

# Qualifications Network

## Appeals Policy

*A guide to appealing decisions made by  
Qualifications Network Limited*

Document owner	Lead EQA
Date last updated	01/02/2020
Next update	01/02/2022
Status	Approved
Version	6.1

# Appeals Policy

## 1. Introduction

Qualifications Network Limited (QNUK) is a responsible awarding organisation. On occasion, we may have to make decisions regarding Centres, Learners or assessments which the recipients of those decisions disagree with.

Our stakeholders have the right to appeal or complain about these decisions. However, this should be done in a structured manner. This structure is outlined in this policy.

## 2. Document Review

All QNUK policies are reviewed on a regular basis, usually at least bi-annually. This policy will also be reviewed as required due to feedback from stakeholders or in line with changes in legislation, regulation or industry best practice. A full review will also be undertaken should any issue arise, whether internal or external, that QNUK considers could impact on the way in which appeals against decisions are handled.

The next review date for this policy is shown on the cover page.

## 3. Document Audience

This policy is intended for use by QNUK staff, including freelance staff, plus all Approved Centres and any other third parties who may have a legitimate reasons to want to understand the process for appealing a decision made by QNUK, including applicant Centres who have not been granted approval. The Approved Centres' own Appeals Policy should be made available to learners during their programme of learning.

This policy may also be used by relevant Regulatory Authorities or other Government agencies with authority to do so under statutory legislation.

## 4. Scope of Document

This policy covers how individuals, applicant centres or Approved Centres can make appeals and what they can expect from us, including the expected timescales.

This policy outlines the appeals process for the following:

- Appeals against results
- Appeals against malpractice or maladministration decisions and/or sanctions, whether against Learners or Approved Centres
- Appeals against decisions made in respect of reasonable adjustments and special considerations

## 5. Document Availability

The Appeals Policy is available to all QNUK employees may need to process, escalate, investigate or otherwise be involved in any part of the Appeals process. This is done via shared folders held within a secure portal accessed via Microsoft Sharepoint.

Where necessary, for instance for a short-term contract, a single copy of this document may be issued to individual contractors and other non-direct employees. One may also be issued to other relevant third parties, such as a Regulator, on request.

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This policy is also available to all Centres via the secure Centre Log-in area accessed via the QNUK website at:  
<http://MyQNUK.co.uk>.

### 6. Risk Management

Risk management runs through all of our policies, procedures and processes. All Appeals provide us with an opportunity to identify potential errors, inconsistencies or potentials for misinterpretation or misunderstanding which may impact the development, delivery or award of our qualifications.

All Appeals will be dealt with by the appropriate member of staff or independent reviewer, as is suitable for the circumstances of the Appeal. However, all appeals and their related decisions will be reviewed by the senior management team on a regular basis to ensure that any risks have been identified and managed, plus any areas for improvement have been noted and actions taken or planned.

### 7. Resource Requirements

To ensure that all Appeals are managed fairly and within published timescales, QNUK have devoted sufficient resources including but not limited to:

- Staff to manage the initial stages of an Appeal, in line with the processes outlined herein
- Independent Reviewers who have sufficient resources and/or training in dealing with Appeals in line with this Policy and any associated Conditions, Regulations or Principles
- Access to documents to assist with investigations into requests for Appeals and any subsequent decisions
- Appropriate internal and external training

### 8. Responsibilities

Learners, Approved Centres and QNUK have a range of responsibilities in relation to the raising and handling of appeals. Set out below are the responsibilities broken down into the various groups:

#### 8.1. Learners

Learners are responsible for ensuring:

- Any appeals that they make are based on genuine concerns
- They provide sufficient information to support their appeal
- They lodge appeals within timescales outlined in the Approved Centre's and QNUK's appeals policies

#### 8.2. Centres

Centres are responsible for ensuring that:

- Appeals dealt with internally are logged and managed within their own published timescales
- Appeals dealt with internally are given all due consideration
- Any actual or potential conflicts of interest are identified, logged, managed and, where necessary, reported to QNUK, in line with the Conflicts of Interest Policy
- Any errors identified are recorded and an action plan to resolve these is developed and implemented within published timescales

