



APPEALS POLICY



Version Number	Date	Purpose of Change	Classification	Sign Off
V4.1	09/10/2025	Merge of EPA and Awarding policy new content and formatting	Public	Lesley Barr

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SCOPE

1.1. The purpose of this policy is to outline how Smart Awards manages and resolves appeals relating to decisions made about its qualifications and End-Point Assessment (EPA) qualifications.

1.2. An appeal is defined as a formal request for a review of a decision made by Smart Awards in relation to a Centre, learner, apprentice, or service user, where the appellant believes that Smart Awards has not applied its procedures consistently or has not made a decision in line with regulatory requirements.

1.3. Smart Awards is committed to ensuring that all appeals are handled fairly, transparently, and without bias, and that outcomes are determined objectively and in accordance with regulatory requirements, including those set by:

- Ofqual (England)
- Qualifications Scotland (Scotland)

1.4. This policy applies to all:

- Approved Centres and their staff;
- Learners and apprentices registered for Smart Awards qualifications
- Employers and training providers involved in delivery or assessment; and
- Smart Awards staff, assessors, and external quality assurers (EQAs) involved in the delivery, assessment, and quality assurance of qualifications.

RESPONSIBILITIES

2.1. Smart Awards holds overall responsibility for ensuring that this policy complies with all legal, ethical, and regulatory obligations, and that all parties under its control adhere to it.

2.2. The Quality Team are responsible for:

- Implementing this policy
- Ensuring appeals are processed in line with published procedures
- Monitoring effectiveness and outcomes; and
- Reviewing and updating the policy as needed.

2.3. Centres are required to:

- Have their own internal enquiries and appeals policy, accessible to all learners and apprentices;
- Ensure learners first use the Centre's internal process before escalating an appeal to Smart Awards; and
- Retain clear records of all appeals and their outcomes.

2.4. Learners and Apprentices must:

- First exhaust their Centre's internal appeals process;
- Submit an appeal to Smart Awards within the published timeframes if they remain dissatisfied with the outcome.

SCOPE

The enquiries and appeals process is two stage:

Stage 1: Enquiry About a Decision - Smart Awards will consider enquiries regarding decisions made in the following areas:

- Centre approval or withdrawal decisions
- Qualification approval decisions
- Content of Centre monitoring reports
- Assessment decisions (including marking and grading)
- Reasonable adjustments and special considerations
- Malpractice or maladministration findings

Stage 2: Formal Appeal - Stage 2 is the formal appeals stage and applies only to the following areas:

- Centre approval or withdrawal
- Assessment decisions
- Reasonable adjustments and special considerations
- Malpractice or maladministration outcomes

Outcome:

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.

4. OUTCOMES AND RECORD KEEPING

4.1. Following review, Smart Awards may:

- Uphold the original decision;
- Amend or overturn the decision; or
- Require further investigation or reassessment.

4.2. All appeal records, evidence, and correspondence will be securely stored for a minimum of three years, in accordance with Smart Awards' Data Protection and Record Retention Policy.

5. PROCESS FOR RAISING AN APPEAL

Process Step Description	Process	Responsibility	Activity
STAGE 1			
Submit the enquiry	Process	Quality Team	Enquiry in writing within 20 working days of event.
Initial Review	Process	Quality Team	Collect Evidence, identify causes/affected centres/learners, ensure learner protection is in place.
Formal review – mitigation of risk	Process	Responsible Officer	Review evidence (within 20 days of enquiry submission) and add to risk register. Implement corrective actions.
Communicate outcome	Decision	Responsible Officer	Written report to all parties. If the appellant remains dissatisfied, the case may proceed to Stage 2.
End or proceed to stage 2.	Process	Responsible Officer	Close down or proceed to stage 2
STAGE 2			
The appellant submits a formal appeal to Smart Awards	Process	Responsible Officer	Within 10 working days of receiving the Stage 1 outcome

Review - Appeals must include clear reasons, supporting evidence, and details of the desired resolution.	Process	Senior Management Panel	The panel may include independent experts, assessors, or EQAs as appropriate.
Appeal outcome	Decision	Senior Management Panel	The Appeals Panel will reach a decision within 30 working days of receiving the formal appeal. The decision will be communicated in writing, providing reasons and evidence for the outcome.
Closure	Process	Senior Management Panel	The decision of the Appeals Panel is final and concludes Smart Awards' internal appeals process.

6. FEES

6.1. Smart Awards may charge a non-refundable administration fee for appeals to cover the cost of the process.

6.2. Fees may be refunded if the appeal is upheld.

7. REVIEW OF THIS POLICY

7.1. This policy is reviewed and revised annually in response to feedback, changes in legislation and guidance from the regulators.

8. OFQUAL GENERAL CONDITIONS

8.1. 1.1 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 of –

- (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.

8.2 I1.2 For the purposes of Condition I1.1, an awarding organisation's 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) appeal decisions to be only taken by persons who have appropriate competence
- (d) the final decision in respect of the outcome of an appeal 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, and
- (e) timelines for the outcome of appeals.

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

8.4 I1.4 Where 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.

8.5. PR1.1 An awarding organisation must conduct its activities in a way that is designed to facilitate its adherence to the following principles:

- (a) Principle 1 – An awarding organisation must act with honesty and integrity.
- (b) Principle 2 – An awarding organisation must treat Learners fairly by acting and taking decisions with due impartiality and based on appropriate evidence.
- (d) Principle 4 – An awarding organisation must act in a way that maintains and, where possible, promotes public confidence in qualifications.
- (e) Principle 5 – An awarding organisation must act in an open, transparent and co-operative manner with Ofqual and, as appropriate, with Users of qualifications.

9. OFQUAL APPRENTICESHIP CONDITIONS

9.1. EPA3.1 An awarding organisation must promptly notify Ofqual when it has cause to believe that any event has occurred or is likely to occur which could have an Adverse Effect

10. QUALIFICATIONS SCOTLAND ACCREDITATION PRINCIPLES

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