



ETC Awards Limited

Appeals Policy

Introduction

This document sets out our appeals policy and is aimed at our customers, including approved centres and learners, who are delivering / enrolled on or have taken an ETA approved qualification (including units), or ETA Business Solutions. It sets out the process you should follow when submitting appeals to us and the process we will follow when responding to appeals. It is also used by our staff to ensure they deal with all appeals in a consistent manner

Centre Responsibility

All staff involved in the delivery of ETA qualifications within a centre must be aware of the contents of this policy.

Centres must have their own internal appeals process available to learners, should a learner wish to appeal against a decision made by the centre. This internal policy should clearly indicate to the learner that they are only able to appeal an internal centre decision. If an individual wishes to appeal against a decision taken by a centre it must first of all go through the centre's appeals process before bringing the matter to the attention of ETA.

What this Policy Covers

- Appeal relating to an assessment or results decision from learners and/or centres
- Appeal from a centre relating to the outcome of an application to become an ETA centre
- Appeal from a centre relating to the decline of a request for reasonable adjustment or special considerations
- Appeal from a centre relating to the decision to place a sanction on the centre
- Appeal from a centre and on occasions a learner relating to the decision by ETA to take action against them following an investigation into malpractice or maladministration

NB: Appeals can only be made on the basis of ETA not having applied its procedures consistently and fairly or not having followed them correctly.

Before you appeal

- Appeals relating to decisions or actions of an ETA approved centre

Learners who wish to appeal about their assessment results or about a related decision should either be supported by their centre and should have exhausted their centre's own appeals process before appealing to us. In the latter case, learners must provide us with evidence that they have first appealed to their centre. It is expected that learners will only appeal directly to us in exceptional circumstances. Centres that appeal on behalf of their learners must ensure that they have obtained the written permission of the candidate(s) concerned as grades/results can go down as well as up as a result of an investigation.

- Appeals relating to ETA decisions

Centres wishing to appeal a decision made by ETA in relation to our centre monitoring activities, administration arrangements or as a result of an investigation, can do so in line with the scope of this policy.

Raising an Appeal

Following a decision made by ETA and notified to the centre, the centre has 21 days to raise an appeal. If the appeal is with regard to an assessment decision, all evidence relating to the assessment must be retained and available for examination.

If a centre is raising an appeal on behalf of or in conjunction with a learner, it is recommended the learner's written permission is gained as results and assessment outcomes can be changed to the negative as well as the positive.

A centre should write direct to the Head of Solutions and Compliance, via email, outlining the case for appeal and providing as much documentary evidence as possible.

All appeals should include the following information:

- Centre details including contact, address and ETA centre number
- Date(s) the centre or the candidate received notification of ETA's decision
- Full nature of the appeal (including supporting documents)
- The learner's name and ETA registration number (if appropriate)
- Title and number of the ETA qualification, or bespoke Programme affected (if appropriate)
- Contents and outcome of any investigation carried out by the centre relating to the issue

Receipt will be acknowledged within 3 working days.

Process

Informal Review

The Head of Solutions and Compliance will review the appeal and evidence provided to establish whether there is sufficient evidence available to resolve the appeal at this stage.

This initial review will be completed within 7 working days after which ETA will advise of the outcome, which will be either to:

1. Revise the original decision due to the evidence or rationale that has been provided within the appeal
2. Uphold the original decision and therefore confirm that the appeal will proceed to the Formal Review stage

NB: It is possible for the centre/learner to withdraw the appeal at this stage and if they wish to do so, they must advise ETA within 7 working days as ETA will look to instigate the Formal Review immediately following advising of decision 2 above and receipt of the fee.

Formal Review

A full investigation of the situation will be undertaken and all relevant documentation and evidence will be reviewed in order to inform the final decision which will be advised within 21 days of the informal review being completed. On occasions it may be necessary to extend the period of time due to availability and in the case of a visit to a centre, travel arrangements being made. If this is the case, updates on the timescale anticipated will be provided on a regular basis.

The final decision will always be made by the Responsible Officer in conjunction with an Independent Reviewer. This will be someone who is not in the employ of or contracted to ETA in any capacity. They will be someone with the relevant competence to make the decision in relation to the appeal although in some cases it may be necessary for them to seek specific technical advice and support in making that decision.

All of the evidence available in regard to the appeal will be reviewed to ensure that ETA has applied its procedures fairly and consistently. In order to do this it may be necessary for the reviewer to:

- undertake a centre visit
- request further information from either or both parties
- have a discussion with any individual relevant to the appeal

This decision will be final and will be communicated with a full rationale as to the final decision.

Taking an appeal further

Should it be felt that there is still a case for appeal, the matter should be raised with the relevant regulator (Ofqual in England, CCEA in Northern Ireland). Each of these organisations will have a formal procedure in place to handle appeals.

Appeals and issues raised by the Regulator

Where the successful outcome of an appeal or a notification of failure in our processes and policies is received from the regulator, ETA undertakes to take any appropriate action which could include:

- Reviewing and amending policies and procedures to ensure the failure does not occur again
- Mitigating the effect of the failure as far as possible
- Identifying any other learners/centres who may have been affected and take appropriate corrective action
- Cooperating with the regulators as required by them and agree any appropriate action

Fees

In all cases, if an appeal is upheld, the fee will be refunded, however it is necessary for the fee to be paid prior to it progressing to Formal Review stage.

NB: If the fee is not paid within 21 days of the outcome of the Informal Review, the appeal will automatically be closed.

Appeal Type	Fee £
Assessment decision	65
Centre/qualification approval	150
Reasonable Adjustment or Special Considerations	100
Sanctions or risk rating be adjusted or applied	150
Action taken following a malpractice or maladministration investigation	150