

Enquiries and Appeals Policy and procedure

1. Introduction

1.1 Purpose

This policy describes the process and procedures for enquiries about results and appeals against assessment decisions and Reasonable Adjustments and Special Considerations permissions.

Learners or centres may wish to submit an enquiry about results – for example, if results vary considerably from those expected. A clerical check of results may conclude the enquiry or a learner/centre may decide to progress to appeal. An appeal against an assessment decision may be submitted without having already submitted an enquiry about results.

Where an associated investigation leads to the discovery of a failure in its assessment process, the JPIE will take all reasonable steps to:

- identify any other learner who has been affected by the failure
- take corrective action or, where no corrective action can be taken, mitigate as far as possible the effect of the failure
- ensure that such a failure cannot reoccur.

1.2 Scope of the policy and grounds for appeal

This policy is provided for Awarding Organisation users, being learners who are taking or have taken assessments, and staff with responsibilities for delivering qualifications and assessments in approved centres, who wish to question assessment decisions (by making an enquiry about results and/or an appeal), because they believe that procedures were not applied consistently, properly or fairly.

1.3 Responsibilities

The JPIE, as the Awarding Organisation, is responsible for ensuring that all appeal decisions are:

- taken by individuals who have no personal interest in the decision being appealed
- dealt with by at least one decision maker who is not an employee of the awarding organisation, an assessor working for it, or otherwise connected to it
- taken by individuals who have appropriate competence.

To deal with enquiries about results and appeals as effectively as possible, JPIE staff are required to follow specified procedures.

Centres are responsible for ensuring that all staff involved in the delivery of JPIE qualifications and assessments are fully aware of the policy and the related procedures. Centres must implement their own appeals procedures, which must be exhausted before an appeal is raised with the JPIE.

1.4 Fees

No charge is made for an enquiry about results, but fees are payable for an appeal. Please refer to the current JPIE fees list for full details. Fees will be refunded if the outcome of an enquiry about results or an appeal is an improved result.

1.5 Complaints

Centres and/or learners who are dissatisfied with any other aspect of service (not related to assessment results) should follow the JPIE Complaints Policy and Procedure.

2. Enquiries about results

2.1 Introduction

An enquiry is a request for a clerical check of the accuracy of the results.

Centres may make an enquiry about results issued by the JPIE on behalf of one or more learners.

Please note: an enquiry about results cannot be made if a learner's results have already been moderated (before making an enquiry about results, the centre should check with the JPIE if the results have been moderated).

An enquiry about results is a formal written request made by the centre, on behalf of learners, to the JPIE.

The enquiry must be accompanied by the written permission of the learners for the centre to make the request. It must be made clear to learners that if the outcome of the enquiry about results is that the mark awarded is:

- confirmed to be correct, there will be no change to the result
- changed, the final mark may be higher or lower than the original result.

Receipt of requests unaccompanied by the written permission of learners may be considered a matter of maladministration. To ensure that the enquiry can be dealt with as soon as possible after the related assessment, it is essential to adhere to the timescales for submission set out in the process below.

2.2 Procedure

Enquiries about results must be submitted within 10 working days of the receipt of the results.

Centres must send the enquiry about results to the JPIE, with full details, accompanied by all supporting documentation and the written permission of each learner involved.

The JPIE will:

- acknowledge an enquiry about results within five working days from receipt of the enquiry
- undertake a clerical check and notify the main centre contact of the outcome within 10 working days from receipt of the enquiry.

If, for any reason, these timescales cannot be achieved, the JPIE will inform the main centre contact of the revised timeline.

The JPIE will provide the centre with a written report containing details of the outcome of the enquiry.

Possible outcomes of the enquiry are that the mark awarded is:

- confirmed to be correct, there will be no change to the result
- changed, the final mark may be higher or lower than the original mark awarded and the result may be changed from a fail to a pass or a pass to a fail.

The JPIE will amend the learner records accordingly.

The fee is refunded if the outcome of the enquiry is an improved result.

Where the outcome of an enquiry brings into question the accuracy of other results, the JPIE will take all reasonable steps to protect the interests of all learners who are affected. If the centre or the learner(s) are not satisfied with the outcome of the enquiry, an appeal may be submitted.

3. Appeals against assessment decisions

3.1 Introduction

Approved centres offering JPIE qualifications are expected to have their own appeal policy and procedures in place. These procedures must be fully exhausted before any appeal is made to the JPIE.

Centres wishing to appeal on behalf of learners must obtain the written permission of the learner(s) concerned and advise the learner(s) that grades/results can go up or down following investigation and review by the JPIE Adjudication Panel.

Learners who are not satisfied with the outcome of the appeal are given the option to retake the assessment (subject to the appropriate fees being paid). Learners who appeal against an assessment decision on the results of a re-sit examination will require additional training.

If, at this stage, the matter remains unresolved, a further appeal for an independent review of the case is possible. The decision of the JPIE Appeals Panel is final.

3.2 Procedure

The centre must submit an appeal to the JPIE within 20 working days of receipt of the related assessment decision(s) or completion of an enquiry about results.

