

Quality Procedures and Policies	LER-006	Issue Number	7
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Technical Knowledge Qualification Assessment Appeals		Originator	PH
		Amended by	PH
		Approved by	PH

## 1. Introduction

SETA believes all Learners should have access to fair and reliable assessment in which they play a full part. If this 'access' is to be meaningful, the Learner must have the right to appeal against assessment decisions which are unclear or seem unfair. SETA's Appeals Procedure provides an appropriate audit trail of the process and is clearly logged with concise detailed information at each stage.

This procedure refers to any 'Technical Knowledge' certificate from any of the following awarding bodies SETA delivers:

- EAL
- City and Guilds
- Pearson
- ECITB CCNSG

## 2. Aim

This procedure aims to:

- Enable a learner to enquire, question or appeal against an assessment decision
- Attempt to reach agreement between a learner and Assessor at the earliest opportunity
- Standardise and record any appeal to ensure openness and fairness, and provide a detailed audit trail
- Facilitate a learner's ultimate right of appeal to the Awarding Body
- Protect the interests of all learners and the integrity of the qualification

All learners are supplied with a copy of the 'Technical Knowledge Qualification Assessment Appeals' document (**Please See Annex A**), which is discussed and signed by the Learner during induction to the course; it is then kept with the Learner in their portfolio of work.

## 3. Process

### Stage 1

The Learner should raise the issue with the Tutor during or at the end of an assessment session or within seven days of the assessment.

The Tutor must reconsider the reasons underpinning the decision and provide clear feedback. If the Tutor is upholding the original assessment decision, then the Learner must be provided with full information describing what is required to demonstrate their competence. This should be provided in writing, and relate specifically to the standards relevant to the assessment decision.

If the Learner remains unhappy with the decision, stage 2 is instigated.

### Stage 2

The learner completes the 'Technical Knowledge Qualifications Appeals Form' (TKQAP1) (**Please See Annex B**) within 14 days of when they were notified of the assessment decision and hands it to the Apprenticeship Services Standardisation Co-ordinator and/or assigned Internal Quality Assurer (IQA), who in turn will investigate.

The Apprenticeship Services Standardisation Co-ordinator and/or assigned IQA will review all evidence and assessment records in order to consider the appeal. A decision should be made within five working days and the Learner and Tutor must be informed orally and in writing using the appropriate section of the 'Technical Knowledge Qualifications Appeals Form' (TKQAP1) **(Please See Annex B)**.

If the Learner is dissatisfied with the decision the appeal proceeds to stage 3.

### Stage 3

The third and final stage involves the right of appeal being passed to an 'Appeals Panel', led by the Centre Compliance Manager. The Learner will be asked to complete the 'Technical Knowledge Qualifications Appeals Form' (TKQAP1) **(Please See Annex B)** which must be completed by the learner within 7 working days of when they were notified of the outcome of stage 2. The Apprenticeship Services Standardisation Co-ordinator and/or IQA involved in stage 2 will pass all records to the Centre Compliance Manager, who in turn will convene an 'Appeals Panel' consisting of, the Lead IQA and the Apprenticeships Services Manager.

Both the Learner and Tutor will be invited to make their case to the Panel. The Panel will reach its decisions within 10 working days and the outcome will be recorded on the 'Technical Knowledge Qualifications Appeals Form' (TKQAP1) **(Please See Annex B)**. The Tutor and Learner will be notified accordingly.

Results of the appeals panel will be final, and details of the appeal will be made available to the Awarding Bodies External Quality Assurer (EQA), and SETA's Officers.

The Awarding Body will be supplied with information by the External Quality Assurer (EQA), via the Centre Compliance Manager. The EQA is charged with ensuring the integrity of the process and is able to provide advice but he/she should not be involved in the appeals process itself either as a panel member or arbitrator.

### Stage 4

If the center's appeals procedure has been exhausted and the Learner is still dissatisfied, he/she can make a final appeal direct to the Awarding Body **(Please see Annex C, D and E from this policy and Annex C from Policy LER-007)**. The Awarding Body will respond to direct requests from Learners, parents and employers seeking advice on making an appeal.

The Centre Compliance Manager will forward on all details to the learner regarding how to appeal to the Awarding Body.

## **4. Outcomes**

### Successful Appeal

If an appeal is successful, the Centre Compliance Manager will identify the specific failure in the assessment regime and implement corrective actions, and the Learners original Assessment decision in question will be amended accordingly.

### Unsuccessful Appeal

If an appeal is unsuccessful and the Learner does not accept the decision, they will be given the opportunity to instigate the next stage in the process.

The Centre Compliance Manager will retain full details of the appeal for not less than 5 years.

## **5. Review**

The Centre Compliance Manager will review this procedure with SETA's Lead IQA and the appropriate delivery team annually.

# Technical Knowledge Qualification Appeals Procedure

## Introduction

As a Learner carrying out a Technical Knowledge Qualification provided by SETA, you may appeal against an assessment decision you believe to be unfair or unreasonable.

## Stage 1: Informal Appeal

Whenever possible, you should discuss your objections with your Tutor prior to making a formal appeal at the end of an assessment session or within 7 days of the assessment. If a solution cannot be achieved, you have the right to a formal appeal.

## Stage 2: Formal Appeal

A formal appeal must be made in writing by completing an 'TKQAP1' form and sending it to SETA's Apprenticeship Services Standardisation Co-ordinator within 14 days of when you were notified of the assessment decision against which the appeal is being made. The Apprenticeship Services Standardisation Co-ordinator will investigate the appeal with all parties and complete the 'TKQAP1' form. The judgment will be communicated either in writing or verbally to you by the Apprenticeship Services Standardisation Co-ordinator within 5 working days of the appeal being received.

If the appeal is successful, the Centre Compliance Manager will identify the specific failure in the assessment regime and implement corrective actions, and your original Assessment decision in question will be amended accordingly.

If the appeal is unsuccessful and you do not accept the decision, you have the opportunity to instigate stage 3.

## Stage 3: Final Appeal

A final appeal must be made in writing by completing the 'TKQAP1' form and sending it to SETA's Centre Compliance Manager, within 7 days of when you were notified of the outcome of stage 2. The Centre Compliance Manager will investigate the appeal with an 'Appeals Panel' and complete the 'TKQAP1' form. Both you and your Tutor will be invited to make your case to the Panel. The judgment will be communicated either in writing or verbally to you within 10 working days of the appeal being received.

If the appeal is successful, the Centre Compliance Manager will identify the specific failure in the assessment regime and implement corrective actions, and your original Assessment decision in question will be amended accordingly.

If the appeal is unsuccessful and you do not accept the decision, you have the opportunity to instigate stage 4.

## Stage 4: Awarding Body Appeal

The Centre Compliance Manager will supply you with full details of the Awarding Body's own appeals procedure and contacts for you to initiate an appeal with them should you wish the appeal to be taken further.

The Centre Compliance Manager will retain full details of the appeal for not less than 5 years.

## Acceptance

I have received an introduction to the Technical Qualifications process detailing the unit requirements and the appeals procedure, and I fully understand what to do should I encounter an issue.

