

Appeals Policy

BHS Qualifications (BHSQ) is committed to making sure all its activities are conducted safely, fairly, transparently, objectively and free from bias. This policy is for all BHSQ customers, stakeholders and learners who wish to lodge an appeal to BHSQ.

The appeal policy should be used if you wish to have a change to a decision considered. Anything else would be addressed by the BHSQ's complaints policy.

This policy will:

- Define what is meant by an appeal
- Provide examples where an appeal may arise
- Explain how an appeal can be made to BHSQ
- Establish a clear appeals procedure
- Ensure all appeals are responded to and dealt with fairly, in a timely manner
- Promote public confidence in BHSQ's ability to be open, objective and impartial
- Define terminology used by BHSQ in this policy.

BHSQ aims to treat every appeal fairly; in order to do this and investigate appeals thoroughly please contact BHSQ as soon as possible.

Should BHSQ fail to meet expectations or should a learner, Centre or other interested third party be dissatisfied with any BHSQ qualification or associated service, they should raise these concerns directly with BHSQ.

Date for review: February 2025

Contact details for BHSQ:

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Website: www.bhsq.co.uk

What is an appeal?

An appeal can be defined as 'a formal request to change a previous decision'. Appeals relate to issues raised as a direct result of a decision made by BHSQ or a BHSQ Approved Centre and can act to correct an error or provide clarification.

An appeal may relate to:

- Assessment decisions/results
- Decisions regarding reasonable adjustments and special consideration
- Action taken following an investigation into malpractice or maladministration
- Decisions made by BHSQ and or BHSQ representatives carrying out a specific role or task on behalf of BHSQ whether paid or unpaid, including External Verifiers, Consultants and Volunteers
- Decisions made by a BHSQ Approved Centre and/or their workforce.

This list is not exhaustive and is for example only; each appeal is different and will be considered on a case-by-case basis.

An appeal can be submitted by any person or organisation who is a customer of BHSQ, or by someone on their behalf (a third party), who has been directly affected by the decision made. Appeals submitted by a third party must have the written support and permission of the person they are representing.

Initial enquiries into how an assessment decision has been reached should be directed to the BHSQ Approved Centre who carried out the assessment.

Where the appeal is against a decision made by a BHSQ Approved Centre or personnel, the appellant must follow the Centre's own appeals procedure in the first instance. If the appeal is not resolved to the person's/organisation's satisfaction and all other avenues have been exhausted, they can then contact BHSQ for further advice. This may result in an appeal being made to BHSQ.

What to expect as a result of submitting an appeal to BHSQ

On receipt of an appeal, BHSQ will confirm receipt and follow the process as detailed in this policy. The process consists of two stages:

Stage One: Initial review of the appeal conducted by the BHSQ Responsible/Accountable Officer and/or BHSQ Managing Director.

BHSQ hopes that the appeal can be resolved at this stage. However, if this is not possible the appellant or BHSQ can progress the appeal to Stage Two.

Stage Two: Appointment of an Independent Review Panel to investigate the appeal.

If the appellant remains dissatisfied with the outcome, they may refer their appeal to the relevant Regulator.

Examples of where an appeal may arise

Centre-based decision regarding the assessment/verification of a learner/candidate

An appeal to BHSQ must be made within 20 working days of receiving the Centre's final appeal decision regarding the assessment/verification.

Examples of situations where an appeal can be lodged:

- Procedures were not followed consistently, properly and fairly during the assessment
- Equipment, facilities and/or resources were insufficient to support valid and reliable assessment decisions
- Insufficient or unclear evidence to support a valid and reliable assessment decision
- There were irregularities which have led to unfair or inaccurate decision(s) being made which disadvantages the candidate or group of candidates.

Any other decision made by a BHSQ Approved Centre

An appeal to BHSQ must be made within 20 working days of receiving a decision made by a BHSQ Approved Centre.

Examples of situations where an appeal can be lodged:

- Irregularities which have led to unfair or inaccurate decision(s) being made
- Published procedures and guidelines have not been adhered to consistently and fairly
- Decisions made affecting the status of an assessment venue, assessor, verifier, and so on.

Decision made by BHSQ

An appeal must be made within 20 working days of receiving a decision made by BHSQ.

Examples of situations where an appeal can be lodged:

- Irregularities which have led to unfair or inaccurate decision(s) being made
- Published procedures and guidelines have not been adhered to consistently and fairly
- Decision made affecting the BHSQ Approved Centre, such as suspension of an assessor/verifier's status
- The reversal of centre-based assessment decisions by BHSQ
- Withdrawal of results/qualifications for a candidate or a cohort of candidates.

Please note: BHSQ is unable to accept appeals regarding any of the following:

- Appeals that exceed the stated timeframes
- Anything that took place before the learner was registered or after the learner's registration period has expired
- Anything that should be dealt with under an employer's disciplinary or grievance procedure
- Anything involving another Awarding Organisation.

