

Enquiries and Appeals Policy

1 General

- 1.1 The scope of this policy covers the decisions made and actions taken by Skills and Education Group Access¹ about its relationships with Providers² and their students. Skills and Education Group Access is licensed by QAA³ to accredit Access to Higher Education Diplomas for providers as an Access Validating Agency (AVA).
- 1.2 Students and/or providers may appeal against:
- decisions and/or outcomes made by Skills and Education Group Access
 - the outcome of an investigation into suspected malpractice
 - decisions concerning requests for reasonable adjustment or special considerations.
- 1.3 Skills and Education Group Access endeavours always to ensure that all enquiries are resolved to the satisfaction of the provider and the student before any full appeals process is invoked.
- 1.4 Where an enquiry or appeal against AVA actions or decisions is upheld, any charges will be refunded or rescinded. Where the original decision is upheld, the cost of the enquiry or appeal will be charged back to the organisation appealing on behalf of the student.
- 1.5 If providers or students wish to have further advice on any matters concerning this policy, they should contact the Access to HE team acesstohe@skillsedugroup.co.uk.
- 1.6 In turn the AVA requires all providers which have a duty of care for students to have an accessible appeals policy and procedure to enable expressions of dissatisfaction about results or any decisions affecting the outcomes of assessment.

¹ Skills and Education Group Access is a QAA-licensed Access Validating Agency and part of the Skills and Education Group.

² A 'Provider' in the context of this document applies to organisations, whether a training organisation, educational institution or employer that are approved by Skills and Education Group Access to deliver Skills and Education Group Access-validated Access to HE Diplomas and, as such, have a duty of care with respect to the individual as a student.

³ QAA – the Quality Assurance Agency for Higher Education

2 Student Representations regarding Centre-assessed work

- 2.1 Where an assignment is assessed by the Centre, students are required to follow the 'Representations' procedure, which can be found in the Access to HE Grading Scheme Handbook.⁴

Extract from Grading Scheme Handbook, Section C: Using the Grade Descriptors in Assessment:

Representations:

The procedure for representations applies when a student asks for unconfirmed grade indicators to be reconsidered, after work has been graded but prior to moderation.

- A If a student wishes to ask for reconsideration of one or more of the grade indicators given by a tutor for any individual assignment, he/she must do so at the earliest opportunity. This will normally be within one week of receiving the graded work.
- B In the first instance, the tutor will discuss the assessed work with the student to explain the grading decisions made.
- C If the student is not satisfied with the explanation and wishes to pursue a representation, the relevant student work will be considered by the internal moderator or considered through such other alternative mechanisms as have been approved for the purpose by the AVA. A formal record of the student's representation will be made.
- D If, because of this process, it is concluded that there is no case for regrading (that is, the tutor's original decision is confirmed), the student is informed of the decision, and the outcome is recorded on the formal record of the representation. Any appeal against this decision will be made through the appeals procedures that apply (see Section E). The formal record of the representation and its outcome will be available in any subsequent appeal.
- E If the internal consideration concludes that an error of judgement has been made, the relevant assignment(s) is/are re-assessed and new feedback, relating to any revised grade indicators, is provided. A copy of both the original and the revised feedback, with the revised grade indicators, must be retained. The outcome is recorded on the formal record of the representation.
- F The formal representation record will include:

⁴ Grading Scheme Handbook (September 2020) [Section C: Using the Grade Descriptors in Assessment](#)

- the date the representation is made
- the nature of the representation
- the nature of any change made
- the reason for the change or decision not to change
- the date the change is approved
- the name of the tutor responsible for the initial assessment and of the internal moderator (or other authorised person) who approved the change.

G The formal records of all representations will be considered by the external moderator, who will a) confirm that the representations process has been properly operated and b) may sample and review individual cases.

H Under no circumstances may a tutor make any change to grade indicators or unit grades without the involvement of the internal moderator and without a formal record being made.

3 Provider Enquiries about External Moderation Decisions

3.1 Where an external moderator notifies a provider that its assessments or assessment decisions have not met the qualification standard and the provider disagrees with the decision, the provider may request a re-moderation.

3.1.1 All requests must be made in writing within five working days of receipt of the external moderation report and before claiming certification.

3.1.2 The evidence presented must include the original work of the student and the evidence and outcome of the initial assessment and internal moderation.

3.1.3 The Lead External Moderator will then review all relevant evidence and will file a report within 10 working days of receipt of the evidence / visit to the provider.

3.2 If the provider or student remains dissatisfied following further discussions the provider may request a formal appeal.

4 Provider Enquiries about Reasonable Adjustments and Special Consideration Decisions

4.1 Providers may request a review of any actions taken regarding any decision not to approve a request for Reasonable Adjustments or Special Consideration.

- 4.1.1 All such requests must be made within five working days of receipt of the decision and must include additional evidence in support of that request.
- 4.1.2 All additional evidence received will be reviewed and the provider informed of our decision within 10 working days.
- 4.2 If the provider or student remains dissatisfied following further discussions the provider may request a formal appeal.