Name (print) \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

## Contacts

SETA's Centre Compliance Manager  
(023) 8087 8307 [phurlstone@seta-training.co.uk](mailto:phurlstone@seta-training.co.uk)

SETA's Apprenticeship Services Standardisation Co-ordinator  
(023) 8180 0416 [jdobson@seta-training.co.uk](mailto:jdobson@seta-training.co.uk)

Technical Knowledge Qualifications Appeals Form

**Appeal**

Name of Learner .....

Name of Assessor/Tutor .....

Name of Internal Quality Assurer.....

Date..... Unit(s) assessed.....

---

**Assessment details**

---

**Learner's reasons for appeal**

Learner's signature .....

Assessor's/Tutors signature .....

**Stage 1 – Assessors/Tutors comments**

Date appeal received ..... Date of reply .....

Signed .....

Technical Knowledge Qualifications Appeals Form

**Stage 2 - Internal Quality Assurer's comments**

Date appeal received ..... Date of reply .....

Signed .....

**Stage 3 - Appeals Panel Comments**

Date appeal received ..... Date of reply .....

Signed .....



# Pearson

## **Internal assessment in vocational qualifications: Reviews and appeals policy**

Quality Services and Governance

### **Who and what is this policy for:**

This policy is for centres who want to make an appeal against a Pearson decision relating to internal assessment for our vocational qualifications.

We support and encourage reviews and appeals from learners to be resolved within your centre. However, where this has not been possible, you can contact our Vocational Quality Standards Team via the [Pearson Support Portal](#)

# Pearson Education Ltd – Our Mission and Values

Welcome to Pearson, the world's learning company. We have a simple mission: to help people make more of their lives through learning. Whether it's at home, in the classroom or in the workplace, learning is the key to improving our life chances. We are the UK's largest awarding body and we are regulated by Ofqual (England), SQA Accreditation (Scotland), CCEA Regulation (Northern Ireland) and Qualifications Wales (Wales). We offer academic and vocational qualifications that are globally recognised and benchmarked, with educational excellence rooted in names like Edexcel, BTEC, and LCCI.

Our regulatory policies are integral to our approach and articulate in a consistent way how we meet regulatory requirements. These policies are designed to support employers, centres and learners with the design, delivery and award of Pearson qualifications and end-point assessment services.

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### Reviews and appeals about Pearson vocational qualifications policy

Owner: Implementation and Improvement Manager  
Authorised by Responsible Officer  
January 2020 version 2.5 DCL 1: Public (Unclassified)  
Ratified by PUKLT February 2020

# 1. Scope of policy

- 1.1 This policy applies to all Pearson vocational qualifications where centre based (internal) assessment takes place.
- 1.2 For appeals on General Qualifications (GCSE, GCE, Project and Principal Learning qualifications), external assessments within vocational qualifications (assessments which are set and marked by Pearson) and malpractice sanctions please see the [Post Results Services](#) and [A Guide to the Awarding Bodies' Appeals Processes](#).
- 1.3 For appeals about end-point assessment for apprenticeships please refer to our [policy](#) relating to reviews and appeals for EPA.
- 1.4 Learners taking Higher National Certificates (HNC) and Higher National Diplomas (HND) in England and Wales may have the option to present their appeal to the Office of the Independent Adjudicator for students in Higher Education (OIAHE). You can check if your centre is a provider that is covered by the OIA scheme [here](#). Following the OIAHE process does not prevent learners from pursuing a complaint or appeal with us and they may choose whichever route(s) that they feel to be the most appropriate.
- 1.5 You cannot appeal against decisions about centre or qualification approval applications or removal including where Pearson's terms and conditions have been broken. For further information relating to the removal of centre or programme approval please read our [Policy on the removal of centre or programme approval](#).

## About the review and appeals process

- 1.6 Centres must have their own policy and procedure on enquiries and appeals for Pearson qualifications. It is important that staff and learners know about the policy and that it is followed. **To support a review or appeal we will ask to see evidence that your internal reviews or appeals procedure has first been fully used.**
- 1.7 Our reviews and appeals procedure will review whether:
  - The centre's procedures are consistent with our requirements.
  - The centre's procedures were applied properly and fairly in arriving at judgments.
  - Our external quality assurance activities were consistent with regulatory requirements.
- 1.8 The reviews and appeals process focuses on procedure and is not concerned with making judgments about learner work. The process does not normally involve the re-assessment of learner work, but a review may be needed if the outcome of the review or appeal requires it.

# 2. When to request a review or appeal

- 2.1 There are three stages of reviews or appeal: First stage, review; Second stage, appeal review and Third stage, independent appeals hearing.
- 2.2 A review or appeal can be made where
  - you disagree with the outcome(s) from our external quality assurance activities, for example a Standards Verifier or External Examiner report)
  - You disagree with a qualification decision made by us

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- A learner disagrees with the outcome of your internal appeals procedure (for example, a decision about assessment outcomes or reasonable adjustments)

**2.3** While a review or appeal is happening, it is important that you keep all evidence relating to the case. If the review or appeal involves the work of a learner, you will need to keep the work of the whole cohort.

## 3. Overview of the review and appeals process

### First Stage - Reviews

- 3.1** Any reviews about a decision made by us affecting your centre or your learners, including reviews about Standards Verification or External Examiner outcomes, should be communicated to us via the [Pearson Support Portal](#) within 14 working days of receiving our decision or results
- 3.2** Usually centres will make an application on behalf of a learner with their consent. However, learners may also apply directly to us if they have first been through the centre's internal appeals process. Learners who want to enquire about a centre's decision which they feel has disadvantaged them, should be communicated to us via the [Pearson Support Portal](#) within 14 working days of being told the outcome of the centre's appeals process.
- 3.3** All cases are reviewed by our assessment experts who have responsibility for the qualification subject.

**When to apply:** within 14 working days of receiving the decision or result.

**How to apply:** [Pearson Support Portal](#)

**Acknowledgment:** we will acknowledge the review within three working days

**Outcome of the application:** we will respond to your review within 30 working days of receiving it

**Next step:** If you are not happy with the outcome of the review you have 14 working days in which to request that a Preliminary Stage Appeal Investigation is undertaken.

### Second Stage - Preliminary Appeal Review

- 3.4** You should make an appeal based only on whether we used procedures that were consistent with the regulatory authorities' requirements and applied our own procedures properly and fairly in arriving at judgments. The appeals office may refuse to accept your appeal if no procedural ground is given.
- 3.5** An appeals specialist, with no previous involvement with your case, will review the appeal. The specialist will check all the information against policies and procedures to confirm if correct procedures have been followed.

**When to apply:** 14 working days of receiving the outcome of the first stage review

**How to apply:** [Pearson Support Portal](#)

**Acknowledgment:** We will acknowledge the appeal application within three working days and within 14 working days we will confirm whether the case has been accepted or not.

**Outcome of the application:** We will write to you with the outcome of the appeal review within 21 working days of confirming our acceptance of the case.

**Next step:** If you are not happy with the outcome of the appeal review, you may submit a request for an appeal hearing via the [Pearson Support Portal](#).

### Third Stage – Pearson Appeal Hearings

**3.6** Our Appeals Office will accept an appeal if:

- your Head of Centre makes the appeal in writing within 14 working days of the outcome of the Preliminary Appeal Review
- Your centre's appeal process is completed
- The preliminary appeal review process or any further work resulting from the review is completed

**3.7** The appeal hearing will review evidence to see whether we followed the correct policies and processes

**3.8** The hearing is conducted by a panel, normally consisting of three panellists who are independent of Pearson. Panellists are appointed in line with [Section 26 of the JCQ Appeals process](#).