How to lodge an appeal

Formal process

Stage One

All appeals must be submitted in writing, addressed for the attention of BHSQ and include the following information:

- Name, address and contact details of the appellant
- A full description of the appeal including
 - the specific nature of the appeal
 - when it happened
 - the sequence of events
 - persons/organisations involved
 - witnesses who are able to support the appeal
- Copies of all documentation and evidence to support the appeal
- The desired action or response sought for resolution
- If appropriate, any information regarding previous attempts for resolution.

The appellant may appoint someone else to act on their behalf. Should an appeal be submitted by a third-party permission from the person they are acting on behalf of must be submitted in addition to the above.

BHSQ will acknowledge receipt of an appeal within three working days. A log of all correspondence, documentation and conversations will be retained by BHSQ.

BHSQ will conduct an investigation into the appeal, where all evidence and documentation will be scrutinised and evaluated. To conduct a comprehensive investigation, information may need to be disclosed to third parties. Where additional evidence or documentation is required, BHSQ will discuss this with the appellant.

BHSQ will provide a written response to the appellant when a decision regarding the outcome of the appeal has been made.

The response will describe:

- The action taken to investigate the appeal
- Conclusions from the investigation
- Outcome of the appeal
- Where appropriate, action taken as a result to change or improve processes and procedures.

BHSQ aims for an outcome to be reached within 20 working days of the appeal being received, however depending on the nature of the appeal, this may take longer to ensure a fair and thoroughly considered outcome. Where this is the case, the appellant will be provided with anticipated timescales.

Stage Two

To appeal a Stage One outcome, the appellant must submit their appeal within 10 working days to BHSQ, following receipt of the Stage One outcome.

BHSQ may escalate the appeal to Stage Two of the process if they are unable to reach a fair and equitable outcome at Stage One.

For the Stage Two process, BHSQ will appoint an Independent Review Panel to investigate further. The panel will be made up of a minimum of three persons with at least one person independent of BHSQ. The panel will be selected with an appropriate set of skills pertinent to the nature of the appeal. This may include individuals with a technical, educational or legal expertise.

The Independent Review Panel (IRP) will be convened, and a meeting held with BHSQ to provide an overview and produce terms of reference for the panel. The terms of reference will be shared with the appellant.

The IRP will be provided with all documentation from Stage One of the appeal. The IRP may request additional information from the appellant, held by BHSQ and/or the BHSQ Approved Centre to support their investigation. Where information is confidential it will only to be viewed by BHSQ and the IRP and will be marked as such.

The IRP will conduct an investigation of the appeal, this will include:

- Review all documentation and evidence relating to the appeal
- Ensure processes and procedures have been fairly and consistently applied
- Ensure fair and equitable decisions have been reached.

The IRP may also conduct interviews with all relevant parties to seek clarification.

The IRP will meet with BHSQ and provide a draft report of their findings to ensure all aspects are correct.

The draft report will be shared with the appellant and other relevant parties for comment. Meetings with the IRP can be arranged by the appellant and other relevant parties if clarification is required on any of the points contained within the draft report. Following this stage, the final report will be submitted to BHSQ by the IRP. BHSQ will send the outcome of the appeal to the appellant and any relevant parties. Any recommendations will be reviewed and actioned.

Timescales for Stage Two:

- An outcome to be reached within 30 working days of the IRP being appointed. However, this may take longer in order to ensure a fair and thoroughly considered outcome. Where this is the case, the appellant will be provided with anticipated timescales.
- The appellant will be informed by BHSQ of the outcome within three working days of the final decision being made.

Once an appeal has been investigated and an outcome has been reached, the appeal will be closed by BHSQ.

The decision of the Independent Review Panel is final. However, if the appellant remains dissatisfied then referral to the Regulator may be appropriate (see Taking an appeal to the Regulator).

Taking an appeal to the Regulator

Where the appeal relates to a regulated qualification and the appellant remains dissatisfied with the outcome and the concern is still not resolved, the matter may be escalated to the relevant Regulator. The Regulator will not overturn assessment decisions but will examine processes and procedures. Please see Appendix One for the list of Regulators.

Outcome from investigations

Where the investigation has highlighted flaws, errors, or failures within BHSQ's or the BHSQ Approved Centre's processes, procedures and/or guidance, all reasonable steps and appropriate action will be taken to prevent a reoccurrence.

For customers this may involve, but is not limited to:

- Contacting other learners who have been affected
- Recall incorrect certificates.

For BHSQ this may involve, but is not limited to:

- Mitigate as far as possible where failures cannot be corrected
- Apply sanctions as appropriate
- Update policy and procedure guidance and manuals to provide clarity.

Confidentiality

BHSQ adheres to the data protection legislation and will treat appeals sensitively and in confidence. All instances will be recorded and monitored securely on a central register.

Information regarding appeals, reviews and investigations may need to be provided to the Regulators and other organisations, if requested. BHSQ will respect a person's anonymity, however depending on the nature of the appeal this may not be possible. The appellant will be consulted in this instance.

