

# Policy and Procedures for Enquiries and Appeals

## Definitions

An enquiry is a process through which ASDAN is asked to check one or more steps leading to a reported result.

An appeal is a process through which ASDAN may be challenged on the outcome of an enquiry about results, or where appropriate, other procedural decision affecting a centre or individual candidate.

Dissatisfaction with any other aspect of ASDAN's products or services may be addressed through ASDAN's Customer Complaints procedure.

As an approved awarding organisation ASDAN has confirmed with the regulatory authorities that it complies with the requirements of the Conditions of Recognition.

All centres must have an enquiries and appeals procedure available to their candidates. A centre's own procedures must be applied before any enquiry or appeal is submitted to ASDAN.

## Stage One: Enquiries about results

Centres may request:

- A clerical check may be requested by telephone or email. This is normally a review of the external moderation decisions affecting candidates' results, or, where appropriate, other decisions affecting centres or candidates. In many cases a telephone conversation or email exchange will be sufficient to clarify moderation decisions or feedback and satisfy the centre.
- A formal enquiry must be made by submitting an Enquiry Request form. The Compliance Manager will acknowledge receipt of the enquiry within five working days, carry out a more detailed investigation to answer the enquiry, involving consultations with appropriate staff, and provide the centre with a written response within ten working days.
- Re-moderation of portfolios, to check that all parts of the portfolio have been examined against appropriate standards and recorded, and any adjustments and special consideration correctly applied. The outcome will be notified in writing together with a report of findings for each unit included in the enquiry. Re-moderation is carried out by a Principal or Senior External Quality Assurer, who is not the External Quality Assurer who made the original decision.

## Stage Two: Appeals

Where a centre/candidate is not satisfied with the outcome of Stage One of the Enquiry and Appeals process, it may appeal to ASDAN to review the centre's/candidate's evidence, where a centre believes ASDAN has not applied its procedures consistently, properly or fairly. Appeals may also be made against other decisions affecting centres and individual candidates, such as:

- ASDAN's decision to reject an application for Centre Approval
- the contents of a centre moderation or visit report
- ASDAN's decision to decline a request for special arrangements/consideration
- ASDAN's sanction as a result of malpractice, misconduct or maladministration
- the outcome of any ASDAN investigation into a complaint raised by the centre

Applications for appeals may be refused on the following grounds:

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- The centre has not met the procedural requirements for an appeal
- The centre has not met the required timescales
- Other relevant process has not first been completed (e.g. centre's internal procedures, Enquiry about results)

The case and evidence presented will be reviewed by, as appropriate, ASDAN's Head of Qualifications and Quality and/or Compliance Manager, an auditor, External Quality Assurer or other relevant person and an independent person who has no connection with ASDAN.

The review may include, as appropriate, re-moderation of portfolios, a discussion with the centre or candidate and ASDAN personnel, a request for further information from the centre, candidate or ASDAN personnel or a visit to the centre by authorised ASDAN personnel. The Panel may request that centre personnel attend a hearing, which will be held at ASDAN premises during office hours. The appellant may be accompanied by a representative if they wish.

### **Stage Three: (Independent Review)**

Where a centre/candidate is not satisfied with the outcome of the decision made at Stage Two of the Enquiry and Appeals process, they may request arrangements for an Independent Review Panel. In this case the appeal will focus on whether the awarding organisation used procedures consistent with the regulatory authorities, and whether those procedures were applied properly and fairly in making judgements. All members of the Panel will be independent and not affiliated with ASDAN.

The Independent Review Panel members is convened by the Head of Qualifications and Quality. The members will comprise Regulatory staff from other Awarding Organisations as listed by the Federation of Awarding Bodies (FAB). The decision of the Independent Review Panel is final.

Information on fees for enquiries and appeals is outlined separately in ASDAN's Pricing and Fees document. There will be no charge where an appeal is upheld.