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- They escalate appeals to QNUK where they cannot reach an agreement with the person(s) lodging the appeal or where there is a Conflict of Interest which could potentially affect the decisions making process, or may be reasonably assumed to affect it from an external viewpoint
- They maintain full records of all Appeals received and decisions made and provide copies of these on demand to QNUK or the Regulator, as appropriate

### 8.3. Qualifications Network

QNUK are responsible for ensuring that:

- The Approved Centre's appeals policy has been exhausted before commencing (unless requested to take over by the Approved Centre before this point)
- Appeals are acknowledged within timescales published within this document.
- Appeals are logged in accordance with the procedures laid out within this Policy and the associated internal process map
- Appeals are dealt with within published timescales
- Any risks are identified, recorded and any actions undertaken
- Any conflicts of interest are identified, recorded and managed
- Any lessons learned as a result of the appeal are carried forward into reviews of qualifications, policies, procedures or processes, as appropriate

## 9. Training and Competence

Our exams team will be the initial team to handle Appeals against assessment decisions or reasonable adjustments/special consideration and have all been fully trained in handling appeals. Our EQA team are qualified in external quality assurance and undertake CPD in the management of appeals.

Appeals by centres against sanctions or other measures put into place following malpractice or maladministration will be undertaken by our Compliance Team, all of whom have been trained in the handling of such appeals.

Where an independent reviewer is required, they will be conversant in the requirements of the qualification (as required). They will also be provided with access to copies of any relevant QNUK documentation and best practice guidance from the regulators.

## 10. Appeals Process

Our appeals process differs slightly between appeals related to results and those related to centres. The key difference being that learner appeals should, in the first instance be dealt with by the centre, unless the qualification is externally assessed. Details of the process to be followed by all parties in the respective situations are set out below. We have also included easy to follow process maps at Appendices 1 and 2 for the respective processes.

All appeals will be subject to a fee, which may be reimbursed should the appeal be upheld. See Section 11 for details.

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### 10.1. Appeals against results

Where the assessment decision has been made internally by the relevant centre, individual learners or their representatives (e.g. parents) should exhaust that centre's own appeals process before contacting QNUK. Any appeals which are received that have not exhausted the centre's own processes will be referred back to the centre.

Where an assessment decision is external (i.e. has been made by QNUK), appeals should be made on behalf of learners by the centre. Appeals against external assessment decisions will only be looked at if there was an issue with the process of examination. Academic assessment decisions made by QNUK cannot be appealed purely due to a disagreement with the outcome without any additional information or rationale for such an appeal.

**Please Note:** The head of centre **must have the signed consent of the learner(s)** or their representatives prior to making an appeal **as results may be lowered** as a result of an investigation.

All appeals that are escalated to QNUK should be made by the Head of centre using an appeals application form which is available to download from our website at [MyQNUK.co.uk/qnuk-policies](http://MyQNUK.co.uk/qnuk-policies).

Following this, the appeal will move to Stage 1, as set out in 10.3 below.

### 10.2. Appeals against decisions related to Centres

This procedure should be followed where centres are appealing against decisions related to:

- Malpractice or maladministration decisions – including Learner malpractice;
- Reasonable adjustments and special considerations.

All appeals should be made by the Head of centre using an appeals application form which is available to download from our website at [MyQNUK.co.uk/qnuk-policies](http://MyQNUK.co.uk/qnuk-policies).

Following this, the appeal will move to Stage 1, as set out in 10.3 below.

### 10.3. STAGE 1 Appeals

All appeals must be made within 4 weeks from the date of the decision being appealed against having been made. For clarity, this date can be defined as:

- Learner results – the date the certificate was processed
- Centre appeals – the date the email was sent by QNUK, providing our decision on the event or circumstance being appealed.

QNUK will acknowledge receipt of the appeals application form, by email, within 48 Hours. All appeal decisions will be made within 10 days. If additional time is required, for example due to investigations, the Head of Centre will be informed.

Stage 1 appeals are reviewed by a suitably qualified member of QNUK staff that has no personal interest in the outcome of the decision and was not involved in the original decision-making process. For appeals against learner results this will usually be a moderator or external quality assurer of the specific qualification, or for centre decisions, it will be another member of the compliance team or senior management. Once the appeal has been reviewed a decision will be made whether or not the original decision needs to be amended.

