



Enquiries and Appeals Policy and Procedure

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ENQUIRIES AND APPEALS ABOUT RESULTS AND ASSESSMENT DECISIONS POLICY AND PROCEDURE

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Enquiries and Appeals about Results and Assessment Decisions Policy and Procedure

1 Policy overview

1.1 Scope of the policy

This policy covers the delivery of End-Point Assessments (EPA) which are subject to internal and external quality assurance.

The policy also forms part of Skills Assessment End-Point Assessment (EPA) policies which aim to protect apprentices registered for our EPA services, ensures that Skills Assessment minimises the risk of complaints and complies with all relevant legislation and guidelines.

This policy also supports the compliance with the Contract. It does not replace any of the requirements contained within that Contract. Non-adherence to EPA policies may constitute a breach of the Contract and it is therefore important that all policies are read and implemented carefully.

This policy should also be read in conjunction with the Complaints Policy.

1.1. Purpose of the policy

Our Enquiries and Appeals about Results and Assessment Decisions policy sets out the process and framework for dealing with Enquiries and Appeals about Results and Assessment Decisions made by Skills Assessment.

1.4 Obtaining the policy

Copies of the policy may be requested from Skills Assessment EPA team or accessed via our intranet.

1.5 Reviewing the policy

Skills Assessment will review this policy annually and at any time in response to the findings and outcomes of a complaint.

1.6 Complaints

Our Complaints Policy outlines when we will and will not accept a complaint, and when our decisions are final. Please see our Complaints Policy for further information.

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2 Enquiries and Appeals about Results and Assessment Decisions

2.1 Enquiries about Results

Where an apprentice's result is seriously questioned, customers may request an Enquiry about Results. Enquiries about Results may be submitted in relation to results issued by Skills Assessment EPA Team. This can be submitted once all EPAs have been completed and given a final grade.

An Enquiry about Results has two options:

- A full check that marks have been correctly recorded and processed.
- Re-assessment with report – a full re-mark of the apprentice's assessment by a different marker.

2.2 Enquiries about Assessment Decisions

There may be occasions where we make assessment decisions that our customers do not agree with. Enquiries about Assessment Decisions can be submitted in relation to the following decisions made Skills assessment EPA Team. This can be submitted once all EPAs have taken place and been given a final grade:

- Decisions regarding Special Considerations
- Quality Assurance decisions.

An Enquiry about an Assessment Decision has two options:

- A check that necessary information has been considered in the assessment decision
- Re-assessment – a full review of the evidence and decision.

2.3 Appeals

The appeals process allows customers to outline their grievances in relation to the results of an assessment, following the outcome of the Enquiry about Results and Assessment Decisions process, where our customers believe we did not apply our procedures consistently, properly or fairly.

The findings from the appeals process will enable an objective, factual-based judgement to be reached.

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3 Requesting an Enquiry about Results and/or Assessment Decisions

3.1 How to submit an Enquiry about Results and/or Assessment Decisions request

To request an enquiry about a result and/or an assessment decision, the customer should complete the Complaint, Enquiry and Appeal form available on the intranet.

Customers may request an Enquiry about a Result and / or Assessment Decision on behalf of an individual apprentice or a group of apprentices, provided that we have received the apprentices' permission to do so. This will be completed at Gateway by the Independent Training Provider . Skills Assessment EPA Team will be unable to proceed if this is not submitted.

3.2 Timescales for submitting an Enquiry about Results and/or Assessment Decisions

In order to ensure that any issues or queries are handled within a reasonable timeframe of the assessment taking place, our customers are required to submit Enquiry about Results and / or Assessment Decision requests:

- for a check, within **10 working days** from receipt of results
- for a reassessment, within **10 working days** from receipt of results

4 Processes and timescales regarding Enquiries about Results and Assessment Decisions

4.1 Enquiries about Results and / or Assessment Decision processes

Once an Enquiry about Results and / or Assessment Decision is received, Skills Assessment EPA Team will complete a check or reassessment and send a report to the enquirer confirming the result.

4.2 Enquiries about Results and / or Assessment Decision Timescales

Skills Assessment EPA Team aim to review the request in writing within **1 working day** of it being received. If this is not possible it will be acknowledged in writing within **1 working day** of receipt with notification provided of what action will be taken.

Skills Assessment EPA Team aim to conclude:

- check requests within **10 working days** upon receipt of a fully completed request
- Re-assessment within **10 working days** upon receipt of a fully

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completed request.

Skills Assessment EPA Team will inform our customers if these timescales cannot be achieved for any reason.

5 Outcomes of Enquiries

5.1 Outcomes of an Enquiry about Results and / or Assessment Decision

The outcome of an Enquiry about Result and / or Assessment Decisions could be:

- no change to results or assessment decision
- change to results or assessment decision which could be either positive or negative.

Where results and/or an assessment decision change as a result of an Enquiry, Skills Assessment EPA Team will:

- notify the customer of the outcome
- amend our records accordingly
- investigate reasons for change through our robust internal quality assurance
- action any changes to our processes or systems if needed.