**3.9** The Appeals Panel will follow the procedure in the [JCQ Guide to the Awarding Bodies Appeals Processes](#)

**3.10** The Head of your Centre, learner or delegated representative may be asked to attend the hearing. For international centres, the hearing may be held remotely.

**When to apply:** 14 working days of receiving the outcome of the preliminary appeal review

**How to apply:** [Pearson Support Portal](#)

**Acknowledgment:** We will acknowledge the application for a hearing within three working days. We have up to 50 working days to hold an appeal hearing

**Outcome of the application:** We will write to your head of centre explaining the outcome of the appeals panel within two working days of the hearing.

**Next step:** This is the last stage of the review and appeals process. A final decision will be made and **there is no further route of appeal for vocational qualifications..**

## 4. Feedback and complaints

**4.1** There is no further stage of appeal to the qualifications regulators, but you may submit a complaint to the regulators about the way we dealt with your appeal.

Reviews and appeals about Pearson vocational qualifications policy

Owner: Implementation and Improvement Manager

Authorised by Responsible Officer

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- 4.2 Following the completion of the review and appeals process, if you want to submit a complaint to the regulators, you should contact the relevant regulator. These are:

England	Ofqual	<a href="mailto:complaints@ofqual.gov.uk">complaints@ofqual.gov.uk</a>
Northern Ireland	CCEA Regulation	<a href="mailto:ccearegulation@ccea.org.uk">ccearegulation@ccea.org.uk</a>
Wales	Qualifications Wales	<a href="mailto:enquiries@qualificationswales.org">enquiries@qualificationswales.org</a>
Scotland	SQA Accreditation	<a href="#">Online complaint form</a>

## 5. Fees

- 5.1 For information on fees for reviews or appeals, please visit our [website](#). The fees can be found under the Appeals tab. The latest fees for Reviews of marking and moderation (RoMM) are published [here](#). We reserve the right not to enter discussions on the repayment of any expenses incurred by the centre or third parties about the appeal hearing.
- 5.2 If the review or appeal finds that Pearson made the wrong decision, there will be no charge.

## 6. Regulatory references

- 6.1 UK regulators require all awarding organisations to establish and maintain their compliance with regulatory conditions and criteria. As part of this process, policies that relate to Pearson's status as an awarding organisation will reference any conditions and criteria that they address.
- 6.2 This policy addresses the following regulatory criteria and conditions:

<b><u>Ofqual/CCEA Regulation/Qualifications Wales General Conditions of Recognition</u></b>	
Arrangements with Centres including that agreement must include provisions which require the Centre to operate a complaint handling procedure or appeals process for the benefit of Learners.	Condition C2; Condition C2.3
Appeals Process (all)	Condition I1
<b><u>SQA Accreditation Regulatory Principles (2014)</u></b>	
The awarding body and its providers shall have clear, fair and equitable procedures to manage appeals.	Principle 13

## 7. Policy review date

- 7.1 This policy will be reviewed in January 2021.

## 8. Useful contacts

- 8.1 For more information on Pearson qualifications and services please visit the [Delivering BTEC Qualifications](#) section of our website or via the [Pearson Support Portal](#).

### Reviews and appeals about Pearson vocational qualifications policy

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# Enquiries and Appeals for Qualifications

## The process and how to apply

Version 3.3  
October 2019



# Document change history

Changes to specific sections of the document are listed below:

## Stage 2 - Appeals

Page	Section	Change
13	Types of Appeal	Added that centre staff can appeal
17	Additional information – malpractice investigations	Added guidance on centre staff appealing

## Stage 3 - Independent Appeals Board

Page	Section	Change
19	Types of Appeal	Added that centre staff can appeal

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# 1 Introduction

## Purpose

City & Guilds aims to ensure that all of the following are fair, consistent and based on valid judgements:

- Examination results;
- Decisions regarding qualification (approval risk) status;
- Moderation of internally-marked assessments;
- Decisions concerning the withdrawal or suspension of centre/qualification approval;
- Decisions, penalties and sanctions resulting from a malpractice investigation; and
- Outcomes of applications for access arrangements or special consideration.

This document explains the process that centres (and in some cases candidates) need to go through where either wish to question a decision made relating to any of the above. The document also includes the fees associated with each stage of the process, a glossary of terms and points of contact at City & Guilds for Enquiries and Appeals.

By way of summary, there are three stages of enquiry or appeal depending on the nature of the relevant decision. These are:

- Enquiry – Stage 1
- Appeal – Stage 2
- Independent Appeals Board – Stage 3

Stage 1 is only available for

- Examination results;
- Decisions regarding qualification (approval risk) status; and
- Moderation of internally-marked assessments.

For Principal Learning qualifications please refer to [JCO Post Results Services](#). All other City & Guilds qualifications are covered by this document, including those developed for international centres and the suite of leadership and management qualifications developed by ILM but now awarded by City & Guilds.

## Review

This document is subject to regular revision, and maintained electronically. Electronic copies are version controlled. Printed copies are not subject to this control.

# **Part A:**

## **Enquiries about Results**



## 2 Stage 1 - Enquiries

### Overview of the process

#### Purpose

Stage one is called an Enquiry. The Enquiry allows centres (and in some cases candidates) to question the following decisions made by City & Guilds:

- examination results;
- qualification (approval risk) status; and
- moderation of internally-marked assessments.

The Enquiry is not available for the following:

- decisions concerning the withdrawal or suspension of centre/qualification approval;
- decisions, penalties and sanctions resulting from a malpractice investigation; and
- outcomes of applications for access arrangements or special consideration.

For these decisions the Enquiries and Appeals process starts at Stage 2, the Appeal. Please refer to page 13 for more information on how to appeal these decisions.

#### Process

Although there are different processes for the three types of decision, they all:

- involve completing the original process for a second time,
- are completed by a subject matter expert who was not involved in the original decision.

#### Applications

Candidates can only make an Enquiry about an examination result. If candidates wish to appeal the result of an assessment marked by the centre, they should go through the centre's internal appeals process.

For the sections on Stage 1 Enquiries, the term 'applicant' refers to the centre or candidate who sends in the application form.

#### Fees

The fees are based on the costs of carrying out the Enquiry and so are different for the different types of Enquiry and are detailed in Section 5 of this document. If the Enquiry identifies that City & Guilds made the wrong decision, there will be no charge.

## 2 Stage 1 - Enquiries

### Additional information - examination results

#### Purpose

An enquiry about an examination result gives a candidate or centre the opportunity to question the result of an assessment marked by City & Guilds, if they believe the marking was inaccurate. It involves someone not involved in the original decision reviewing the assessment decisions and correcting any errors that are identified.

#### How to apply

In most cases, centres will make applications for enquiries on behalf of candidates. However, in exceptional circumstances a candidate may also apply directly to City & Guilds. Where the centre is making the enquiry, they must:

- get the consent of the candidate before making an application on his/ her behalf; and
- make the candidate aware that his/ her grades could be lowered as a result of the Enquiry.

