

Appeals Policy

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

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 is committed to providing an excellent service and therefore welcomes appeals as an opportunity to learn and improve for the future. 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 services, they should raise these concerns directly with BHSQ so they may be reviewed and addressed.

Date for review: January 2021

Contact details for BHSQ:

Address: BHS Qualifications
Abbey Park
Stareton
Kenilworth
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CV8 2XZ

Telephone: 02476 840544

Email: enquiries@bhsq.co.uk

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 an 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
- Decision made by BHSQ regarding the status of centres, assessment venues, assessors, verifiers, etc.
- Decisions made by BHSQ representatives carrying out a specific role or task on behalf of BHSQ whether paid or unpaid, including External Verifiers, Consultants and Volunteers.

This list is an example; each appeal is different and will be considered on a case-by-case basis.

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

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.

Where the appeal is against an assessment or procedural decision made by an 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.

Formal appeal of an assessment decision

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

Examples of situations where an appeal can be lodged:

- Procedures were not followed consistently, properly and fairly during the assessment
- Resources were insufficient to support valid and reliable assessment decisions
- There were irregularities which have led to unfair or inaccurate decision(s) being made which disadvantages the candidate or group of candidates
- Lack of professional standards on the part of the assessor/verifier leading to procedural or professional irregularities.

Formal appeal of a procedural decision

An appeal must be made within 20 working days of receiving a decision made by BHSQ, a representative of BHSQ or an BHSQ Approved Centre.

Examples of situations where an appeal can be lodged:

- Irregularities which have led to unfair or inaccurate decision(s) being made
- A lack of professional standards leading to procedural or professional irregularities
- Published procedures and guidelines have not been adhered to consistently and fairly
- Decisions made affecting the status of a Centre, assessment venue, assessor, verifier, etc.
- 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 based on a disagreement with an assessors/verifiers professional judgment
- Appeals that exceed the stated timeframes
- Anything that took place before the learner was registered or after the learners 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 the BHSQ Manager and include the following information:

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

Everyone has the right to appoint someone else to act on their behalf. Should an appeal be submitted by a third party on behalf of the person directly concerned, written permission from the person they are acting on behalf of must be submitted in addition to the above.

BHSQ will respond to the appellant within 3 working days of receipt. A log of all correspondence, documentation and conversations will be retained by BHSQ.

The BHSQ Manager 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, the BHSQ Manager will discuss this with the appellant in the first instance.

The BHSQ Manager 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 required, 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 in order to ensure a fair and thoroughly considered outcome. In all cases the appellant will be provided with a regular progress report detailing anticipated timescales.

Stage Two

If an outcome cannot be reached and/or the appeal remains unresolved, the BHSQ Manager will escalate the appeal to the Head of BHSQ. If this is the case, BHSQ will notify the appellant within 3 working days of the escalation. In the interim, BHSQ will keep the appellant informed in writing and provide a progress report.

The Head of BHSQ will review the original appeal; its findings; conclusions; conduct further investigations as appropriate and ensure the correct process has been followed. The Head of BHSQ will provide a written response to the appellant when an outcome has been reached.

BHSQ aims for an outcome to be reached within 20 working days of the appeal being escalated to the Head of BHSQ, however depending on the nature and severity of the appeal the investigation may take longer. In all cases the appellant will be provided with a regular progress report detailing anticipated timescales.

If the appellant remains dissatisfied, they can appeal this decision and move to the next stage of the process.

Stage Three

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

Escalation to Stage Three may also be instigated by the Head of BHSQ where they are unable to resolve the appeal.

The Head of BHSQ will appoint an Independent Review Panel to investigate further. The panel will be made up of a minimum of one person external to BHSQ.

The Independent Review Panel will:

- Conduct an investigation of the appeal
- Review all evidence and correspondence
- Conduct interviews
- Ensure processes and procedures have been fairly and consistently applied
- Equitable decisions have been reached.

The Independent Review Panel aims for an outcome to be reached within 30 working days of being appointed. The Panel will write to the appellant within 3 working days of the final decision being made.

The decision of the Independent Review Panel is final.

Taking an appeal further

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 Centre's processes, procedures and/or guidance, all reasonable steps and appropriate action will be taken to prevent a reoccurrence.

This may involve:

- Contacting other learners who have been affected
- Mitigate as far as possible where failures cannot be corrected
- Recall incorrect certificates
- 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 all appeals sensitively and in confidence. All instances will be recorded securely on a central register and monitored.

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

In the event of the Regulators or another Awarding Organisation notifying BHSQ of failures that have been discovered in the assessment process, BHSQ will review whether or not a similar failure could affect its own processes and practices.

Document history

Version	Revision date	Reason
3	17/01/2018	Revision of previous Appeals Policy (29/11/2017), to ensure regulatory compliance

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: www.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: www.qualificationswales.org
Northern Ireland:	CCEA Regulation <i>(the Council for Curriculum, Examinations and Assessment)</i>
	Address: 29 Claredon Road, Clarendon Dock, Belfast, BT1 3BG
	Phone Number: 02890 261200
	Email: ccearegulation@ccea.org.uk
	Website: www.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: www.accreditation.sqa.org.uk

Appendix Two: Glossary 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.
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, 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	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 and vocational qualifications in Northern Ireland. 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).
QCF Qualifications and Credit Framework	Qualifications that use the QCF rules are made up of units, providing a flexible way to get a qualification. Each unit has a credit value which tells you how many credits are awarded when a unit is completed. The credit value also gives an indication of how long it will normally take to prepare for a unit or qualification.
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.
Responsible Officer	The person responsible to the Regulators for matters relating to regulation.

SCQF	<p>The Scottish Credit and Qualifications Framework.</p> <p>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.</p>
Service	<p>An organisation that is responsible for a particular type of activity, or for providing a particular thing that people need.</p>
SQA Accreditation	<p>The regulatory arm of the Scottish Qualifications Authority, separate from SQA Awarding Body.</p> <p>SQA Accreditation quality assures qualifications offered in Scotland by approving awarding bodies and accrediting their qualifications, including Scottish Vocational Qualifications.</p>
Training Providers	<p>Organisations who are responsible for providing a specified programme of training and assessment to a learner registered for a qualification.</p>
Unique Learner Number	<p>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.</p>