



Education & Skills  
Funding Agency



# Appeals Policy

Skills People Group ©



## 1. Introduction

Skills People Group consists of the following companies.

- *Construction Skills People*

The assessor/ tutor/ delivery specialist will make assessment decisions about work produced by a learner and state if it meets the criteria for successful completion. If a learner disagrees with the decision made by the assessor/ tutor/ delivery specialist, they have the right to express their concern and make an appeal about the outcome.

Information relating to an appeal may be shared internally to help investigate the decision and externally with third parties such as awarding organisations, regulatory bodies and funding partners. Sharing will only take place where the law allows it and in compliance with current data protection legislation. Consent can be withdrawn at any time by contacting the Data Protection Officer.

If the outcome of the appeal at any stage leads to a failure in the assessment process, an investigation will be conducted to determine if there are other learners affected. If this is the case the company will take reasonable actions to reduce the impacts on learners.

## 2. Purpose

The purpose of this policy to ensure that all appeals are resolved fairly and in a timely and professional manner.

## 3. Appeals

If a learner feels that they are not being fairly treated, or the assessor/ tutor/ delivery specialist has made an inaccurate assessment decision they are to follow the process below:

### Stage 1 – Assessor/ Tutor/ Delivery Specialist Investigation

- **In the first instance** the learner should discuss the concern/s with their assessor/ tutor/ delivery specialist.
- The assessor/ tutor/ delivery specialist will consider the reason/s for the concern and give the learner their decision.
- **If the learner is not satisfied with the decision** at this stage they should inform the assessor/ tutor/ delivery specialist that they will progress to stage 2 of this process.
- **Assessor/ tutor/ delivery specialist will complete stage 1 of the Appeals Form** located on page 5 (annex a)
- **Email the completed form to** their IQA, centre co-ordinator and copy the quality team [quality@skillspeoplegroup.com](mailto:quality@skillspeoplegroup.com) into this email to enable this to be logged as a formal appeal. If required, the learner can email the quality team directly.

### Stage 2 – Formal Appeal

During the formal appeal stage, all parties are to act professionally at all times, allowing the matter to be progressed to the formal stage if necessary. Under exceptional circumstances or, if the learner requests it, the IQA will make arrangements to ensure the learner and other learners are not disadvantaged throughout the formal appeal process.

The IQA will acknowledge receipt of the appeal within 2 working days of receipt.

## The IQA will:

- **Reconsider the assessment decision**, taking into account the reason for appeal, associated evidence, records and the assessor/ tutor/ delivery specialists' reason for their final decision.
- **Provide** the learner and assessor/ tutor/ delivery specialist with their reconsidered decision **within 10 working days of receiving the appeal at stage 2.**
- **Complete** stage 2 of the appeals form
- **If the outcome is acceptable** to the learner, the IQA will email the form to the centre-co-ordinator and quality team [quality@skillspeoplegroup.com](mailto:quality@skillspeoplegroup.com) to update the internal log.
- **If the outcome at stage 2 is not acceptable** to the learner, the IQA will proceed to stage 3 of the process. The IQA will email the outcome to the centre manager and quality team [quality@skillspeoplegroup.com](mailto:quality@skillspeoplegroup.com) to update the internal log.

## Stage 3 – Appeal Investigation

At this stage, the formal appeal will be investigated by a senior manager, this will usually be the Head of Quality & Performance responsible for managing the course or award.

### The investigating lead will:

- **Seek to ascertain the facts** of the appeal, the investigating lead will have not been involved with the earlier stages of the appeal process.
- **Communicate** their final decision to the learner **within 10 working days of receiving the appeal at stage 3.**
- **Complete** stage 3 of the appeals form
- **If the outcome is acceptable** to the learner, the investigating manager will email the form to the centre co-ordinator and quality team [quality@skillspeoplegroup.com](mailto:quality@skillspeoplegroup.com) to update the internal log.
- **If the outcome at stage 3 is not acceptable** to the learner, the investigating manager will provide details of stage 4 and email the outcome to the centre co-ordinator and quality team [quality@skillspeoplegroup.com](mailto:quality@skillspeoplegroup.com) to update the internal log.

## Stage 4 – Appeals beyond the company

If the learner is not satisfied with the decision made at stage 3 they have the right to contact the appropriate regulatory/ awarding organisation.

Awarding organisations include but are not limited to: CITB, GQA, HABC, Lantra, NCFE, NOCN, Pearson, Proqual. Learners may not appeal to an awarding organisation which is not related to the qualification.

