

Appeals Policy

V2.0

Introduction

This is version two of the Appeals Policy and replaces all previous versions. This document is subject to regular revision and maintained electronically by its owner. Electronic copies are version controlled. Printed copies are not subject to this control.

Change history to V1.0

Section	Change
All	Structural and formatting changes
Scope	Updated
Examples	New section
Stages	Further clarification
Fees	Reference added
Regulatory reference	Updated to reflect latest General Conditions of Recognition criteria

Scope

This policy covers appeals from learners or centres, in relation to the qualifications and associated services offered by SFEDI Awards. An approved SFEDI centre may wish to appeal against a decision made by SFEDI Awards in relation to a change to centre approval status, a change to qualification approval status or their registrations or certification status. A learner may wish to appeal against a decision of a centre in relation to their qualification. In all cases, a centre's internal appeals process must be exhausted prior to making an appeal to SFEDI Awards.

Examples

SFEDI Awards appeals policy applies where a centre or learner wishes to raise an appeal in relation to:

- The results of assessments
- Decisions regarding reasonable adjustments
- Decisions regarding special considerations
- Decisions regarding any action to be taken against a learner following investigation into malpractice or maladministration
- Decisions regarding any action to be taken against a centre following investigation into malpractice or maladministration

Centre Responsibilities

As a SFEDI Awards centre, you should take all responsible steps to ensure that staff involved in the management, assessment and quality assurance of our qualifications, and learners, are aware of the

contents of this policy. Your centre must have an Appeals policy, procedure, and process in place to deal with appeals from learners about the services they receive from your centre.

Process

Initial queries can often be dealt with through a simple enquiry where an administrative or desk based check will easily provide an answer or explanation. . All SFEDI Awards staff have been trained to help our customers, so you should first try to resolve your enquiry at the earliest opportunity by speaking to the person who dealt with you. If they cannot help or you wish to speak to someone else, you should contact our customer service team. If this is not possible, or if you are not satisfied with the help provided by them, please send a written request for an appeal, normally within 10 working days of the reason for the appeal. A form to submit your appeal can be found on our website. Alternatively, you can write directly to The Chief Executive Officer (CEO) at our Head Office.

Costs of an appeal against a SFEDI Awards decision can be seen within the SFEDI Awards Fees and Prices document. If the appeal is upheld, then all fees will be reimbursed to the appellant.

Stage 1

If you feel that you have grounds to make an appeal you may submit your appeal in writing to SFEDI Awards Head Office care of the CEO or complete the online appeals form available on our website. The written permission of each learner involved must be included with this documentation.

SFEDI Awards will forward an Appeal Acknowledgement letter to the appellant within 2 working days. An invoice will be raised at this point.

At all times we will ensure that SEDI Awards personnel assigned to the investigation have the appropriate level of training and competence and that they have had no previous involvement or personal interest in the matter. If the person receiving the appeal has any involvement in the appeal matter, they will not be responsible for allocating a member of staff to carry out the investigation or for conducting, overseeing, or managing the investigation.

Stage 2

SFEDI Awards will review the instance reported and gather initial information to ascertain the details of the appeal, an overview of the instance reported and where the instance took place.

We will complete an investigation into the instance reported which will take no longer than 10 working days and a report will be finalised within 5 working days of the investigation being completed. If further time is required due to the nature of the instance reported then we will notify all parties of the new timescales for completion.

If the appeal regards the External Quality Assurance practice in relation to the monitoring of assessments, SFEDI Awards reserves the right to forward the assessment documentation to a

second External Quality Assurer, who has no contact with that centre, for re-assessment to enable a thorough investigation. Consideration will be made as to whether any such scenario would be better dealt with through our Complaints Policy.

SFEDI Awards will use the details gathered during the investigation to form the basis for the final report. This report will detail:

- the initial reporting of the instance
- the plan for investigation
- roles and responsibilities of SFEDI staff involved in carrying out the investigation
- the investigation process followed and reference to any further documentation
- a conclusion of findings
- a recommendation of actions to be taken

The final report and recommendation of actions to be taken will be presented to the SFEDI Awards Senior Management Team to allow for final approval prior to notification of findings to the parties concerned.

Any recommended actions to be taken will be discussed with the parties concerned and timescales set as to when they must be completed by. This process will also allocate nominated persons responsible for each of the actions to be completed.

We will not be able to provide a detailed update on the status of the appeal until the investigation has been concluded and the report compiled and agreed by SFEDI Awards Senior Management Team. SFEDI Awards reserves the right not to disclose information if to do so would breach a duty of confidentiality or any other legal duty.

