

Assessment Appeals Policy & Procedure

1. Purpose & Scope

The purpose of EMD UK CIC's Assessment Appeals Policy and Procedure is to ensure that all learners have access to an established process which is in place to allow them to appeal against any assessment decision made by EMD UK CIC assessors / tutors.

The scope of the policy includes all learners attending programmes of learning which are accredited or unaccredited.

2. Responsibility & Authority

It is the responsibility of the Director to ensure that all relevant staff are aware of this policy. The Director and Internal Quality Assurance team are accountable for ensuring that all appeals are dealt with in accordance with this policy.

3. Definitions

An **appeal** is a request for a review of a decision. An appeal differs from a complaint, which is considered under the EMD Complaints Policy. A complaint is defined as a formal expression of dissatisfaction made by a learner, centre or member of the public.

Wherever a **learner** is referenced in this policy, this defines an individual learner registered for an EMD programme of learning.

4. Commitment to Fair Dealing

It is EMD's policy to make every effort to resolve any appeal quickly, efficiently and fairly. We will carry out a review of the procedure at least every two years and revise it, if necessary, in response to staff and learner feedback or requests from, or good guidance issued by, awarding organisations and the regulatory authorities, including a need to align with any appeals processes established by these stakeholders.

5. Fees for Appeals

EMD operates a multi-stage appeals procedure (see below). There are no fees for learners wishing to submit an academic assessment appeals. However, should the appeal be escalated to involve external expertise, e.g. an independent subject expert or External Moderators from the awarding organisations, their fees may apply. Learners should request details of the fees incurred by independent subject experts and/or the awarding organisation prior to submitting their request for escalation to a Stage 4 appeal.

6. General Procedure for raising an Appeal

Whilst there are slightly differing procedures depending on the nature of any individual appeal, there are some basic principles which must be adhered to:

- All evidence supporting an appeal must be provided at the time the appeal is submitted
- Appeals must be made by the learner directly, or their representative if they require representation (e.g. if they are under the age of 18 or deemed a 'vulnerable adult')

- Appeals made by a third party must be submitted with a letter of authorisation, signed by the learner
- All appeals must be made within 20 working days of the initial decision being received
- Appellants must adhere to the timescales laid down in this policy unless prior agreement has been provided, in writing, by EMD.

The appeal must include all relevant information pertaining to the reasons for the appeal which may include, but not be limited to:

- any errors or omissions you feel EMD has made in its process or procedures.
- evidence or information not provided when an assessment was first submitted (together with a reason as to why it was not provided earlier).
- mitigating circumstances which you feel should be taken into consideration.

EMD will not refuse to accept any reasonable appeal made within the set timescales. For the avoidance of doubt, decisions which may be appealed against are normally issued via email, but are considered as received by the other party on the first business day following issue, unless a notification has been received by EMD that the email has not been delivered.

7. The Procedure

Stage 1 - Assessor(s) - Learner

All work should be assessed and returned to the learner with the assessment decision and feedback. If the learner is unhappy with the initial decision, the work is reassessed by the first line assessor. If the learner remains unhappy with the assessor decision, the learner may - within 20 working days of receipt of the decision - ask for the appeal to be referred to Stage 2.

Stage 2 – Second Line Assessor – Learner

Where a learner disputes an assessment decision made by the first EMD assessor they may ask for their work to be reassessed. At this stage the Internal Moderator should be notified. A second suitably qualified and experienced assessor will reassess the work and return to the learner with their assessment decision. If the learner is unhappy with the second assessor's decision, the appeal moves on to Stage 3.

Stage 3 – Internal Moderator / Learner

- a) Where a learner disputes the second assessment decision, the Internal Moderator for the programme will reconsider the assessment decisions and make a decision, providing feedback.
- b) Where the learner disputes the Internal Moderator's decision, the Internal Moderator will notify the Director and the External Moderator.

Stage 4 – The Assessment Appeals – Internal & External Moderator / Senior Management

- a) Where an assessment appeal remains unresolved within the programme, an Assessment Appeals Panel will convene within 30 working days and consist of a member of Senior Management and, where necessary, an independent subject expert and the External Moderator.

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- b) The Assessment Appeals Panel will reach a decision and inform the learner within 10 working days of the assessment appeal decision.

There are two possible outcomes:

- **Appeal upheld:** the overall result may be adjusted (or an offer of re-assessment made if this would be appropriate) and the results of other learners may be affected.
- **Appeal rejected:** rejection of the grounds for appeal with clearly stated reasons.

8. Right of Escalation to Ofqual (applicable to Ofqual-regulated qualifications only)

Should a learner be dissatisfied with the final outcome of an appeal, they may then further escalate the appeal and ask Ofqual to review the case. Ofqual can be contacted in writing at the following address: Ofqual, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH.

9. Impact on Results Following an Upheld Assessment Decision Appeal

In any case where an appeal against an assessment decision is upheld (at any stage of the process), or where an investigation following the identification of an incident, or as a result of notification from the Regulator, indicates a failure in the assessment processes of EMD, the Director is responsible for ensuring an internal investigation is carried out.

The investigation will determine whether the decision to overturn the original decision as a result of the appeal has had a wider ranging adverse effect, and if so, how it can be mitigated. This investigation will consider whether any other learner has been affected by the failure and what steps need to be taken to correct the failure and ensure that the failure does not recur in the future.

10. Notifications to External Organisations

Where EMD has administered the appeals process and has identified any adverse effect or incident which could lead to further adverse effects such as a failure in the assessment process, the Director will promptly inform the relevant awarding organisation.

11. Monitoring

All learner appeals will be reported to and monitored by the management team and the Awarding Body if appropriate.

The Assessment Appeals Process