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All outcomes of Stage 1 appeals will be emailed to the Head of Centre. If a learner result has been amended, the centre will be asked to return any certificates that have been issued prior to the new results and, where appropriate, new certificates being issued. If a learner appeal is upheld and there were others in the same cohort who may also have been affected by the error in the assessment outcome, the centre may be requested to submit all paperwork for the assessment so that all assessment decisions can be reviewed in the same way. This could also lead to an investigation into malpractice or maladministration against the centre should the issues raised by the outcome of the appeal review appear to be endemic.

If the appellant is not satisfied with the outcome of the Stage 1 appeal, they may request it be escalated to Stage 2 within 14 days of the date the centre is notified of the decision. See section 10.4 below.

### 10.4. STAGE 2 Appeals – Independent Review

The Head of Centre should complete and submit an appeals application form, as done for the Stage 1 appeal. This form does not need to outline the original dispute but must set out the reasons for the rejection of the outcome of the Stage 1 appeal and include any additional information or evidence that QNUK should take into consideration.

All Stage 2 Appeals are reviewed by an independent person who is suitably qualified and/or experienced in the subject under appeal. They will not be a direct employee of QNUK, though they may undertake other duties such as being a member of the Governance Committee. They will not have been involved in any of the earlier parts of the decision-making process, including the Stage 1 appeal and will have no personal interest in the outcome of the appeal.

The independent reviewer will be provided access to all of the paperwork, including all correspondence, both written (e.g. email) and any telephone discussion recordings or notes. They will, should they so request, be provided with access to both the QNUK staff previously involved in the decision-making process and the contact details for the head of centre should they wish to question anyone to gain additional information or understanding of the issues. The reviewer will take particular note of the way in which the processes have been carried out and ensuring that all relevant processes have been undertaken consistently, fairly and in line with all laid down policies and procedures up to and including the Stage 1 appeal.

The independent reviewer's decision is final. We will inform the head of centre of their decision within 20 business days of the stage 2 appeal application form being submitted to us.

### 10.5. Escalation to the Regulator

If an appellant remains dissatisfied with the outcome of an appeal following the completion of Stage 2, they have the right to escalate the matter to the Regulator. This would normally be done under their Complaint Process. Please note that they will only look into appeals against decisions against the centre or learner regarding malpractice or the learner registration and certification processes or against the way in which an appeal has been handled. They do not look at appeals against assessment decisions due purely to a disagreement with the outcome.

The regulator will not look at any complaints against appeal decisions that have not exhausted QNUK's appeals process.

QNUK will provide the regulator with all requested information and documentation, including all correspondence, in respect of an appeal and will cooperate with any investigation undertaken in this regard.

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### 11. Fees

QNUK charges a nominal fee to cover the costs of personnel and administration while investigating an appeal. Fees are reimbursed if the appeal is upheld. Fees are outlined in our fees structure, which is available online at: [www.qualifications-Network.co.uk/fees](http://www.qualifications-Network.co.uk/fees).

In the case where appeals are partially upheld the independent reviewer will be responsible for identifying what percentage QNUK is responsible for.

### 12. Escalations to Wider Investigations

During an appeal information may come to light that could lead to QNUK undertaking a wider investigation into potential malpractice or maladministration. Any such investigations will take place in line with our Malpractice and Maladministration Policy, a copy of which is available on request or via the secure Centre Log-in area accessed via the QNUK website at: <http://MyQNUK.co.uk>.

### 13. Informing our approach

QNUK actively seek ways to improve our products and services by use of the most efficient and effective working practices designed to reduce the burden on staff and resources both for ourselves and our centres. During an appeal, areas for improvement may come to light which will be recorded by the staff member who has identified the potential failing or area for improvement. This will then be raised at the weekly team meetings where the decision whether or not to take this forward will be made by those present. If it is decided that actions will be taken, responsibility will be allocated and an action plan agreed.

All actions will be monitored by senior management to ensure they are carried out in accordance with the relevant processes and that all policies and procedures are updated as necessary.

