



Appeals Policy

Extraordinary Regulatory Framework

Update Summer 2020

Version 7



Centre Assessed Grades (CAGs) Appeals Process

This document sets out how SFJ Awards will meet our regulatory requirements for appeals relating to Centre Assessed Grades for vocational and technical qualifications, including Functional Skills, during the Covid-19 pandemic.

The Secretary of State made clear that he wishes appeals in relation to such qualifications to focus on compliance with an awarding organisation's processes and not to permit the judgements of Teachers and Centres in relation to calculated results to be second-guessed. This is because, in normal circumstances, the basis for such appeals is whether or not a result is reasonable in light of the application of the criteria set by the awarding organisation to the evidence produced by the Learner in an assessment. However, calculated results will not be based on assessments that are marked in line with set criteria and there is therefore no common benchmark or standard against which the merits of a particular result could be judged in a fair manner.

For all other grounds for appeal, our existing policy will continue to be applied.

Centre Appeals

There are 3 reasons why an appeal may be submitted by the Head of Centre:

1. SFJ Awards did not apply procedures consistently, or procedures were not followed properly and fairly
2. SFJ Awards used the wrong data in calculating results
3. The result generated was incorrectly issued by SFJ Awards

Timescale

Applications for the initial appeal must be made by 18th September 2020.

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1 Purpose

All SFJ Awards approved centres must have appropriate policies in place for approval to be granted. By accepting SFJ Awards' Approved Centre Contract, the centre confirms they will adhere to the policies they have in place.

This policy is based on the knowledge that a centre's own policies and procedures have met the centre approval criteria.

The policy outlines SFJ Awards' approach for providing approved centres and learners with a means of making an appeal, the steps to follow and how SFJ Awards considers appeals it receives.

2 Definitions

Enquiries: allow centres and learners to ask for clarification or exemplification on specific or general issues.

Appeals: allow centres and learners to question a decision or judgement. An appeal is a process through which the outcome of a decision may be challenged.

Appeals made by approved centres or learners can only be made regarding one of the following:

- assessment decisions
- conduct of assessment and quality assurance practices
- decisions regarding reasonable adjustments and special considerations
- decisions relating to any action to be taken against a learner, centre staff member or a centre following an investigation into malpractice or maladministration.

3 Roles and Responsibilities

Learners:

- Must familiarise themselves with the centre's enquiries and appeals policy.

Centre Staff:

- Must familiarise themselves with the centre's enquiries and appeals policy and procedure.

Heads of Centre:

- Ensure the centre has an appeals policy in place to meet centre approval requirements.
- Ensure centre staff and learners are aware of the centre's appeals policy.
- Ensure appeals are handled consistently and in accordance with this and the centre's own appeals policy.

SFJ Awards' Quality and Assessment Manager:

- To consider appeals received.

SFJ Awards' Awarding Organisation Manager (Responsible Officer):

- To ensure appeals at stage three are handled in accordance with this policy

4 Stage Definitions

The process will be conducted fairly and consistently, in line with regulatory requirements. SFJ Awards may request further information from the centre, speak with learners, speak with centre staff or arrange a centre visit as part of their investigation. Appellants will be kept informed throughout the process.

Stage One

At Stage One, an appeal is referred to as an enquiry and dealt with on a semi-formal basis. SFJ Awards will make every attempt to answer the query in full and avoid the need for the enquiry to progress to stage two.

Stage Two

If the appellant is not satisfied with the outcome at stage one, they may progress their appeal to stage two.

The appeal must be made in writing.

SFJ Awards will acknowledge receipt of the appeal within 5 working days and will aim to conclude their investigation within 30 working days. (If the process is expected to take longer, you will be advised of this, the reasons, and the likely amended timescale). The investigation will be conducted by SFJ Awards' Quality & Assessment Manager. The outcome of the investigation will be conveyed in writing.

Stage Three

If the appellant is not satisfied with the outcome at stage two, they may progress their appeal for independent review at stage three.

The appeal must be made in writing.

SFJ Awards will acknowledge receipt of the appeal within 5 working days and will aim to conclude their investigation within 30 working days. (If the process is expected to take longer, you will be advised of this, the reasons, and the likely amended timescale).

Stage three appeals will be reviewed by SFJ Awards' Quality and Standards Committee of which two members will be independent to the operation of SFJ Awards, will not be employees of SFJ Awards and will have no connection to the subject of the appeal.

The outcome of the review will be conveyed in writing. The decision made by the Quality and Standards Committee is final.

Appeal to the Regulatory Authorities

If the appellant does not agree with the decision and findings of the stage three appeal, they may take their appeal to the Regulatory Authorities and SFJ Awards will cooperate fully with the Regulatory Authorities in all investigations.

Regulatory Authorities:

Ofqual
Qualifications Wales
Council for the Curriculum, Examinations and Assessment
Northern Ireland
SQA

www.ofqual.gov.uk
www.qualificationswales.org

www.ccea.org.uk
www.sqa.org.uk

SFJ Awards will retain all of its records pertaining to the appeal in accordance with General Data Protection Regulation (GDPR) and The Data Protection Act 2018.

5 Enquiries

SFJ Awards hope that the majority of matters can be resolved informally.

Enquiries can be made informally; orally or in writing. SFJ Awards will deal with enquiries from centres and learners promptly:

- We will acknowledge enquiries within 5 working days;
- We will deal with simple telephone enquiries quickly;
- Appoint an appropriate member of staff to respond to the enquiry;
- We will respond to written enquiries (email, letter) within 5 working days.

6 When to Appeal

Appeals will only be considered if they comply with the definition above and the appellant can submit a strong case that any conduct or decision was unfair or in breach of regulatory requirements.