For this section, the term 'applicant' refers to the centre or candidate who sends in the application form.

The applicant **must** request the Enquiry as soon as possible after results are received but no later than 40 working days after the release of results. The sections below describe how to apply. City & Guilds will endeavour to resolve Enquiries quickly and efficiently in accordance with the timelines listed below.

#### Timeline

City & Guilds will send an acknowledgement on receipt of the Form E1/E2 which will include when to expect the outcome of the Enquiry.

<b>Deadline for applications</b>	40 working days after release of results
<b>Acknowledgment</b>	2 working days after receipt of application
<b>Written outcome</b>	32 working days of the date of the acknowledgement

#### Forms

Please see below for details of which form to use:

<b>Applicant</b>	<b>Form required</b>
Centres	E1
Candidates	E2

The forms are available from the 'Appeals' section of the City & Guilds website, [www.cityandguilds.com](http://www.cityandguilds.com)

#### Process

There are two types of Enquiry available depending on the type of examination:

- A **clerical check** is undertaken for multiple choice question examinations (including e-volve tests). City & Guilds will manually check the candidate's completed answers against the responses held in the system. This will ensure that the candidate's answers have been correctly recorded. City & Guilds will then check to ensure the correct grade was awarded.
- A **review of marking** is available for written or practical examinations. City & Guilds will first complete a clerical check, as described above. An examiner will then re-mark the script.

No special consideration can be applied as part of the Enquiry, even if the candidate experienced a disruption during the exam that was beyond their control. More information on **access arrangements and special consideration** is available on the City & Guilds website.

## Outcomes

There are three possible outcomes to an Enquiry:

- The examination result is upgraded (eg. the grade is changed from Fail to Pass). City & Guilds will amend its records and send the resulting certificate (if any) to the centre
- The examination result is confirmed. Where a review of marking has been carried out, City & Guilds will provide a report on the candidate's performance which will include feedback on any questions where the candidate received less than half the marks available.
- The examination result is downgraded (eg. the grade is changed from Pass to Fail).

City & Guilds will send a notification with details of the outcome to the applicant.

If the examination result is confirmed or downgraded, the notification will include information on how to appeal (Stage 2).

## Fees

Full details of the fees are listed in **Section 5 - Fees**, on page 22.

## Examples

1. A centre requests an Enquiry about an examination result because the candidate was not given extra time for their examination. An Enquiry is not applicable as an Enquiry looks at the accuracy of the marking process, not circumstances of the examination. In these circumstances the centre must apply for access arrangements for the candidate and arrange a re-sit instead.
2. A centre is surprised when a candidate fails an exam as the candidate has consistently achieved high marks in practice tests. An enquiry is applicable in these circumstances. The application is not successful, but the feedback report helps the candidate prepare for his/ her re-sit. The centre is charged for the Enquiry.
3. A candidate feels strongly that they should have passed an examination, so the centre requests an Enquiry on their behalf. An enquiry is applicable in these circumstances. City & Guilds finds an error in the marking and the candidate is awarded a Pass as a result. The centre is not charged for the Enquiry as it is successful and a certificate is issued to the centre for that candidate.

## 2 Stage 1- Enquiries

### Additional information - Qualification (Approval Risk) Status

#### Purpose

The Enquiry about qualification (Approval Risk) Status gives a centre the opportunity to request a review of the status assigned to a qualification, if it feels it has been applied incorrectly. The Enquiry involves a different External Quality Assurer (EQA)/ External Verifier (EV) repeating the original quality assurance monitoring activity.

#### Restrictions

A centre can request an Enquiry into the Qualification Approval Risk Status/ Qualification Status (Status) that has been applied by City & Guilds following external quality assurance activities where the centre believes that City & Guilds does not meet the requirements detailed in *Our Quality Assurance Requirements* (for UK centres) or the *International Centre Guide* (for International).

Please note, a centre **cannot** request an Enquiry for the following decisions -

- the outcome of an application for centre or qualification approval
- the withdrawal or suspension of centre or qualification approval relating to –
  - financial or legal reasons
  - candidate numbers.

#### How to apply

Where a centre queries the Status applied, it should contact its allocated City & Guilds Quality team in the first instance. City & Guilds will provide the centre with additional information to support the decision.

If a centre is still not satisfied with this explanation, it can request an Enquiry into the Status applied.

A centre must submit a completed Form E3 which must include the reasons the centre disagrees with the decision that has been made. Additional supporting documents can be included with the application and must be clearly referenced. The application must detail the ways that the centre believes City & Guilds has not made its decisions in line with *Our Quality Assurance Requirements* (for centres in the UK and Ireland) or the *International Centre Guide* (for International centres).

The information in the application will be checked against the records held by City & Guilds. More information may be requested where necessary.

#### Timeline

Deadline for applications	20 working days after the date of the Centre Activity Report/EV Report
Acknowledgment	2 working days after receipt of application
Written outcome	32 working days from the date of the acknowledgement

## Process

City & Guilds will review the decision and, where there is a clear error, the Enquiry will stop at that point and the decision will be changed.

In each other case, City & Guilds will appoint a different External Quality Assurer (EQA)/External Verifier (EV) to repeat the original quality assurance monitoring activity on a date to be agreed with the centre. Thereafter, this EQA/ EV will make a recommendation to City & Guilds as to the appropriate Status.

## Outcome

There are three possible outcomes of the Enquiry:

- The original Status is confirmed
- The Status is lowered (eg, from Medium/Registration only to Low/Full approval)
- The Status is raised (eg, from Medium/Registration only to High/Qualification suspended).

City & Guilds will notify the centre. The notification will include the outcome of the Enquiry and information on how to appeal (Stage 2) (where this is relevant).

## Fees

Where the original Status is changed as the result of an Enquiry, the centre will not be charged.

Where the original Status is upheld, the centre will be charged. Full details of the fees are listed in **Section 5 - Fees**, on page 22.

### Examples

1. A UK centre has a visit from their EQA and their Status is raised to Medium for one qualification. The centre feels this decision is wrong and so requests an Enquiry. As there is no obvious error when the matter is reviewed, it proceeds to an Enquiry. A different EQA visits the centre and completes the required quality assurance activity for the Enquiry. This EQA concludes that the qualification Status should actually be Low. City & Guilds makes the change to its systems and the centre can then claim certificates. The centre is not charged for the Enquiry.
2. Qualification approval is removed for one of an International centre's qualifications. The centre submits an Enquiry because it feels the decision is related to EV activity. City & Guilds confirms that the decision was made because the centre had not made registrations on this qualification for two years. No Enquiry is possible as the original decision was made due to candidate numbers. The centre must therefore reapply for approval for this qualification.

## 2 Stage 1- Enquiries

### Additional information – moderation of internally marked assessments

#### Purpose

The purpose of the Enquiry about the moderation of internally marked assessments is to review any adjustments applied by City & Guilds to the centre's marking. It involves the moderation process being completed by a different moderator.

#### Restrictions

For certain qualifications (eg Technical qualifications), centres can request a review of the moderation of their internally marked assignments, if they feel that the process has not been undertaken accurately. Please refer to the relevant qualification handbook for more information on how the qualification is assessed and whether it is subject to moderation.

A centre **cannot** request an Enquiry:

- if the original marks have been accepted by City & Guilds without making any change,
- for an individual candidate.

