

Appeals Policy

SMART AWARDS
BEECHWOOD HOUSE, TANNERS LANE, BERKSWELL, COVENTRY CV7 7DA

Appeals Policy



Doc ref QUA 161-5.0
Date of issue 01/03/2016
Review date 01/12/2021
Classification Public

1. Scope

This policy outlines how Smart Awards deals with appeals. An appeal is defined as an application for a decision taken by Smart Awards in relation to a learner or service user to be overturned.

Smart Awards is committed to providing a fair and transparent appeals service.

2. Responsibilities

The policy applies to learners and Smart Awards service users. Smart Awards CEO has overall responsibility for ensuring that this policy is implemented.

3. Appeal Process

3.1 When to Appeal

An appeal can be made where Smart Awards is perceived as not applying procedures consistently or following procedures properly and fairly. Appeals may be made about the following:

- A decision concerning an application to offer Smart Awards qualifications/assessments
- A decision concerning the contents of a monitoring report, including any sanctions imposed
- A decision to decline a request to make reasonable adjustments or give special considerations
- The outcome of assessment, including external verification and certification
- Any action taken by Smart Awards following investigations into incidents of malpractice or maladministration
- The outcome of the centre application process (new centres)
- The outcome of the adding qualification(s) process (existing centres)

3.2 How to appeal

Appeals must be made through Smart Awards approved centres and should only be made to Smart Awards once the centre's internal procedures have been exhausted. Appeals may be submitted on behalf of individuals or groups.

Appeals must be made in writing within **20 days** of the date of the event that the appeal refers to. As much detail as possible should be submitted along with any supporting evidence available.

An initial response to appeals will normally be made within **10 working days**, and the outcome communicated in writing within **30 days** from the date that the appeal was submitted.

The appellant will be informed in writing of the outcome of the appeal with a decision to either:

- Amend our original decision in light of the new rationale/evidence being put forward and which has now been reviewed; or
- Confirm we stand by our original decision and in doing so the rationale for this decision and where the appellant is not content with the decision made they may appeal to the relevant regulatory body (SQA Accreditation, Ofqual, Qualifications Wales, CCEA).

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All appeals are referred for review to an external consultant with relevant expertise to make a decision.

Where the centre is not content with the decision made they may appeal to the relevant regulatory body (SQA Accreditation in Scotland, Ofqual in England and Northern Ireland, Qualifications Wales in Wales).

Complaints procedure and contact details for a regulator can be obtained from the following regulators website.

- SQA Accreditation <http://accreditation.sqa.org.uk/accreditation/home>
- Ofqual <https://www.gov.uk/government/organisations/ofqual>
- Qualification Wales <http://qualificationswales.org/splash?orig=/>

Where a referral is made to SQA Accreditation they may undertake activities to assess the effectiveness of Smart Awards and/or the centres appeals process to ensure they are in line with regulatory requirements.

Where SQA Accreditation raises any concerns Smart Awards and/or centre must take appropriate, preventative and/or corrective action to their internal processes to prevent re-occurrence.

In the event where the centre is unhappy with Smart Awards decision and a referral is made to the regulator SQA Accreditation a review of the process applied to reach the appeal decision may be reviewed. SQA Accreditation is unable to overturn assessment decisions or academic judgements.

Where a referral is made to the regulators Smart Awards will take appropriate, preventative and/or corrective action to prevent re-occurrence as appropriate such as:

- Identify any other learners who have been affected and correct and mitigate as far as possible the effect of the failure (e.g. and amend the results for the learner(s) affected following an appropriate investigation)
- Review our associated processes and policies to ensure that the 'failure' does not occur again or mitigate the situation as far as possible if the failure that occurred cannot be corrected
- Cooperate with any follow-up investigations required by the regulators and, if appropriate, agree any remedial action with them.

Ofqual or Qualifications Wales (for qualifications regulated in England and Wales) will not get involved in any individual appeals and will only deal with procedural irregularity by awarding bodies under their complaints procedures, which are published on their websites.

3.3 Appeals against assessment outcomes

Where the appeal relates to the outcome of assessment, Smart Awards will ensure independent review any assessment evidence concerned.

The outcome of this process will be referred to external consultant with relevant to make a final decision.

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Where an appeal against assessment brings the outcome of other results into serious question this would be considered a potential 'adverse effect' as other learners may be affected.

In such cases Smart Awards will ensure that:

- Any other learner who has been affected is identified;
- Effects are corrected or mitigated as far as possible; this may involve adjusting the outcome of assessments (pass/fail) and re-issuing results, or revoking certificates;
- Appropriate action is taken to avoid a re-occurrence; this may involve for example taking action against centres, assessors or internal verifiers and can be as severe as removing any approval if this is deemed necessary.

Smart Awards ensures that any actions are monitored through its internal reporting process.

Where another awarding body identifies failures in its assessment process, Smart Awards will review whether this impacts upon its own qualifications and if so follow the steps above.

3.4 Requirements of approved centres

Smart Awards approved centres must operate an appeals policy for the benefit of learners. The implementation of this may be monitored during centre visits.