5 Provider Enquiries about Malpractice and Maladministration Decisions

- 5.1 Providers may request a review of any sanction applied or actions taken because of proven malpractice and/or maladministration.
 - 5.1.1 All such requests must be made within five working days of receipt of the decision and must provide additional/mitigating evidence in support of a review.
 - 5.1.2 The evidence received will be reviewed and the provider informed of the AVA decision within 10 working days.
- 5.2 The provider may request a formal appeal if the provider or student remains dissatisfied with the outcome.

6 Student Enquiries

6.1 External Moderation Decisions

Students who disagree with the grading decisions agreed by the provider and the external moderator may enquire about that decision directly to accesstohe@skillsedugroup.co.uk

6.1.1 Students must:

- provide evidence as to why they were unable to follow the 'Representations' process outlined in 2.1 (for example, if the provisional grades were not shared with the student in sufficient time for a Representation to be made)
- have discussed the rationale for the assessment decision in line with the external moderator's feedback with their assessor
- will put in writing the reasons why they feel the decision is unsound

- will provide all the original evidence for moderation to the Provider.

6.2.2 The provider must confirm that it:

- has discussed the rationale for the original decision with the student
- will facilitate the re-moderation of the work if this is appropriate.

6.2.3 Students may nominate an appropriate representative to act on their behalf only if they are unable to represent themselves, for example by reason of disability, on medical grounds, or because they are under the age of 18. Students wishing to nominate a representative must do so at the beginning of the process, giving a clear reason why they cannot represent themselves. If this is not done, we will be unable to communicate with that nominated representative.

7 Appeals

7.1 An appeal must be made by the Provider's nominated contact, or by the student if they have made an enquiry directly to Skills and Education Group Access, within 5 working days of receiving our decision following the outcome of an enquiry. The focus of the appeal will be on the procedures followed and the evidence initially provided. No new evidence will be admitted at this stage.

7.2 Once an appeal has been received, we will notify the Provider/student of the procedures and steps to be taken at the start of the appeals process. This will include:

7.2.1 The nomination of an appeals Officer, this will usually be a senior member of staff from within the Skills and Education Group. This member of staff will have appropriate authority within the AVA, will not have been involved in the incident that is the subject of the appeal and have no vested interest in the outcome of the appeal.⁵

7.2.2 Gathering all appropriate evidence which will include:

- original student evidence
- initial enquiry reports
- relevant Skills and Education Group Access policy and procedure
- timelines throughout process.

⁵ Where no member of staff is available that meets the criteria outlined in 6.2.1, the AVA may seek a suitably experienced external person to oversee the appeal.

7.2.3 The cost of the appeal will be £25 for any appeal from a student or made on the behalf of a student. Appeals from Providers will be invoiced for the anticipated cost of handling the appeal. Providers will be informed of the anticipated fee in advance of the appeal being actioned. All appeals that are fully upheld will be refunded where a fee has been charged.

7.3 The decision of the made by the Appeal Officer will be final and the outcome communicated to the appellant within 5 working days of the panel meeting.

8 Outcomes of Enquiries and Appeals

8.1 Where an enquiry has the potential to have an Adverse Effect, we will inform the Regulator as per their requirements.

8.2 Where an enquiry or an appeal is upheld and the outcome is seen to have a wider impact on other providers or students, Skills and Education Group Access will ensure that:

- the error is corrected, or if it cannot be corrected for any reason, the effect of such an outcome is mitigated, and
- policies and procedures are reviewed to prevent any future recurrence.

9 Timescales

9.1 Skills and Education Group Access aims to keep the provider informed at all stages of the enquiries and appeals processes and will:

- acknowledge written enquiries and appeals within 5 working days of receipt
- complete all actions within the timescales specified
- act without undue delay when an Appeals Panels needs to be convened
- retain all evidence pertaining to an enquiry/appeal for a minimum period of three months.

10 Adjudication of Provider Internal Assessment Decisions

10.1 Skills and Education Group Access may act as an independent adjudicator. This procedure will apply where a student has appealed to the provider against an internal assessment decision which cannot be resolved by the provider.

- 10.2 Providers must put requests in writing, outlining the results of their own appeals procedure.
- 10.3 Where Skills and Education Group Access agrees to review a student's internal assessment evidence, the evidence will usually be included with other evidence to be presented for external moderation.
- 10.3.1 Where the above is not possible or appropriate the assessment evidence will be reviewed separately and a charge for this service made directly to the provider.
- 10.4 Outcomes of this review will be confirmed within 10 working days of the review of evidence by the External Moderator.

11 Appeals against other Skills and Education Group Access Decisions

- 11.1 Any other enquiries/appeals against decisions made by Skills and Education Group Access will be dealt with via the Complaints Policy.

12 Quality Assurance

- 12.1 This policy is reviewed biennially to ensure it continues to meet the needs of our approved providers, students and the Regulators to which we are subject.