#### How to apply

Where a centre queries the outcome of moderation, it should contact City & Guilds. City & Guilds will provide the centre with additional information to support the decision. If a centre is still not satisfied with this explanation, it can request a review of moderation by submitting a completed Form E4.

#### Timeline

<b>Deadline for applications</b>	40 working days after the notification of the outcome of moderation
<b>Acknowledgment</b>	2 working days after receipt of application
<b>Written outcome</b>	32 working days from the date of the acknowledgement

#### Process

The original sample is remarked by a different moderator. If City & Guilds still holds the original candidate work, the centre will not need to resubmit it. If City & Guilds does not hold the original work, instructions will be provided on how to submit it. The work should not be submitted with the application form.

#### Outcome

There are three possible outcomes of the Enquiry:

- the original centre marks are reinstated,
- the marks from the original moderation process are upheld,
- the moderator recommends new marks.

City & Guilds will notify the centre. The notification will include the outcome of the Enquiry. If the original centre marks are not reinstated, it will include feedback and information on how to appeal (Stage 2).

### **Fees**

Where the original centre marks are reinstated as the result of an Enquiry, the centre will not be charged. Where the original moderation decision is upheld, the centre will be charged. Full details of the fees are listed in **Section 5 - Fees**, on page 22.

# Part B:

# Appeals



## 3 Stage 2 - Appeals

### Overview – all appeals

#### Purpose

The purpose of an appeal is to identify if City & Guilds followed the correct processes, procedures and policies for any of the types of activities below. The appeal is usually a desk-based process and completed by City & Guilds, by people who were not involved in the original decision. They are not usually subject matter experts, but will be experts on all the relevant processes, procedures and policies. The same process is followed for every type of appeal.

#### Restrictions

Centres can appeal the outcome of an Enquiry, or one of the decisions listed below. Candidates can only appeal the outcome of an Enquiry about an examination result.

#### Types of Appeal

The table below describes the type of appeal, who can appeal and the form required for each type of appeal.

Type of Appeal	Who can appeal	Form	
Outcome of an Enquiry	examination results	centre, candidate	A1
	qualification (approval risk) status	centre	A2
	moderation of internally marked assessments	centre	A2
Withdrawal or suspension of centre/qualification approval	centre	A2	
Malpractice - decision, penalty or sanction resulting from an investigation	centre, centre staff	A2	
Outcome of an application for access arrangements or special consideration	centre	A2	

#### How to apply

For this section 'appellant' refers to the centre or individual who requests the appeal.

The application form **must** include the reasons for the appeal and details of specific instances where the appellant believes that City & Guilds did not follow the correct procedures in reaching the original decision. Additional supporting documents can be included with the application and must be clearly referenced.

For appeals following a Stage 1 Enquiry, the application form must include details of how the appellant believes that City & Guilds did not follow the correct processes, procedures and policy documents during the Enquiry stage.

If the application form does not include the required information it will be returned to the appellant, with details of what information is missing. A deadline will be given for this information to be included. The appellant **must** respond fully within this deadline or the appeal will not be heard.

## Timeline

<b>Deadline for applications</b>	20 working days after of the date of notification of the decision
<b>Acknowledgment</b>	2 working days after receipt of completed application
<b>Written outcome</b>	25 working days from the date of the acknowledgement

## Process

A manager (or a committee of managers) not involved in the original decision will review the application, supporting documents and any records relating to the original decision made by City & Guilds. All the information (including that provided by the appellant and records kept by City & Guilds) will be checked against the relevant procedures and policy documents to confirm the correct procedures have been followed.

## Outcome

After a review of the appeal there are two possible outcomes:

- The appeal is upheld because any one of the correct processes, procedures or policy documents were not followed. City & Guilds will send a letter of notification to the appellant which will include proposed remedial action (such as possible clarification of City & Guilds' procedures).
- The appeal is rejected because all of the correct processes, procedures and policy documents were followed. City & Guilds will send a letter of notification to the appellant which will include information about appealing to the Independent Appeals Board.

## Fees

Full details of the fees are listed in **Section 5 - Fees**, on page 22

### 3 Stage 2 - Appeals

#### Additional information - outcome of an Enquiry

This section provides additional information on the following type of appeal –

Type of appeal		Who can appeal	Form
Outcome of an Enquiry	examination results	centre, candidate	A1
	qualification (approval risk) status	centre	A2
	moderation of internally marked assessments	centre	A2

An appeal does **not** involve:

- re-marking a candidate's work,
- a quality assurance monitoring activity by an EQA/EV.

#### Outcome

If the appeal is successful, City & Guilds will notify the appellant of any remedial action it deems appropriate which may include:

- reviewing a candidate's work or results,
- a quality assurance monitoring activity by an EQA/ EV.

#### Examples

1. A centre appeals the result of an Enquiry about an examination result. Records of how the Enquiry was completed cannot be found for the appeal. The appeal is upheld because evidence cannot be found to show that the correct processes were followed for the Enquiry.
2. A candidate is not satisfied with the outcome of an Enquiry about their exam result and asks the centre to appeal the decision. The application form does not mention the process followed for the Enquiry. City & Guilds reviews the application and asks for more information from the centre. The centre re-submits its application with specific points on how processes were not followed.

### 3 Stage 2 - Appeals

#### Additional information – centre and qualification approval

This section provides additional information on the following type of appeal -

Type of appeal	Who can appeal	Form
Withdrawal or suspension of centre/qualification approval	centre	A2

A centre **can** appeal the withdrawal or suspension of centre or qualification approval due to assessment and quality reasons.

A centre **cannot** appeal the following decisions -

- the outcome of an application for centre or qualification approval
- the withdrawal or suspension of centre or qualification approval related to –
  - financial or legal reasons,
  - candidate numbers.

#### Examples

1. An organisation applies to become a City & Guilds centre, their application is not successful and they wish to appeal the decision. The organisation cannot appeal this decision. This is clearly stated in the centre approval procedures.
2. A centre makes no candidate registrations or certifications on any of its qualifications for two years and centre approval is removed. The centre asks City & Guilds about appealing this decision. The centre cannot appeal this decision. City & Guilds advises the centre to reapply for centre approval.
3. City & Guilds removes centre approval from a centre, following a series of serious issues related to assessment and quality assurance, highlighted by several separate EQAs/EVs. The centre can appeal this decision.

Please see the following section for more information on appealing decisions made following malpractice investigations.

### 3 Stage 2 - Appeals

#### Additional information – malpractice investigations

This section provides additional information on the following type of appeal -

Type of appeal	Who can appeal	Form
Malpractice - decision, penalty or sanction resulting from an investigation	centre, centre staff	A2

It is not possible to appeal the actual findings of a malpractice investigation, however an appeal can be made against the decision taken following the investigation. Only a centre can appeal a decision made due to a malpractice investigation where the malpractice arises from candidate actions. Former members of centre staff are also able to appeal a decision.

#### Decisions, penalties and sanctions

When the malpractice investigation has been completed, City & Guilds will confirm whether malpractice has taken place and if it has, what penalties or sanctions shall be applied. Some examples are described below.