Awarding organisations may become involved in the arbitration of an appeal. The awarding organisation details can be located within the learner's portfolio and / or be requested at any point from the assessor/ tutor/ delivery specialist, IQA, Centre Manager or Quality team.

**Head office number is 01246 589444**

At stage 4 the Awarding organisation will then inform the learner of their own appeals policy and how that is instigated.

Awarding organisations may charge an associated charge to cover costs.

Should the learner be unhappy with the decision of the Awarding organisation they may then request a final appeal with the regulator (OfQual)

<https://www.gov.uk/government/organisations/ofqual>

#### **4. Retention**

The companies' retention period is set out to comply with awarding body certification retention periods and government guidance. After this period the documentation will be securely destroyed.

#### **5. Right to Access**

Learners have individual rights to access personal data that is being held about them either on computer or in manual files. Any person who wishes to exercise this right is required to submit a subject access request to The Data Protection Officer.

Refer to the following policy for further information about a subject access request.

- *Subject Access Request Policy*

#### **6. Review of Appeals**

The Head of Quality & Performance, Centre Manager and IQA's will have the responsibility for reviewing all appeals and their outcomes quarterly. These may inform future changes to delivery, identify any trends and indicate a need to take further action.

This policy will be reviewed on an annual basis by Head of Quality & Performance and Centre Manager.

## Annex a - Formal Appeals Form

If a learner is not satisfied with their assessor/tutor's final decision at stage 1 of the appeals process, the assessor/tutor will complete and submit this form together with any supporting evidence to their IQA and the quality team who will record and monitor the outcome [quality@skillspeoplegroup.com](mailto:quality@skillspeoplegroup.com).

<b>Assessor/Tutor complete this section</b>									
Learner Name						Assessor/Tutor			
Qualification(s)						Level			
Awarding Organisation						Registration Number			
IQA Name						Date submitted to IQA			
<b>Stage 1 - Reason for the Formal Appeal</b>									
<b>Stage 2 – IQA Investigation and Outcome</b>									
Date learner informed	D	D	M	M	Y	Y	Learner satisfied with the decision	Yes	No
If the learner is not satisfied with the final decision at stage 2 proceed to the next stage									
<b>Stage 3 – Lead IQA/Senior Manager Investigation and Outcome</b>									
Name of Investigation Lead						Position			
Who else was involved in making this final decision?									
Date learner informed	D	D	M	M	Y	Y	Learner satisfied with the decision	Yes	No
If the learner is not satisfied with the final decision at stage 3 proceed to the next stage									
<b>Stage 4 – External Investigation</b>									
Date submitted	D	D	M	M	Y	Y	Submitted by:		
<b>Outcome</b>									

## Document Control

Date of change	Version	Overview of amendment	Amended by / Job title	Approved by	Approval date
25-06-17	2	Policy revised, and cover sheet added	Sharon Lawrence (Quality Manager)	A Warham	26-05-17
07-05-18	3	The policy has been revised/updated to fall in line with GDPR changes.  GDPR – Section 1 - Information sharing Section 4 - Retention period Section 5 - Right to access personal information.	Julie Lawton (Quality Manager)	S Henderson (Director)	07-05-18
25-06-19	4	Appeals form added to page 5 (Annex a)  Awarding organisation included in stage 4 – Appeals beyond the company.	Julie Lawton (Quality Manager)	T Armstrong (Director)	25-06-19
05-10.20	5	Page 3 updated with additional awarding organisation details	Sacha McCarthy (Head of Quality & Performance)	S McCarthy & SMT	09-10-20
13-09-21	6	Page 3 updated with additional awarding organisation details  Section Three – Appeals Updated personnel details throughout the policy to reflect the roles within the company structure including those with responsibilities to this policy.	Brendan Knowles McCarthy (Head of Quality & Performance)	S McCarthy & SMT	17.09.21
05.10.22	7	Full annual policy review	Brendan Knowles McCarthy (Head of Quality & Performance)	Brendan Knowles McCarthy (Head of Quality & Performance)	05.10.22
09.10.23	8	Policy reviewed by Head of Quality and Performance  ESF logo removed  C&G Assessments and Training Futures logos removed. Both companies removed from the introduction page.	Brendan Knowles McCarthy (Head of Quality & Performance)	Sacha McCarthy (Director of Quality and Operations)	09.10.23