If we do not hear from the appellant within 5 working days of receipt of the report, we will close Stage 2 of the appeal and assume their acceptance of the outcome.

Stage 3

On receipt of the final report, if the appellant is not satisfied with the outcome, they can challenge the decision if they have grounds to do so. Individuals have 5 working days in which to progress to Stage 3 to challenge the outcome of the appeal. If you wish to do this, you should submit the following information:

- Reason why you wish to challenge the decision
- Additional evidence to support your reasoning

Please note that without these pieces of information we will be unable to accept the submission of a challenge for Stage 3 of the process.

The appeal challenge must be submitted, in writing, to the CEO of SFEDI Awards directly and a Challenge Acknowledgement letter will be forwarded within 2 working days.

The CEO will appoint an independent person to carry out the investigation and all prior documentation will be provided by SFEDI Awards from the first investigation plus additional documentation and communication to support the appellant's grounds to challenge. Independent investigations will only be conducted by individuals who have no personal interest in the decision being appealed, have appropriate competence, are not an employee of SFEDI Awards, an assessor working for it or otherwise connected to it.

The independent person will complete an investigation into the challenge which will take no longer than 10 working days and a report will be finalised within 5 working days of the investigation being completed. If further time is required due to the nature of the instance reported then the independent person will notify all parties of the new timescales for completion.

The independent person will use the details gathered during the investigation to form the basis for the final report as described earlier within this policy.

The final report and recommendation of actions to be taken will be presented to the SFEDI Awards Board to allow for final approval prior to notification of findings to the centre or individual.

Any recommended actions to be taken by the appellant will be discussed and timescales set as to when they must be completed by. This process will also allocate nominated persons responsible for each of the actions to be completed.

We will not be able to provide a detailed update on the status of the challenge until the investigation has been concluded and the report compiled and agreed by SFEDI Awards Board. SFEDI reserves the right not to disclose information if to do so would breach a duty of confidentiality or any other legal duty.

The report will make recommendations to SFEDI Awards if they are to be found at fault during the challenge process. Any recommendations regarding SFEDI Awards will be presented at the subsequent Senior Management Team meeting for discussion and resolution.

Stage 4

Only once Stage 3 has been completed, can the appellant challenge the decision to the Regulator. This will follow the published appeals procedure for each relevant Regulator. SFEDI Awards staff will provide details of the relevant Regulator(s) to the appellant at this point.

SFEDI Awards will ensure all paperwork relating to the appeal is available to the Regulator(s) to allow them to complete their duties fully.

Fees

The cost of an appeal against a SFEDI Awards decision can be found within the SFEDI Awards Fees and Prices document. If the appeal is upheld, then all fees will be reimbursed to the centre or learner as per our Invoicing Policy.

Regulation

If any part of your appeal is upheld, we will respond accordingly and give due consideration to how we can improve our service and arrangements. For example, by reviewing our procedures to assess the impact on our qualification development, delivery or awarding arrangements and assessment process (if relevant) or arranging for training. This includes correcting any error in results which have been issued where this has been discovered through the appeals process.

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

- identify any other learner and/or centre who has been affected by that failure
- correct, or where it cannot be corrected, mitigate as far as possible the effect of the failure, and
- review and amend our arrangements, where appropriate, to reduce the likelihood that a similar failure will reoccur in the future
- start internal disciplinary procedures against a member of our staff if we found their behaviour was seriously at variance with our internal procedures and arrangements

Where Regulators notify us about failures that have been discovered in the assessment process or other activities of another awarding organisation, these will be reviewed in the same manner as other external appeals in accordance with the procedures detailed within this policy, to ascertain if the same issue could affect SFEDI qualifications.

Where, following a review, SFEDI identifies such a potential failure, it will take the same action as if a failure has been discovered in relation to it by virtue of the application of the Regulator's appeals process.

Review Arrangements

We will review this policy as part of our annual self-evaluation arrangements and revise it as and when necessary in response to customer and learner feedback, changes in our practices, actions from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous allegations.

In addition, this policy may be updated considering operational feedback to ensure our arrangements for dealing with Appeals remain effective.

If you would like to feedback any views, please contact us via the details provided at the end of this policy

Other Related SFEDI Policies and Documents

- Appeals Form
- Complaints Policy
- Malpractice and Maladministration Policy
- Reasonable Adjustments Policy
- Sanctions Policy
- Special Considerations Policy

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Contact Us

If you have any queries about the content of this policy, please contact our customer service department. SFEDI Awards 53 Coniscliffe Road Darlington County Durham DL3 7EH

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