Decision against	Example of penalties and sanctions
centre	Withdrawal of approval for specific qualifications for a set period of time
centre staff	Suspension from involvement in City & Guilds' examinations and/or assessments for a set period of time
candidate	Disqualification from a unit

For more information on possible decisions, penalties or sanctions please see the City & Guilds document *Managing cases of suspected malpractice in examinations and assessments*, which is available from the City & Guilds website, [www.cityandguilds.com](http://www.cityandguilds.com)

#### Examples

1. A City & Guilds investigation finds that a member of staff has committed malpractice and a number of certificates are invalidated as a result. One of the candidates asks to appeal this decision. A candidate cannot appeal in this case and an appeal cannot be made against the invalidation of this individual candidate's certificate. The centre, however, could choose to appeal the decision to invalidate certificates.
2. City & Guilds asks a centre to complete a malpractice investigation and report its findings. City & Guilds accepts the findings and decides to suspend the centre's ability to certificate candidates for a qualification for a period of time. The centre feels City & Guilds has not followed the correct process and appeals this decision. The centre includes clear reasons on the application form and therefore City & Guilds hears the appeal.
3. City & Guilds carries out a malpractice investigation and the outcome includes suspending a member of staff from involvement in City & Guilds assessments for the next year. The member of staff appeals this decision, even though they are no longer employed by the centre.

### 3 Stage 2 - Appeals

#### Additional information – access arrangements and special consideration

This section provides additional information on the following type of appeal –

Type of appeal	Who can appeal	Form
Outcome of an application for access arrangements or special consideration	centre	A2

#### Definitions

**Access arrangements** are agreed before an assessment. They allow a candidate with special educational needs, disabilities or temporary injuries to:

- access the assessment; and
- demonstrate their skills and knowledge without changing the demands of the assessment.

**Special consideration** is a post-examination adjustment to a candidate's mark to reflect temporary illness, temporary injury or other indisposition at the time of the assessment, which has had an effect on a candidate's ability to take that assessment.

#### Examples

1. A centre does not give a candidate extra time for an examination as he does not meet the evidence criteria laid out in the JCQ access arrangements document. The centre has not made an application to City & Guilds. The candidate wants to appeal to City & Guilds. As this was a centre decision, the candidate cannot appeal to City & Guilds, but can appeal to the centre.
2. A centre applies for a reader on the Walled Garden and the request is not approved. The centre appeals and provides evidence that meets the criteria for a reader in the JCQ access document. The appeal is successful and the candidate has a reader in her exams.
3. A centre applies for special consideration for an on demand examination for a candidate that was unwell. City & Guilds rejects the request and asks the centre to arrange a resit for the candidate. The centre appeals this decision. The appeal is rejected, as the decision can be clearly linked to City & Guilds' special consideration policy.

## 4 Stage 3 - Independent Appeals Board

### Purpose

The purpose of the Independent Appeal Board is to identify if City & Guilds followed the correct processes, procedures and policies for any of the types of activities below. The Board evaluates the evidence by holding a hearing.

The Independent Appeals Board exists to ensure that there is an independent avenue of appeal for when the appellant is not satisfied with the outcome following the Stage 2 Appeal. It is comprised of two members from the City & Guilds Quality and Standards Committee, and an additional independent representative from another awarding organisation.

The Independent Appeals Board is the final avenue of appeals for a candidate and/or a centre and its decisions are final.

### Types of Appeal

The table below describes the type of appeal, who can appeal and the form required –

Type of Appeal		Who can appeal	Form
Outcome of an Enquiry	examination results	centre, candidate	IAB
	qualification (approval risk) status	centre	IAB
	moderation of internally marked assessments	centre	IAB
Withdrawal or suspension of centre/qualification approval		centre	IAB
Malpractice - decision, penalty or sanction resulting from an investigation		centre, centre staff	IAB
Outcome of an application for access arrangements or special consideration		centre	IAB

### How to apply

For this section 'appellant' refers to the centre, individual who requests the appeal.

The application form for the Independent Appeals Board must contain clear reasoning as to:

- the reasons for which the appellant considers that City & Guilds did not follow the required procedures, and
- their rationale for escalating to this stage of appeal.

If the application form does not include the required information it will be returned to the appellant, with details of what information is missing. A deadline will be given for this information to be included. The appellant **must** respond fully within this deadline or the appeal will not be heard.

## Timeline

<b>Deadline for applications</b>	15 working days after the outcome of the appeal
<b>Acknowledgment</b>	2 working days after receipt of completed application
<b>Hearing</b>	45 working days from acknowledgement
<b>Written outcome</b>	5 working days after the hearing

### Before the hearing

The clerk of the Quality and Standards Committee will review the application and ascertain whether there is enough information for the appeal to go to the Independent Appeals Board. The appellant will be notified in writing if further information is required.

If the appeal goes to the Independent Appeals Board, the clerk will send an acknowledgement letter upon receipt of the appeal and make arrangements for payment of the appropriate fee. The clerk will request full documentation of any actions taken in the case and any additional evidence from both parties. Once the confirmation of the appeal is received, there must be no further communication or correspondence between the appellant and City & Guilds regarding the appeal.

The Independent Appeals Board is not a court of law and appellants do not require legal representation. If either party wishes to be accompanied by a lawyer, the other party and the Independent Appeals Board should be informed at least one week prior so that they too may have the opportunity to seek legal advice or representation. A hearing will then be arranged at the earliest convenient date.

### Purpose of the hearing

When the Independent Appeals Board meets, it will consider the information provided by both parties and establish whether all processes, procedures and policy documents have been correctly followed. The Independent Appeals Board will draw upon the evidence from the Stage 2 Appeal and will request any further information from the centre, candidate or City & Guilds staff as required.

The Independent Appeals Board will consider whether City & Guilds has followed the relevant processes, procedures and policy documents correctly and whether it has applied them properly and fairly in arriving at judgements. It will not:

- re-mark a candidate's work,
- grant /remove centre or qualification approval,
- change the registration/certification status for a qualification,
- change a decision/penalty/sanction imposed on a centre, member of centre staff or candidate.

### Attending the hearing

The Independent Appeals Board requires personal representation from both parties in order to hear the appeal. It will require the name, status and/or the interest of the representatives and witnesses, who will attend the hearing. This is normally not more than three in all, per party.

The opportunity to question representatives from both parties is an important part of the Independent Appeals Board hearing and it is for this reason that they insist they be actually present at the hearing



## Outcome of the hearing

There are two possible outcomes of the hearing:

- If the Independent Appeals Board finds that the appropriate processes, procedures and policy documents have been followed and confirms the decision of the appeal, the appeal will be **rejected** and City & Guilds will notify the appellant.
- If the Independent Appeals Board finds that any one of the appropriate processes, procedures or policy documents has **not** been followed, the appeal will be **upheld**. The Independent Appeals Board will **recommend** appropriate actions to City & Guilds for its consideration. City & Guilds will notify the appellant.

The decision of the Independent Appeals Board is the final stage of the City & Guilds appeals process. If the appellant is not satisfied with the outcome of the appeal, he/ she should contact the relevant regulator, information on how to do this will be included in the outcome letter.

## Fees

Full details of the fees are listed in **Section 5 - Fees**, on page 22.

## 5 Fees

A fee to cover administration costs will be charged at each stage of the process.

