to decline a request to make reasonable adjustments.
- Appeal from centres or learners that disagree with the outcome(s) from qualification or assessment grading, or quality assurance decisions.
- Appeals from centres or learners in relation to the outcome of an investigation into a report of malpractice and/or maladministration, including sanctions imposed.
- Appeals from centres or learners of bias or discrimination in the qualification or assessment outcome.
- Appeals from Centres or learners relating to a decision on a Special Consideration request

Appeals Process

Where a centre believes that either they or a learner has grounds for an appeal, they should submit it in writing. Any appeal on behalf of a learner must have the consent of the learner.

Centres and learners have 10 working days from the date of the qualification or assessment notification to lodge an appeal with NQual.

If a centre appeals on behalf of the learner, the centre must ensure that it has obtained the written permission of the learner(s) concerned as results can go down, as well as up, as a result of an investigation (i.e., a pass mark could go down to a failure mark).

Recorded assessments and other NQual documentation used in the assessment process will not be able to be viewed as part of the appeals process, as this could jeopardise the impartiality of assessment and give an unfair advantage to learners and centres.

The representative of NQual at each stage will communicate the outcome to all involved.

NQual will acknowledge each appeal in writing within 2 working days of receiving it.

When submitting an appeal, relevant supporting information must be supplied such as:

- Employer name, address and contact details.
- Learner's name and unique learner number.
- Key date(s) the centre or the learner received notification of a decision.
- Date a qualification or assessment took place.
- Whether a remark or an administrative check is required.
- Title of programme.
- A clear statement about the grounds for appeal i.e., full details of the nature of the appeal including any evidence that is relevant to the appeal and, the outcome of any investigation carried out relating to the issue and the documentation relating to that appeal (in the case of a qualification or assessment appeal, this may include the learner's work, records of qualification or assessment, internal quality assurance and the internal appeal)
- The appellant's name, position and signature.

Appeals Stages

All stages of appeals must be sent to *quality@nqual.co.uk*

Stage 1

Appeals will go directly to an employee of NQual who has had no involvement with the centre or learner process. They will have no personal interest in the decision being appealed but have the relevant competence and knowledge to make an informed decision.

They will consider whether they agree with the decisions made. If necessary, additional information will be provided before reaching a conclusion. They will also consider whether the required procedures were followed correctly, fairly and consistently. There are two possible outcomes:

- The appeal is rejected.
- The appeal is upheld.

The recommendation will be confirmed to the appellant within 10 working days in writing.

A fee of £100 is charged for a Stage 1 appeal. The fee is waivered if the appeal is upheld.

Stage 2: Independent Appeals Panel

Should the Appellant not be satisfied with the outcome of Stage 1, they have the right to further appeal to the Independent Appeals Panel within 10 working days of recieving the Stage 1 decision.

This will be carried out by a panel of Independent Consultants that are not employed by NQual. They will have no personal interest in the decision being appealed and have the relevant competence and knowledge to make a decision in relation to the appeal.

Panel members are appointment by the Responsible Officer (RO). Each member declares any conflict of interest before an appeal is heard and does not take part if there is one. The declaration is kept with the appeal record.

The Independent Appeals Panel will consider whether they agree with the decisions made. If necessary, additional information will be provided before reaching a conclusion. The Independent Appeals Panel will also consider whether the required procedures were followed correctly, fairly and consistently. There are two possible outcomes:

- The appeal is rejected.
- The appeal is upheld.

The learner or centre will receive formal notification of the outcome within 20 working days. If the appeal is upheld, the learner or centre will be told of any actions required to conclude matters:

- If the appeal is not upheld the learner or centre will be given the reasons in a report.
- The employer will be notified of any subsequent actions.

The decision of the Appeals Panel will be final and there will be no further right to appeal.

A fee of £300 is charged to conduct a Panel appeal. *If an appeal is upheld any appeal fees will be waived.*

Outcomes of appeals will be used to inform our self-evaluation and quality improvement activities and will feedback into our development and review processes where necessary.

Every appeal is recorded in the Compliance Register. The Responsible Officer reviews each upheld appeal and any pattern of appeals and decides whether it is or may be an event that must be notified to Ofqual. The decision is recorded.

Situations Brought to Our Attention by Ofqual

In regard to End-Point Assessment, Ofqual may discover failures in the assessment process of another End-Point Assessment Organisation, and we will undertake a full review regarding our own assessment processes and policies to evaluate if this could affect our own assessment processes and arrangements.

All policies relate to qualifications and assessments provided by NQual Ltd.

This policy will be reviewed annually as a minimum.