6.1 Appeals from Learners

Learners must follow and exhaust the centre's appeals and complaints procedure **fully** before making a direct appeal to SFJ Awards.

The learner must make the centre aware of his/her intention to submit an appeal to SFJ Awards.

As part of their investigation, SFJ Awards will examine the procedures used by the centre to investigate the original appeal submitted by the learner.

SFJ Awards will acknowledge receipt of the appeal within 5 working days and will aim to conclude their investigation within 30 working days. (If the process is expected to take longer, you will be advised of this, the reasons, and the likely amended timescale). The investigation will be conducted by SFJ Awards' Quality & Assessment Manager.

Please Note: SFJ Awards do not arbitrate in cases of dispute between learners and centres. All centres are required to have appeals policies and procedures in place in order to meet the terms of the centre approval criteria, and SFJ Awards expect that all learners are informed of them by the

centre as part of their induction. Where appeals between learners and centres are not satisfactorily resolved, learners can contact SFJ Awards.

SFJ Awards reserves the right to recharge investigation or re-marking/re-assessment costs incurred in dealing with the appeal to the centre.

6.2 Appeals from Centres

SFJ Awards will consider appeals relating to:

- external verification outcomes;
- the outcomes of centre recognition;
- the application by a centre to offer certain SFJ Awards products, units or qualifications;
- award of credit(s) or qualifications;
- outcomes of the centre's ongoing compliance monitoring including any sanctions that may be imposed;
- sanctions applied as a result of maladministration or malpractice;
- errors made by SFJ Awards in the generation of certificates;
- outcomes of an application for reasonable adjustments/special considerations.

SFJ Awards will acknowledge receipt of the appeal within 5 working days and will aim to conclude their investigation within 30 working days. (If the process is expected to take longer, you will be advised of this, the reasons, and the likely amended timescale). The investigation will be conducted by SFJ Awards' Quality and Assessment Manager.

7 Process for making an Appeal

SFJ Awards enquiries and appeals process has three stages, ranging from an enquiry at stage one, a review by SFJ Awards Senior Managers at stage two, to an independent review at stage three.

Stage One (Enquiry)

Stage one enquiries can be made by telephone or email.

Telephone: 0114 284 1970

Email: info@sfjawards.com

Stage Two

At stage two appeals must be made in writing or by email, stating the full nature of the appeal.

Stage two appeals should be addressed to:

The Quality & Assessment Manager
SFJ Awards
1st Floor, Unit C
Meadowcourt Business Park
4 Hayland Street
Sheffield
S9 1BY

or

Emailed to: info@sfjawards.com

Stage Three

At stage three appeals must be made in writing or by email, stating a full explanation of why the appellant is not satisfied with the decision made at stage two.

Grounds for Appeal at stage three:

Stage three appeals cannot be considered unless new evidence has emerged or certain aspects were not taken into consideration. Stage three appeals cannot be considered just because the appellant is not happy with the appeal outcome.

Stage three appeals should be addressed to:

The Awarding Organisation Manager (Responsible Officer)
SFJ Awards
1st Floor, Unit C
Meadowcourt Business Park
4 Hayland Street
Sheffield
S9 1BY

or

Emailed to: info@sfjawards.com

8 Corrective Action

If during an enquiry or appeal SFJ Awards identifies an issue which threatens the integrity of a qualification, SFJ Awards will take the following action:

- identify all learner(s) who may have been affected
- correct or, where it cannot be corrected, mitigate as far as possible the effect of the problem, and
- take action to ensure that the issue does not recur in the future.

Where the outcome of an appeal questions the validity of other results at a centre, SFJ Awards will take action to protect the interests of other learners and the integrity of the award of units and/or qualifications. This may include:

- a further review of learners' work by an independent External Quality Assurer not involved previously in the final verification of the awards. *Up to a 100% sample may be requested for EQA purposes;*
- a review of the unit(s) of assessment through its unit review process;
- a review of the rules of combination for a qualification (if appropriate).

The Quality & Assessment Manager and Awarding Organisation Manager will take responsibility for initiating the most appropriate course of action.

9 Monitoring

Investigated appeals will be monitored by SFJ Awards.

SFJ Awards' Quality and Standards Committee will be responsible for monitoring the effectiveness of the process. A summary report will be submitted to the Committee, allowing the Committee to monitor appeal investigations and outcomes over time.

Informing the Qualifications Regulator and other awarding organisations/stakeholders:

If an appeal received has the potential to lead to an Adverse Effect, SFJ Awards Awarding Organisation Manager will notify the Qualifications Regulators and keep them fully informed.

SFJ Awards are required to notify other awarding organisations/stakeholders where cases are likely to impact on them.

10 Review of the Policy

This policy will be reviewed by the Quality and Assessment Manager on a regular basis as part of SFJ Awards' self-evaluation arrangements and revised as necessary in response to lessons learnt, customer feedback, changes in legislation and guidance from the Qualifications Regulators.

Our review of the policy will ensure that SFJ Awards procedures continue to be consistent with the regulatory criteria and are applied appropriately and equitably.

Policies and formal amendments to policies are approved at the next meeting by the Quality & Standards Committee.

If you have any queries about the content of the policy or you wish to give feedback then please contact SFJ Awards Tel: 01142 841970 or email info@sfjawards.com

11 Location of the Policy

You can download copies of the policy from our website: www.sfjawards.com/appeals

12 Copyright

The content of this document is, unless otherwise indicated, Copyright © SFJ Awards and may not be copied, revised, reproduced or distributed, without prior written consent from SFJ Awards.