For enquiries and appeals made by a candidate, the candidate must send a cheque (made payable to City & Guilds) for the correct fee with their completed application form. Where the outcome of the enquiry or appeal is in favour of the candidate, City & Guilds will return the cheque to the candidate.

For enquiries and appeals made by a centre, City & Guilds will invoice the centre for the correct fee. Where the outcome of the enquiry or appeal is in favour of the centre, City & Guilds will refund the fee or issue a credit note.

The full range of fees are listed below:

### **Stage 1 Enquiries**

- £15 Examination results - clerical check
- £50 Examination results - review of marking
- £300 Qualification (approval risk) status
- £200 Moderation of internally marked assessments

### **Stage 2 Appeals**

- £25 Appeal against a City & Guilds decision regarding an application for access arrangements or special consideration
- £100 All other appeals

### **Stage 3 Independent Appeals Board**

- £25 Appeal against a City & Guilds decision regarding an application for access arrangements or special consideration
- £150 All other appeals

## 6 Contact details

### Applications

#### Candidates

Applications from candidates must be sent in the post:

City & Guilds  
1 Giltspur Street  
London EC1A 9DD

For more information, please see the application form

#### Centres

Applications from centres should be sent by email:

#### Enquiries about results

Examinations	<a href="mailto:appeals@cityandguilds.com">appeals@cityandguilds.com</a>
Qualification (approval risk) status	<a href="mailto:policy@cityandguilds.com">policy@cityandguilds.com</a>
Moderation	<a href="mailto:moderation.ear@cityandguilds.com">moderation.ear@cityandguilds.com</a>


#### Appeals (Stage 2 and 3)

All appeals	<a href="mailto:policy@cityandguilds.com">policy@cityandguilds.com</a>
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For more detailed information on where to send applications, please refer to the relevant application form.

### General Enquiries

 **E:** [policy@cityandguilds.com](mailto:policy@cityandguilds.com)

 **T:** +44(0)20 7294 2772

## 7 Summary of forms and timelines

### Forms for each stage

Type	Who can apply	Forms		
		Stage 1	Stage 2	Stage 3
Examination results	centre, candidate	E1 / E2	A1	IAB
Qualification (approval risk) status	centre	E3	A2	IAB
Moderation	centre	E4	A2	IAB
Centre/ Qualification approval	centre	N/A	A2	IAB
Malpractice	centre, centre staff	N/A	A2	IAB
Access arrangements or special consideration	centre	N/A	A2	IAB

### Overview of timelines for Enquiries and Appeals

Deadlines for applications for each type of Enquiry and Appeal are shown below, in working days<sup>1</sup>:

Type	Stage 1	Stage 2	Stage 3
Examination results	40	20	15
Qualification (approval risk) status	20	20	15
Moderation	40	20	15
Centre/ Qualification approval	N/A	20	15
Malpractice	N/A	20	15
Access arrangements or special consideration	N/A	20	15

The number of working days it takes to complete each part of the process is shown below:

Part of the process	Stage 1	Stage 2	Stage 3	The number of working days is counted from
Acknowledgment	2	2	2	receipt of completed application
Hearing	N/A	N/A	45	when acknowledgement is sent
Written outcome	32	25	5	when acknowledgement is sent or after the hearing <sup>2</sup>

<sup>1</sup> From date of the notification by City & Guilds

<sup>2</sup> Stage 3 only

## 8 Glossary

Appellant	<p>An <i>appellant</i> is the person or organisation appealing against a City &amp; Guilds decision. The appellant could be -</p> <ul style="list-style-type: none"> <li>▪ a <i>candidate</i>,</li> <li>▪ a <i>centre</i> acting on behalf of a <i>candidate</i> seeking to appeal,</li> <li>▪ a centre or</li> <li>▪ a <i>former centre</i>.</li> </ul>
Applicant	<p>An <i>applicant</i> is the person or organisation who sends in the application form for an Enquiry. The applicant could be -</p> <ul style="list-style-type: none"> <li>▪ a <i>candidate</i>,</li> <li>▪ a <i>centre</i> acting on behalf of a <i>candidate</i>,</li> <li>▪ a centre.</li> </ul>
Candidate	<p>A <i>candidate</i> is an individual who is registered with City &amp; Guilds and working towards a full or part qualification at a <i>centre</i>.</p>
Centre	<p>A <i>centre</i> is an organisation approved by City &amp; Guilds to offer assessments leading to City &amp; Guilds qualifications.</p>
Examination	<p>An <i>examination</i> is any externally marked component of a qualification.</p>
Moderation	<p><i>Moderation</i> is a process for monitoring assessments marked by centres. It involves City &amp; Guilds re-marking a sample of candidates' work to establish whether the centre has applied the assessment criteria correctly.</p>
Qualification approval risk status	<p>A <i>qualification approval risk status</i> is a risk status (for each City &amp; Guilds qualification delivered by a UK centre) as determined by City &amp; Guilds as part of the post approval external quality assurance activities. This is based upon the centre's ability to meet the criteria outlined in <i>Our Quality Assurance Requirements</i>.</p>
Qualification status	<p>A <i>qualification status</i> (for each City &amp; Guilds qualification delivered by an International centre) is determined by City &amp; Guilds as part of the external verification process. This is based upon the centre's ability to meet the criteria outlined in the <i>International Centre Guide 4<sup>th</sup> Edition</i>.</p>
Quality and Standards Committee	<p>The <i>Quality and Standards Committee</i> is the independent committee appointed to oversee the standards and quality of City &amp; Guilds qualifications and assist in maintaining public confidence in the currency and credibility of City &amp; Guilds' assessments and qualifications.</p>
Script	<p>A candidate's written response to the examination.</p>
Working day	<p>A <i>working day</i> is any day other than Saturday or Sunday or a statutory holiday in the United Kingdom or the country of that centre.</p>

Every effort has been made to ensure that the information contained in this publication is true and correct at time of going to press. However, City & Guilds' products and services are subject to continuous development and improvement and the right is reserved to change products and services from time to time. City & Guilds cannot accept responsibility for any loss or damage arising from the use of information in this publication.

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## Complaints Policy and Procedures

### Introduction

We are committed to providing a high-quality service to all our stakeholders. One of the ways in which we can continue to improve our service and to meet our responsibilities are:

- by listening and responding to the views of our customers and any other party affected by the ECITB; and
- by reviewing our decisions and actions when it is felt something has gone wrong.

If you feel something has gone wrong, or you wish to appeal against a decision have made, we need you to tell us about it. This will not only enable us to address the issue concerned, but may help us to improve our service.

In the processes described below, if there is any dissatisfaction about any aspect of the ECITB, including its decisions which directly or indirectly affect somebody or an organisation, and this is brought to our attention, we categorise such matters as “complaints.”

### Appeals against Levy Assessments

It should be noted that our Complaints Policy and Procedures do not apply to situations in which an employer wishes to submit a formal appeal against an assessment of the Industrial Training Levy. There is a statutory process to be followed in such matters, involving The Employment Tribunal. Explanatory notes for employers on appeals to Employment Tribunals are available by emailing [levy\\_scope@ecitb.org.uk](mailto:levy_scope@ecitb.org.uk)

A formal appeal is not always necessary and the ECITB is prepared to review both the registration of an establishment or the training levy assessed, if there are grounds to do so, and provided the matter is brought to our attention before the training levy becomes due. Details on how such matters may be addressed appear in the same section of the ECITB’s website.