### **The following procedures apply for enquiries and appeals:**

1. A particular issue is identified within a centre regarding awarding organisation decisions. Following internal consideration a decision is made to make a request for a clerical check to the awarding organisation. A clerical check is carried out by the Compliance Manager and a response made at the latest within 5 days of the initial contact.
2. A decision may be made in a centre to make a formal enquiry. Formal enquiries are made in writing to the Compliance Manager by submitting an Enquiry Request form. Enquiries must be sent as early as possible following awarding organisation decisions, and at the latest four weeks after external moderation decisions have been received by centres.
3. Once received by ASDAN details are recorded on a proforma and acknowledgement sent within five working days. The enquiry is logged for monitoring and held in a designated file.
4. Investigations are made to answer the enquiry, involving consultations with appropriate staff and a response provided in writing within ten working days.
5. A decision may be made in a centre to request re-moderation of sample portfolios by an independent External Quality Assurer. The request is made in writing to ASDAN's

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Compliance Manager, who will liaise with the centre and the independent External Quality Assurer on collection and delivery of the portfolios.

6. A decision may be made in a centre to make an appeal against the outcome of an enquiry into results, or another decision affecting centres and individual candidates. Appeals must be made in writing to an ASDAN Compliance Manager, using the appropriate form (Request for Appeal against Results or other Awarding Organisation Decision and Independent Review). Applications for appealing a decision must be sent as early as possible following awarding organisation decisions and at the latest four weeks after relevant decisions have been received by centres.
7. If candidates wish to appeal against internal assessment decisions they must proceed in line with the centre's own policy. Candidates will be expected to provide evidence of appealing to their own centre. Only if they are not satisfied by the outcome of an internal appeal should a candidate approach ASDAN. The first point of contact is the Compliance Manager. Any such appeal must be made before any external moderation is completed. Any charges will be subject to the nature of the investigation but will be notified if a cost to the centre/candidate is to be incurred.
8. Once received by ASDAN details are recorded on a proforma and a written acknowledgement sent within five working days. Candidate appeals are logged for monitoring and held in a designated file.
9. Applications to appeal against the result of an enquiry about results or other decision affecting centres are discussed with the Review Panel which will include an independent member who is not an employee or assessor working for or otherwise connected to ASDAN, ASDAN's Head of Qualifications and Quality and Compliance Manager. The panel will investigate the appeal and centres and/or other relevant persons will be informed in writing of the action or decision (recorded on pro forma) within four weeks of the receipt of the application.
10. Applications are raised as part of a standing item at a Quality Assurance Managers' Meeting, logged for monitoring and held in a designated file.
11. If the decision is not straightforward and cannot be made without further consultation, advice will be sought from other bodies, e.g. Federation of Awarding Bodies, Ofqual and/or other regulatory bodies. In the event of continued consultation, acknowledgement is sent to relevant parties. Centres are informed of final decisions in writing as soon as possible.
12. If the centre is not satisfied with the findings of the Appeals Panel, they have the right to request an Independent Review to question whether the awarding organisation has used appropriate procedures and applied them properly and fairly in arriving at judgements. (Stage Three) All members of the Panel will be independent and not affiliated with ASDAN.
13. The whole process of enquiry and appeal is monitored through proforma, and reported on as a standing item on QA Managers Meeting agenda to establish whether there are common or recurring issues which may have an effect on centres. Where any such issues

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are identified, ASDAN will notify registered centres of the findings and provide recommendations for mitigation.

14. The Head of Qualifications and Quality will provide quarterly reports to Trustees on the number and nature of enquiries and appeals, and their outcomes and make them available to the regulatory bodies on request.
15. Details of enquiries and appeals are archived to individual centre files, with pro forma retained in a designated file for monitoring.
16. If the outcome of an appeal affects the results of other candidates, appropriate action will be taken to protect the interests of those candidates and the integrity of the qualification, including where necessary the revocation of certificates.
17. If the outcome of the appeals process leads ASDAN to discover a failure in its assessment process, all reasonable steps will be taken to identify any candidate that has been affected, correct or mitigate as far as possible the effect of the failure and ensure that the failure does not recur in the future.
18. Where instances such as malpractice or other circumstances that may lead to an adverse effect are identified through these procedures, the regulators and other relevant AOs who may be affected will be informed.
19. ASDAN's policy and procedures for Enquiries and Appeals will be reviewed annually to ensure compliance with the requirements of the regulatory authorities, and to ensure that any failure discovered in the assessment process of another awarding organisation and notified by the regulators will not affect ASDAN's own assessment process.
20. ASDAN may need to access confidential information. We will ensure that such information is kept secure and only used for the purposes of the investigation and in line with relevant data protection legislation. We will not normally disclose the information to third parties unless required to do so, eg to our regulators and / or the police or other relevant and / or statutory bodies.