

ENQUIRIES AND APPEALS POLICY

1. Scope

This policy applies to all **SkyPeople Training** End Point Assessments (EPAs). It should be read in conjunction with all other policies, particularly:

- SPT Equity, Diversity & Inclusion Policy
- SPT Malpractice and Maladministration Policy
- Data Protection Policy
- SPT Complaints Policy

These policies are included within this submission. **SkyPeople Training** will hereafter be annotated 'SPT'.

2. Definitions

This policy sets out our commitment to Training Providers/Employers who wish to enquire, question or appeal against an assessment decision for an Apprentice's EPA.

An **enquiry** relates to an initial check and review of the administration of an Apprentice's EPA submission; that the marks were processed correctly; all parts of the EPA were included in the summing up etc.

An **appeal** is a request from a Training Provider/Employer to revisit an Apprentice's EPA decision which they consider is disadvantaging to the Apprentice. An appeal is a formal process supporting EPA grading specifically, and is divided into 3 stages, outlined below.

3. SPT commitment

SPT will show transparency and fairness in our assessment practices by allowing anyone who feels this has not been achieved, the right to appeal, and to clearly explain the pathway to the Appeal Process.

4. SPT procedures

- SPT will provide our training and assessment staff with the expertise needed to comply with this policy and related procedures.
- SPT will provide our stakeholders with details of how to appeal an assessment decision. This will include:
 - contact details of a named representative.
 - the timescales for any investigation to be undertaken.
 - the timescales for the outcome to be communicated.
 - the process to follow if the outcome is deemed to be unfair, including the ultimate right of appeal to the relevant oversight body (panel).

- SPT will have clear, consistent and transparent procedures for Apprentices to enable them to enquire about, question or appeal an assessment decision, including requests for reasonable adjustments or special consideration.
- SPT will provide information to Apprentices at Gateway via the Training Provider/Employer, prior to each summative assessment, about the contents of this policy and related procedures.
- SPT will ensure that any appeal is recorded, and documentation is retained in accordance with the DfE rules following the resolution of the appeal.
- SPT will maintain confidentiality of any Apprentice information related to an appeal in line with our GDPR commitments.
- SPT will take appropriate action to protect the interests of other Apprentices and the integrity of the training when the outcome of an appeal questions the validity of other results.
- SPT will monitor our compliance with this policy by collecting feedback from the Apprentice, employer and Training Provider/Employer and periodically reviewing outcomes.

5. Process Stages

Stage 1 – Initial Enquiry

The results enquiry service includes a check of all processes and procedures that lead to the issue of results. It does not include a review of the original marking. The Apprentice is responsible for initiating the appeal procedure with a request to the Training Provider/Employer in writing to initiate an enquiry. The Training Provider/Employer will then contact SPT to open an enquiry.

- An enquiry that may progress to an appeal must be made within seven days of receiving EPA outcome using our Appeals Application Form, or by email. At this time there will then be an informal discussion between the Head of EPA or an SPT manager and Apprentice
- The discussion must take place within seven days of the enquiry being initiated and a record of any outcome must be sent to the Training Provider/Employer by email or by using the Appeals Application Form.
- A record of actions undertaken must be maintained by the SPT Head of EPA.
- If the issue is not resolved, move to Stage 2 Formal Appeal.

Stage 2 – Formal Appeal

The Apprentice is responsible for initiating the second stage of the appeals procedure with a request to the Training Provider/Employer, in writing, to initiate the second stage:

- The Training Provider/Employer must complete the Appeals Application Form on behalf of the Apprentice, and submit to the SPT Head of EPA within seven days of the informal discussion of Stage 1
- SPT Head of EPA (or their delegate) reviews the assessment.

- SPT Head of EPA (or their delegate) completes an assessment review on the same Appeals Application Form, responding to the Apprentice and Training Provider/Employer within seven days of receiving the formal appeal notification.
- The Training Provider/Employer has seven days to acknowledge/accept the recommended outcome. If resolved, no further action is required. If unresolved move to Stage 3 Panel Review.

Stage 3 – Independent Review

The convening of an independent review is organised on an as-required basis and notice is required to book the relevant parties. This may incur a charge.

Process

- The appeal is escalated using the same form.
- The relevant body for oversight of Stage 3 Appeals is an Independent Reviewer, who is not connected to SPT in any capacity. The independent reviewer must be competent to make a final decision with no personal interest in the outcome of the appeal. Depending on the nature of the appeal, a subject specialist who has not been previously involved, or an independent expert will be used to make the decision.
- The Independent Reviewer's decision is final and the Training Provider/Employer and Apprentice will be informed of the outcome of the review.

Decision to Uphold the Appeal

- If the appeal is regarding a grade decision, the review will confirm which grade should be awarded to the Apprentice who is the subject of the appeal.
- The Head of EPA will write to the Training Provider/Employer to advise that the appeal has been upheld and to advise when the new grade/result will be available.
- Following a change in the grade/result, SPT will then investigate why this happened and how to improve, including further standardisation training if necessary.

Decision to Reject the Appeal

- Following the decision to reject the appeal, the review will confirm that the grade/result originally awarded will stand.
- Head of EPA will write to the Training Provider/Employer to advise that the appeal has been rejected by the panel and that the original grade given will still stand.

Referrals

Apprentices registered on a qualification regulated by Ofqual have a further right of appeal to the regulator. The Training Provider/Employer should contact Ofqual (details below). Ofqual will consider whether SPT have followed due process in considering the appeal.

Note: Ofqual will only conduct the review if the SPT appeals process has been exhausted.

6. Response Timescales

Please refer to our Customer Service Policy for details on our response times to individual enquiries about our decisions or for initiation of appeals.

7. Other references

Other references that you might find useful:

- Appeals Application Form
- Complaints Policy
- Malpractice and Maladministration Policy
- Customer Service Policy

8. Regulatory Body

Ofqual, Earlsdon Park, 53/55 Butts Road, Coventry, CV1 3BH

Telephone: 0300 303 3344

[Contact Ofqual - GOV.UK](https://www.gov.uk/contact-ofqual)