### Our Complaints Policy

We aim to ensure that:

- making a complaint is as easy as possible;
- we treat as a complaint any clear expression of dissatisfaction with our service which calls for a response and cannot be resolved without further investigation;
- we treat complaints seriously and deal with them fairly, professionally, promptly and politely;
- we respond in the right way (for example, with an explanation, or an apology where we have got things wrong, or information on any action taken);
- we learn from complaints and use them to improve our service;



- Our Complaints Procedures are:
  - Transparent;
  - Include review processes to ensure that complaints are reviewed as fairly and objectively as possible, and involve individuals who are best qualified to make decisions; and
  - Include a right to appeal a decision made at first instance.

## **Our Complaints Procedures**

### **How do you make a complaint?**

Often, we may be able to deal with operational problems or issues more rapidly over the 'phone, without the need to lodge a formal complaint. If you feel this might be possible, please contact the ECITB's Corporate Affairs Team on 01923 402123. Alternatively, send a brief email entitled "Compliant" and simply containing your name and telephone contact details. We will call you. However, if you wish to make a formal complaint, please do so in writing, either by post or email.

Your letter should be posted to:

The Corporate Affairs Team ECITB  
Blue Court  
1 Church Lane  
Kings Langley  
Herts  
WD4 8JP

Your email to the Corporate Affairs Team should be entitled "Complaint" and sent to:  
[complaints@ecitb.org.uk](mailto:complaints@ecitb.org.uk)

Please note that the ECITB Awarding Organisation has its own separate policy and procedures, which are available [here](#).

### **What happens next?**

We will acknowledge receipt of written complaints within 5 working days.

We aim to reply within 30 working days of that acknowledgment. However, this may not always be possible (for example, when a detailed investigation is required, or the issue is complicated, or because the involvement of many individuals is required in order to deal with the issue correctly). If it is not possible to give you a full reply within this time, an interim response will be given, telling you what is being done to deal with your complaint, when you can expect the full reply and from whom. If you require a quicker response, please say why.





## The Complaints Process

Depending on the nature of your complaint, a different investigation and review process will be adopted to ensure that your complaint is considered and handled by the individuals who are best-qualified to do so.

In all cases, there are three stages:

### 1. Informal Review and Resolution

At the first stage, the complaint will be referred to an ECITB manager who either:

- Has responsibility or expertise in the area of the subject matter of the complaint; or
- Has not been directly involved in the circumstances giving rise to the complaint (for example, he/she may be the line manager of the individual who may have been involved in the circumstances or decision giving rise to the complaint).

An informal dialogue will occur between the complainant and the manager in order to clarify or establish the facts and the issues. It may be possible for the complaint to be resolved at this stage if a solution is within the manager's authority to agree, and is acceptable to the complainant.

In the event that:

- It is not possible to reach a mutually acceptable solution; or
- The complaint is still outstanding after 30 days of receipt, and the complainant is not prepared to wait longer for the full response; the ECITB manager will complete his/her investigation, and will submit a written report to the relevant ECITB committee, which has delegated authority and responsibility to make decisions in such matters. The report must include details of the complaint and the circumstances giving rise to it.

### 2. Review and decision by an ECITB Committee

The ECITB's Board has delegated authority and responsibility to the following committees to make decisions, including the resolution of complaints, in the following areas:

<b>Committee</b>	<b>Areas of Authority &amp; Responsibility</b>
Client Contractor National Safety Group (CCNSG)	<ul style="list-style-type: none"><li>• Any matter arising from the Committee's decisions; or</li><li>• The content of CCNSG Safety Passport training courses and tests; and</li><li>• Any non-operational or non-commercial aspect of the delivery and assessment arrangements of CCNSG Safety Passport training courses and tests.</li></ul>
Qualifications & Awards	<ul style="list-style-type: none"><li>• Any matter arising the Committee's decisions; or</li><li>• any matter relating to the ECITB's activities or decisions as an awarding organisation or its</li></ul>



- compliance with the relevant regulations, conditions or requirements of the relevant regulator(s); or
- the content of ECITB training courses, or unregulated qualifications; or
- Any non-operational or non-commercial aspect of the delivery and assessment arrangements of ECITB training courses, or unregulated qualifications.

#### Operations & Grants

- the ECITB's policies or decisions or performance or activities relating to the ECITB's statutory functions defined in The Industrial Training Act (including any matter relating to training grant policy or decisions); or
- an operational or commercial matter pertaining to the ECITB's training courses, tests and unregulated qualifications (including the CCNSG Safety Passport Scheme);

#### The ECITB Executive

- All other matters not mentioned above.

The relevant committee (under the direction of its Chair) will, review and, if necessary investigate the matter further. The committee will respond to the complaint in a comprehensive manner, and as quickly as possible. However, there may be some delay given the scheduling of committee meetings.

### 3. Appeals

In the event that any complaint considered by committee cannot be resolved to the satisfaction of the complainant, the complainant may appeal to the Chair of the ECITB Board, who will decide either:

- how the matter should be resolved; or
- whether the matter should be referred to the Board for a decision.

In the event that any decision of the Chair of the Board does not resolve a complaint to the complainant's satisfaction, the matter will be referred to the Board for a decision.

The only exception to this concerns an appeal against a decision relating to the ECITB's activities or decisions as an awarding organisation or its compliance with the relevant regulations, conditions or requirements of the relevant regulator(s). As stated above, the ECITB Awarding Organisation has its own complaints policy and procedures. In the event that any complaint considered by the ECITB cannot be resolved to the satisfaction of the complainant, the complainant may appeal to the relevant Regulator(s).

Any appeal against the decision of a Committee or the Chair of the ECITB should be made in writing to the Corporate Affairs Team within 20 days of receipt of the decision.



## **Further Redress**

If you believe your complaint has not been handled fairly you can, if you wish, refer it to the Parliamentary Ombudsman (England and Wales) or the Scottish Public Services Ombudsman. If you are not able to make the complaint yourself, you may appoint someone (such as an MSP, or a local councillor) in writing to complain on your behalf.

You must complain to an MP within 12 months after the day on which you first became aware of a problem, and make this complaint either in writing or via electronic mail. In special circumstances a complaint may be made orally.

The MP will refer this matter on to the Ombudsman, who will, where possible seek to find an informal resolution to the complaint. To assist with this, we will co-operate fully with the Ombudsman in conducting an initial investigation into the complaint. Investigations are conducted in private and all parties are given an opportunity to comment on the allegations contained within the complaint. Some complaints will result in a formal investigation and report from the Ombudsman which may recommend remedial actions to prevent reoccurrence. We will ensure that our administration procedures comply with the recommendations where reasonably practicable to do so.

### **The Parliamentary Ombudsman may be contacted at:**

Customer Helpline on 0345 015 4033 from 8:30am to 5:30pm, Monday to Friday, except bank holidays. Calls are charged at local or national rates.

### **The Scottish Public Services Ombudsman may be contacted at:**

Scottish Public Services Ombudsman, 4 Melville Street, Edinburgh, EH3 7NS Freephone 0800 377 7330 or call 0131 225 5300