The appeal must take the form of a written report including the following details - the:

- reason for the appeal
- outcome of the centre's appeal procedure

Evidence to support the appeal must be attached. The JPIE will return incomplete applications to the centre for completion and, as such, this will delay the process.

The assessment will be re-marked and this will be reviewed by the JPIE Adjudication Panel.

The JPIE Adjudication Panel undertakes to report its findings and decision to the centre/learner within 20 working days of receipt of the appeal.

If the assessment decision confirms the original result, the JPIE will notify the centre and learner setting out, in full, the reasons for its decision.

If the assessment decision contradicts the original result, the JPIE will notify the centre and learner setting out the reasons, in full, for its decision and, if appropriate, a certificate will be issued.

If other assessment decisions may be affected by the result of the appeal, all similar results will be recalled and reviewed in the same way.

If the centre/learner is not satisfied with the appeal outcome, they may write to the JPIE within 15 working days of receiving the outcome, to request a re-sit or review by the JPIE Appeals Panel.

In the case of a re-sit:

- an assessment will be scheduled within eight weeks of the receipt of the written request (subject to the appropriate fees being paid)
- standard assessment regulations and procedures will apply.

In the case of a review, the JPIE Appeals Panel will include a reviewer who has not been employed by the organisation in any capacity and is not in any way connected to it or have any personal interest in the appeal or its outcome. The reviewer will:

- have the necessary knowledge and skills to reach an appropriate decision about the appeal
- review all the evidence and the procedures applied by the awarding organisation to ensure it has been fair, appropriate and consistent with the appeals policy and procedure
- if required, discuss with and request information from the appellant and awarding organisation personnel and/or make a centre visit
- report their findings to the review panel, which will decide on the appeal.

The outcome of the JPIE Appeals Panel will be made known within eight weeks. The decision of the JPIE Appeals Panel is final.

If, at any stage of the process, the original assessment decision is proved to be incorrect and the appeal is upheld, the JPIE will:

- issue the new result and, if appropriate, a certificate
- update all related records held by the awarding organisation
- review related policies and procedures and take action to prevent or mitigate a recurrence of the circumstances giving rise to the appeal
- recall and review in the same way all similar results for any other assessment decisions which may be affected by the outcome of such an appeal.

4. Appeals against Reasonable Adjustments and Special Consideration decisions

4.1 Introduction

If a centre applies to the JPIE for reasonable adjustments or special consideration on behalf of a learner/learners (*see Reasonable Adjustments Policy and Procedures and Special Consideration Policy and Procedure*) and the application is declined, the learner has the right to appeal the decision. Initially, the centre's appeals procedure must be implemented. If the appeal cannot be resolved at centre level, the centre should appeal to the JPIE.

4.2 Procedure

The centre must submit an appeal to the JPIE within 10 working days of receipt of the Reasonable Adjustment/Special Consideration decision(s).

The appeal must take the form of a written report including the following details - the:

- reason for the appeal
- outcome of the centre's appeal procedure

Evidence to support the appeal must be attached. An incomplete application will be returned to the centre for completion and, as such, could delay the process.

The appeal will be investigated by the JPIE Adjudication Panel. The JPIE Adjudication Panel undertakes to report its findings and decision to the centre/learner within five working days of receipt of the appeal.

If the investigation confirms the original decision, the JPIE will notify the centre and learner setting out, in full, the reasons for its decision.

If the investigation contradicts the original decision, the JPIE will notify the centre and learner setting out the reasons, in full, for its decision and, if appropriate, permit appropriate reasonable adjustments or, in the case of special considerations, adjust the final marks of an assessment.

If other assessment decisions may be affected by the result of a reasonable adjustment/special considerations appeal, all similar results will be recalled and reviewed in the same way.

If the centre/learner is not satisfied with the appeal outcome, they may write to the JPIE within 10 working days of receiving the outcome from the JPIE Adjudication Panel, to request a re-sit or a review by the JPIE Appeals Panel.

In the case of re-sit:

- an assessment will be scheduled within eight weeks of the receipt of the written request (subject to the appropriate fees being paid)
- standard assessment regulations and procedures will apply.

In the case of an JPIE Appeals Panel review, the panel will include a reviewer who has not been employed by the organisation in any capacity and is not in any way connected to it or have any personal interest in the appeal or its outcome. The reviewer will:

- have the necessary knowledge and skills to reach an appropriate decision about the appeal
- review all the evidence and the procedures applied by the awarding organisation to ensure it has been fair, appropriate and consistent with the appeals policy and procedure
- if required, discuss with and request information from the appellant and awarding organisation personnel and/or make a centre visit
- report their findings to the review panel, which will decide on the appeal.

The outcome of the JPIE Appeals Panel will be made known within eight weeks. The decision of the JPIE Appeals Panel is final.

If at any stage of the process, the original decision is proved to be incorrect and the appeal is upheld, the JPIE will:

- permit the reasonable adjustments or, in the case of special considerations, issue the new result and, if appropriate, a certificate
- update all related records held by the awarding organisation
- review related policies and procedures and take action to prevent or mitigate a recurrence of the circumstances giving rise to the appeal
- recall and review in the same way all similar results for any other decisions which may be affected by the outcome of such an appeal.