



APPEALS POLICY



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1. SCOPE

1.1. 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. OFQUAL GENERAL CONDITIONS

2.1. I1.1: An awarding organisation must establish, maintain and comply with an appeals process in relation to all qualifications which it makes available, which must provide for the appeal for – (a) the results of assessments, (b) decisions regarding Reasonable Adjustments and Special Consideration, and (c) decisions relating to any action to be taken against a Learner or a Centre following an investigation into malpractice or maladministration.

2.2.I1.2: For these purposes, the appeals process must provide for – (a) the effective appeal of results on the basis that the awarding organisation did not apply procedures consistently or that procedures were not followed properly and fairly, (b) all appeal decisions to be taken by individuals who have no personal interest in the decision being appealed, (c) all appeal decisions to involve at least one decision maker who is not an employee of the awarding organisation, an Assessor working for it, or otherwise connected to it, (d) appeal decisions to be only taken by persons who have appropriate competence, and (e) timelines for the outcome of appeals.

2.3. I1.3: An awarding organisation must publish information on its appeals process to enable the results of assessments to be appealed.

2.4. I1.4: the application of an appeals process in the case of a Learner leads an awarding organisation to discover a failure in its assessment process, it must take all reasonable steps to – (a) identify any other Learner who has been affected by the failure (b) correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and (c) ensure that the failure does not recur in the future.

2.5. I2.1: An awarding organisation must comply with the requirements of any appeals and complaints process established by Ofqual in the form in which it may be published by Ofqual and revised from time to time.

2.6. I2.2: An awarding organisation must give due regard to the outcome of any such appeals or complaints process in relation to a qualification which it makes available.

2.7. I2.3: Where the application of any such appeals or complaints process in the case of a Learner leads an awarding organisation to discover a failure in its assessment process, it must take all reasonable steps to – (a) identify any other Learner who has been affected by that failure, (b) correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and (c) ensure that the failure does not recur in the future.

2.8. I2.4: Where Ofqual notifies an awarding organisation of failures that have been discovered in the assessment process of another awarding organisation, the awarding organisation must review whether a similar failure could affect its own assessment process.

2.9. I2.5: Where, following a review, the awarding organisation identifies such a potential failure, it must take the same action as if a failure has been discovered in relation to it by virtue of the application of Ofqual's appeals and complaints process.

2.10. J1.6: Completion of a qualification by a Learner shall include the completion of any appeals process.

3. SQA ACCREDITATION PRINCIPLES

3.1. Principle 17. The awarding body and its providers must have clear, fair and equitable systems, policies and procedures to manage appeals.

4. RESPONSIBILITIES

4.1. This policy is for qualifications offered by Smart Awards. This policy is for Centres and learners accessing Smart Awards qualifications and related services and all those involved with the development, delivery, and quality assurance of Smart Awards qualifications. Smart Awards has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it. Smart Awards has the day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

4.2. It is important that Centre staff involved in the management, assessment and quality assurance of our qualifications and learners are aware of the contents of the policy. In addition, Centres must have an internal enquiries and appeals arrangements which learners can access if they wish to appeal against a decision taken by the Centre. All appeals in relation to decisions taken by the centre must go through the Centre appeals process before the matter can be referred to Smart Awards appeals process.

5. SCOPE

5.1 The enquiries and appeals process is two stage:

Stage one - Smart Awards will consider enquiries about decisions made regarding:

- Centre recognition,
- qualification approval,
- the content of a Centre monitoring report,
- assessment,
- reasonable adjustments and special considerations, and
- malpractice and maladministration.

Stage two - is the formal appeals stage and only decisions regarding:

- assessment,
- reasonable adjustments and special considerations; and
- malpractice and maladministration.
- May be escalated to this stage.



Please note - where the regulators notify us of failures that have been discovered in the assessment process of another Awarding organisation, we will review whether a similar failure could affect our own assessment processes and arrangements. In this instance, where we must adjust assessment decisions, there will be no appeals process.

6. REVIEW OF THIS POLICY

6.1. This policy is reviewed and revised annually in response to feedback, changes in legislation and guidance from the regulators, SQA Accreditation or Ofqual.