



## **Appeals Procedure (Active IQ)**

Approved by:	Liz Lee
Issue:	2
Date:	January 2018
Review Date:	January 2019
Amended:	-

# Appeals Procedure

The Appeals policy is designed to protect the interests of all learners and also to protect the integrity of the qualification.

Candidates have the right to appeal in the event that they are dissatisfied with the following:

- The assessment decisions made by Amacsports Ltd, where applicable
- The assessment decisions made by the Awarding Organisation
- The decision by Amacsports Ltd not to support an enquiry or appeal to the Awarding Organisation

A copy of the appeals procedure is available to all students in their student handbook.

There is an informal and formal procedure available. The formal procedure is only to be followed if the informal procedure has failed or is inappropriate for the circumstances. All appeals to the Active IQ must be via the formal procedures of the Awarding Organisation and supported by the Head of Centre.

Every attempt will be made to resolve disputes as near as possible to the point of origin.

Amacsports Ltd will keep appeals records for inspection by Active IQ for a minimum of 18 months.

## Informal Procedure

Where a candidate wishes to make an appeal against the quality of provision at the centre he/she should first of all attempt to resolve the matter by a direct approach to the tutor/Head of Centre.

If the matter remains unresolved the candidate may require a personal interview with the Head of Centre. Before the personal interview, the Head of Centre should have obtained an independent second opinion on the initial decision.

If, after any action to resolve the dispute taken by the Head of Centre, the matter is not satisfactorily resolved, the complainant may use the formal procedure.

## Formal Procedure

An appeal must be formally raised within 20 working days from the date Active IQ notified us of the decision we are appealing against – therefore it is essential to advise all staff to retain any evidence relating to the appeal until the outcome is known.

If the appeal is being made on behalf of our candidates, written permission must be obtained from the learner(s) concerned, as grades/results can go down as well as up as a result of an investigation.

Candidates who wish to appeal about their assessment results or about a related decision should either be supported by Amac and should have exhausted their Amac's own appeals process before appealing to Active IQ. In the latter case, candidates must provide us with evidence that they have first appealed to us. It's expected that candidates will only appeal directly to Active IQ in exceptional circumstances, and Active IQ's separate Learner Appeals Policy must be followed.

Amac may submit your own report accompanied with documents and supporting evidence. Reports must include the following:

- centre name, address and contact details
- learner's name and Active IQ registration number (if relevant)
- date(s) you received notification of Active IQ's decision
- title, level and number (QAN) of the Active IQ qualification affected, or nature of service affected
- detailed outline and reasons for the appeal
- contents and outcome of any investigation already completed internally by the centre relating to the issue
- date of the report and the appellant's name, position and signature

### **Active IQs Formal Appeals Process**

#### Stage 1

Upon receipt of all appeals our Head of Quality Assurance or Director of Quality and Standards will acknowledge receipt of the appeal within 2 working days and aim to respond fully to the appeal within 20 working days. Please note that in some cases the review process may take longer, for example if a centre visit is required. In such instances we will contact all parties concerned to inform them of the likely revised timescale.

If, following the outcome of this stage, the appellant disagrees with this, then stage 2 of the process must be followed.

All appeal decisions will involve the following:

- an individual from Active IQ who has no personal interest in the decision being appealed (usually the Director of Quality and Standards)
- at least one decision maker who is not an employee of Active IQ, be working as an assessor for us, or be otherwise connected to our organisation
- all individuals involved in the appeal decisions must have the relevant competence to make a decision in relation to the appeal

Following the review of the appeal, we will write to the appellant with details of our decision to either:

1. amend our original decision in light of the new rationale/evidence being put forward which has been reviewed
2. confirm we stand by our original decision and in doing so the rationale for this decision and request that you confirm, within 15 days, whether you now accept this decision or if wish to proceed to our independent review appeals process

## **Stage 2: Independent review appeals process**

If you decided to proceed to the independent appeal stage we will arrange for an independent review to be carried out.

The independent reviewer must meet the following criteria:

- they will not be an employee of ours, be working as an assessor for us, or be otherwise connected to our organisation
- they must have the relevant competence to make a decision in relation to the appeal and will not have a personal interest in the decision being appealed

The Independent Reviewer will review all the evidence which took place in the above stages and review if we've applied our procedures fairly, appropriately and consistently in line with our policy.

The independent review process may involve:

- a discussion with the appellant or the learner and Active IQ personnel
- a request for further information from the appellant, the learner or Active IQ personnel
- a centre visit by authorised Active IQ personnel

The Independent Reviewer's decision is final in relation to how Active IQ will consider such appeals and we'll let you know the outcome of the review within 20 days of receipt of the independent appeal. If the centre/learner is still unhappy with the outcome at this stage they are entitled to raise the matter with the relevant qualification regulator.

## **Stage 3**

As above, the appellant may contact Ofqual or Qualification Wales directly (the government regulatory Active IQ currently operate within), requesting an appeal be heard. Regulators, as a rule, will always want confirmation that all other internal and external procedures have formally been exhausted prior to their involvement, and will seek evidence to confirm this is the case.

## **Successful appeals and/or issues brought to our attention by Ofqual**

In situations where an appeal has been successful, or where an investigation following notification from Ofqual indicates a failure in our processes, Active IQ will give due consideration to the outcome and will, as appropriate, take actions such as:

- amend the risk profile of the centre concerned

- identify any other learners who have been affected and correct, or, where it cannot be corrected, mitigate as far as possible the effect of the failure (e.g. 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

We will also cooperate with any follow-up investigations required by the qualification regulators and, if appropriate, agree any remedial action with them.