Monitoring and review

This document and its content will be reviewed on a three-year cycle, or earlier should it be needed to ensure it remains fit for purpose and reflects the types of appeals that have arisen.

BHSQ is committed to keeping up to date with best practice and learning. In the event of the Regulators or another Awarding Organisation notifying BHSQ of situations that have affected their assessment process, BHSQ will review accordingly.

Date for review: February 2025

Document history

Version	Revision date	Reason
5	02/02/2022	To review and replace previously produced document

Please note: This document is uncontrolled once printed. Please check with BHSQ for the most up to date version.

Appendix One: BHSQ's Regulators – contact details

England:	Ofqual <i>(the Office of Qualifications and Examinations Regulator)</i>
	Address: Spring Place, Herald Avenue Coventry, CV5 6UB
	Phone Number: 0300 303 3344
	Email: Public.enquiries@ofqual.gov.uk
	Website: gov.uk/government/organisations/ofqual
Wales:	Qualifications Wales (QW)
	Address: Q2 Building, Pencarn Lane, Imperial Park, Coedkernew, Newport, NP10 8AR
	Phone Number: 0333 077 2701
	Email: enquiries@qualificationswales.org
	Website: qualificationswales.org
Northern Ireland:	CCEA Regulation <i>(the Council for Curriculum, Examinations and Assessment)</i>
	Address: 29 Clarendon Road, Clarendon Dock, Belfast, BT1 3BG
	Phone Number: 02890 261200
	Email: ccearegulation@ccea.org.uk
	Website: ccea.org.uk/regulation
Scotland:	SQA Accreditation
	Address: The Optima Building, 58 Robertson Street, Glasgow, G2 8DQ
	Phone Number: 0345 213 5249
	Email: accreditation@sqa.org.uk
	Website: accreditation.sqa.org.uk/accreditation/

Appendix Two: Definition of Terms

Term	Definition
Appellant	Person representing themselves, an organisation, or someone else.
Assessment	The process of making judgements about the extent to which a learner's work meets the assessment criteria of a unit, or any additional assessment requirements for a qualification.
Assessment Criteria	Description of the requirements a learner is expected to meet to demonstrate that a learning outcome has been achieved.
Assessment venue	Where assessment of a learner/candidate takes place.
Assessor	A person who assesses or marks a learner's work. This involves using a particular set of criteria to make judgements as to the level of attainment a learner has demonstrated.
Centre	An organisation undertaking the delivery of assessments (and potentially other activities) to learners on behalf of BHSQ.
CCEA Council for the Curriculum, Examination and Assessment	CCEA has responsibility for the regulation of qualifications taken by learners in Northern Ireland (NI), as set out in the Education (Northern Ireland) Order 1998. They develop and publish criteria for the accreditation of relevant external qualifications, and accredit, where such criteria are met, any qualifications submitted for accreditation.
BHSQ Unique ID Number	A unique identification number given to a candidate when they have been registered by BHSQ for a qualification. This is not their ULN.
External Moderator/Verifier	An individual appointed by BHSQ to ensure accurate and consistent standards of assessment, across Centres and over time.
Internal Verifier	An individual appointed by the Centre to ensure accurate and consistent standards of assessment, both between Assessors operating within a Centre and between assessment locations or sites offering the same award.
Learner/candidate	A person who is registered to take a qualification and to be assessed as part of that qualification.
Ofqual Office of the Qualifications and Examinations Regulator	Ofqual is the regulator of qualifications, examinations and assessments in England. They regulate by recognising and monitoring organisations that deliver qualifications and assessments as set out in the Apprenticeship, Skills, Children and Learning Act (2009) and Education Act (2011).
QW Qualifications Wales	QW is the independent organisation responsible for regulating general and vocational qualifications in Wales.
RQF Regulatory Qualifications Framework	The RQF is a framework for cataloguing all qualifications and awarding organisations regulated by Ofqual and CCEA. The RQF replaced the QCF and NQF in October 2015.
Reasonable Adjustments	Defined as reasonable steps to ensure disabled people are not placed at a disadvantage in comparison with non-disabled people, 'substantial' being more than minor or trivial.

Term	Definition
Responsible Officer	The person responsible to the Regulators for matters relating to regulation.
SCQF	The Scottish Credit and Qualifications Framework. The Framework is for users to gain a better understanding of qualifications in Scotland and plan future learning. The Framework supports everyone in Scotland, including learners, learning providers and employers.
Service	An organisation that is responsible for a particular type of activity, or for providing a particular thing that people need.
SQA Accreditation	The regulatory part of the Scottish Qualifications Authority, separate and autonomous from SQA Awarding Body. SQA Accreditation quality assures qualifications offered in Scotland by approving awarding bodies and accrediting their qualifications, including Scottish Vocational Qualifications.
Training Providers	Organisations who are responsible for providing a specified programme of training and assessment to a learner registered for a qualification.
Unique Learner Number	The Unique Learner Number (ULN) is a 10-digit number issued and held by the Learning Records Service (LRS), who use the number to index learner identity details as well as education and training qualifications within the PLR.