



# **APPEALS POLICY**

## 1. Introduction

CWLC Ltd consists of the following companies.

- *Bona Fide Site Services Ltd (Trading as Vitec Site Services)*
- *Yeti Partnerships Ltd (Trading as CWLC)*

The company is a private Training Provider who deliver a range of apprenticeships, nationally accredited qualifications and a selection of short accredited courses. The company are committed to providing a curriculum to develop a learner's skills, increase their knowledge and in return become a great asset to an organisation.

The assessor/tutor will make assessment decisions about work produced by a learner and state if it meets the criteria for successful completion. If a learner disagrees with the decision made by the assessor/tutor, they have the right to express their concern and make an appeal about the outcome.

Information relating to an appeal may be shared internally to help investigate the decision and externally with third parties such as awarding organisations and regulatory bodies. Sharing will only take place where the law allows it and in compliance with current data protection legislation. The Learner may withdraw consent at any time by contacting the Data Protection Officer, but this may mean that the appeal can progress no further.

If the outcome of the appeal at any stage points to a failure in the assessment process, an investigation will be conducted to determine if there are other learners affected. If this is the case the company will take all reasonable actions to reduce the impact on learners.

## 2. Purpose

The purpose of this policy to ensure that all appeals are resolved fairly and in a timely and professional manner.

## 3. Appeals

If a learner feels that they have not been fairly treated, or that the assessor/tutor has made an inaccurate assessment or testing decision they are to follow the process below:

### Stage 1 – Assessor/Tutor Appeal

The learner should discuss the concern with their assessor/tutor in the first instance.

The assessor/tutor must consider the reasons for the learner's concern and give the learner a timely response and decision. In some instances this response will be immediate, but may be after 1 working day in order to give due consideration to the appeal.

If the learner is still not satisfied with the assessor/tutors' decision, the learner must inform their appointed Internal Quality Adviser (IQA), or CWLC Office (Kirsty Dunlop) as soon as possible, but must be within 5 working days of the Assessor's final decision.

The IQA or CWLC Office will then notify the Head of Quality (Keith Horkan), who will appoint a team to conduct an investigation in to the appeal.

*\*The Appeals form is located on page 4, annex a.*

## **Stage 2 – Appeal Investigation**

The Head of Quality will acknowledge receipt of the appeal to the learner within 2 working days of receipt and appoint an investigatory team.

The Head of Quality will reconsider the assessment decision, taking into account the reason for appeal, associated evidence, records and the assessor/tutors' reason for their final decision. The investigation will be conducted.

The Head of Quality will provide the learner and assessor/tutor with their reconsidered decision, in writing, within 10 working days of receiving the appeal once the investigation is concluded. The Head of Centre will be informed of progress throughout.

If the outcome from stage 2 is not acceptable to the learner, they have the right to inform the Head of Centre (Glenn O'Neil) and proceed to stage 3.

## **Stage 3 – Senior Manager Appeal Investigation**

At this stage, the Centre Manager will look at the appeal stages so far and may decide bring in a panel to consider the appeal. This will usually require the Awarding Organisation to be notified. CWLC will follow the guidance and decision provided by the Awarding Organisation, throughout this stage of the appeal investigation. This stage will usually involve a review of the Investigation's documentation, including personal statements.

The final decision will be communicated by the Centre Manager to the learner within 5 working days of the conclusion of this investigation stage.

## **Stage 4 – Appeals beyond CWLC**

If the learner remains dissatisfied with the decision by CWLC they have the right to contact the appropriate awarding Organisation. Awarding Organisation details are recorded within the portfolio or alternatively, can be requested at any point from the training assessor/tutor, IQA, Head of Quality or Centre Manager.

The Awarding Organisation will then inform the learner of their own appeals policy and how that is instigated. The AO will then proceed with their response to the appeal as per their processes.

Should the learner be unhappy with the decision of the Awarding Body they may then request a final appeal with the Regulator (OfQual) <https://www.gov.uk/government/organisations/ofqual>

## **4. Retention**

Appeals will be securely retained for a minimum of 6 years from receipt. The companies' retention period is set out to comply with the Awarding Organisation's certification and information retention periods and government guidance relating to litigation. After this period the complaint will be securely destroyed.

## **5. Right to Access**

Learners have individual rights to access personal data that is being held about them either on computer or in manual files. Any person who wishes to exercise this right is required to submit a subject access request to The Data Protection Officer.

Refer to the following policy for further information about a subject access request.

- *Subject Access Request Policy*

## Annex a - Formal Appeals Form

If a learner is not satisfied with their assessor/tutor's final decision at stage 1 of the appeals process, the assessor/tutor will complete and submit this form together with any supporting evidence to their IQA and the Head of Quality who will record and monitor the outcome

[info@cwlc.co.uk](mailto:info@cwlc.co.uk)

Assessor/Tutor complete this section									
Learner Name					Assessor/Tutor				
Qualification					Level				
Awarding Organisation					Registration Number				
IQA Name					Date submitted to IQA				
Stage 1 - Reason for the Formal Appeal									
Stage 2 – IQA Investigation and Outcome									
Date learner informed	D	D	M	M	Y	Y	Learner satisfied with the decision	Yes	No
If the learner is not satisfied with the final decision at stage 2 proceed to the next stage									
Stage 3 – Senior Manager Investigation and Outcome									
Name of Investigation Lead					Position				
Who else was involved in making this final decision?									
Date learner informed	D	D	M	M	Y	Y	Learner satisfied with the decision	Yes	No
If the learner is not satisfied with the final decision at stage 3 proceed to the next stage									
Stage 4 – External Investigation									
Date submitted	D	D	M	M	Y	Y	Submitted by:		

<b>Outcome</b>	
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## Document Control

Date of change	Version	Overview of amendment	Amended by (Job Title)	Approved by	Approval date
10/04/19	2	Review whole policy to reflect the group approach	Alan Keating	Alan Keating	16/04/19
10.2.21	3	Update the policy to reflect staff changes and litigation laws	Keith Horkan	Glenn O'Neil	