5.2 If you remain dissatisfied with the results from the enquiry

If our customers remain dissatisfied following the outcome of the enquiry that, they may submit an appeal in line with Section 6 of this policy. They also have the option to submit a complaint in line with our Complaints Policy.

Section 6 Requesting an appeal

6.1 Who can request an appeal?

The customer directly informed of, or directly affected by our decision or action or a legal representative acting on behalf of and with the explicit written permission of that customer.

An appeal may be lodged on behalf of a customer with the explicit permission of that customer (3.1)

Please note that appeals cannot be submitted unless our customers have first been through the Enquiries about Results and / or Assessment Decisions process.

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6.2. How to submit an appeal

Customers should submit a report as to why they believe that an appeal should be considered, together with any supporting evidence. Please note that appeal applications without supporting evidence may not be accepted.

The report should include the following:

- Organisation name, address and number
- the date of the assessment
- the name of the apprentice
- the date customers received notification of assessment decision
- the nature of the service affected and the title and number of the EPA standard
- the full nature of the appeal which must set out clearly why customers think we did not apply or follow our procedures consistently or fairly
- the contents and outcome of any investigation carried out by customers relating to the issue
- the date of the report; and
- customer name, position and signature.

Please email or post the completed report (Investigation Report Form) and any supporting evidence to us as soon as possible. The latest time we will accept an appeal is **10 working days** from the date we informed our customers about our original decision.

If at any point customers wish to be legally represented in relation to any aspect of an appeal, this **must** be discussed with us. We reserve the right to also be legally represented.

Section 7 Processes and timescales regarding appeals

7.1 Appeal acceptance

The decision whether or not to accept the application for an appeal is based on:

- whether the appeal as submitted is properly constituted as outlined above;
- whether any other process has first been completed (e.g., an Enquiry about Results and / or Assessment Decisions);
- whether there is evidence that our policies and procedures have not been properly and fairly applied;
- the timescale of the application.

If an appeal application is not accepted, the reason for this will be given. If we

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agree the appeal is properly constituted, Skills Assessment will arrange for a Panel, consisting of, as a minimum, a Skills Assessment Manager and an independent person to review the case and to make a decision based on the evidence presented, including any evidence our customers submit in support of the appeal. The independent person will not be a member of Skills Assessment Board or committees, a Skills Assessment employee or a Skills Assessment External Contractor. The Panel will consider whether we have properly and fairly applied our policies and processes in light of the evidence presented.

7.2 Timescales following the acceptance of an appeal request

We aim to action and resolve an appeal within **10 working days**. Please note that in some cases the appeal may take longer than **10 working days**. In such instances, Skills Assessment will advise the complainant of the reasons why and of the revised timescale.

Timescales relating to each stage of the complaints process are outlined within the policy. However in some cases where the complaint may be complex, the process may take longer than the timescales stated within the policy. In such instances, Skills Assessment will advise the complainant of the reasons why and of the revised timescale.

8 Outcomes of appeals

The Panel may decide that:

- the appeal is unfounded, or
- we did not apply our procedures consistently, properly or fairly; in which case the relevant procedure must be appropriately applied.

We will let our customers know in writing of this outcome from the appeal within **1 working day** of the decision being made.

The Panel's decision is final. No further appeal will be accepted. Should our customers disagree with the decision, they may have the right to lodge a formal complaint.

Where the appeal relates to our actions or decisions regarding a regulated standard and customers remain dissatisfied, they may contact our standards regulators. Our regulators would require evidence that they have fully exhausted our appeals procedure.

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9 Mandatory Disclosure and Confidentiality

9.1 Mandatory disclosures

It is imperative that the integrity of end point assessment is maintained; Customers often work with more than one End-Point Assessment Organization (EPAO) and thus more than one EPAO may be at risk if things go wrong.

Standard regulators have identified specific conditions in order to protect the integrity of regulated standards across EPA. Where issues are identified (such as malpractice), or certain actions taken (such as when sanctions are applied) the regulators and other relevant EPAOs must be informed.

Skills Assessment may be required to declare to our regulators that we are no longer compliant with the requirements of the General Conditions of Recognition, due to an act or omission by our partners which has put us in breach.

In this event, we may have regulatory action directed against us, such as Monetary Penalties. In accordance with the Contract, we reserve the right to direct such financial penalties against them as a result of the act or omission

9.2 Confidentiality

During the investigation of complaints, Skills Assessment may require access to confidential information.

Any information is kept secure and only used for the purposes of the investigation in line with data protection legislation. Skills Assessment will not normally disclose the information to third parties unless required to do so, e.g. to Regulators, the Police or other relevant Statutory Bodies.

10 Contacts

If there are any further queries about the contents of the policy, please contact Skills Assessment on:

Email: Epa@skillsepa.co.uk

Telephone: 020 8968 4873

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