### 14. Notifications to the Regulator(s)

It is possible that a potential adverse effect may be identified during an appeals investigation, for example:

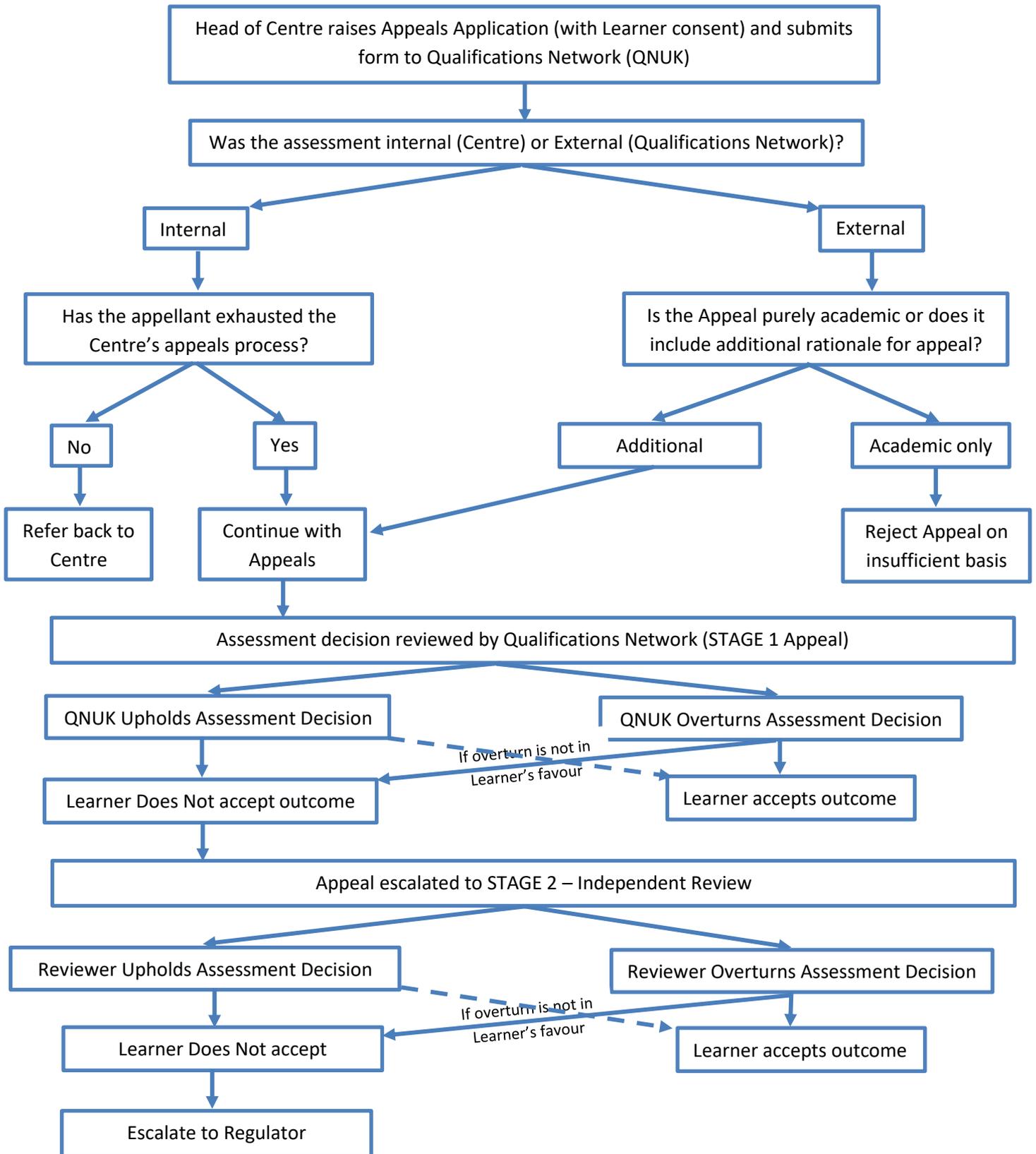
- an assessment decision is found to have been made inaccurately meaning that the results issued to learners is invalid or unreliable
- a mark scheme is found to contain errors leading to a wider issue of invalid results being issued
- an internally set and assessed examination does not meet the requirements laid down in the Qualification Specification making it invalid and unreliable

The above list is for illustrative purposes and is not exhaustive.

Where such an issue is found, QNUK will immediately notify the relevant Regulator(s) with the details, providing the required information and a timeline for an update on the situation and/or proposed resolution, in accordance with the conditions or principles of the relevant Regulator(s).

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## Appendix 1: Learner Assessment Decision Appeals



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## Appendix 2: Centre (Including Learner Malpractice) Appeals Process

