

Appeals Policy and Procedure

1. Purpose

This policy outlines the valid grounds for an appeal, the level of authority and responsibility of all parties involved in an appeal, the procedure followed and the normal timescale for each stage of the appeal process.

2. Scope

This policy applies to all Gatehouse Awards (GA) Approved Centres which offer, and candidates who take a GA qualification, regardless of level, subject or type, including unregulated qualifications. Appeals relating to individual centres or candidates by unauthorised third parties will not be dealt with through this procedure. Individual Candidates may appoint and authorise a third party to submit and oversee an appeal. Authorisation of the third party should be clearly communicated to GA using the *Appeal Authorisation Form* below (Appendix 2).

This Policy document covers appeals from:

- candidates in relation to an assessment decision made by a centre ('internal assessment')
- candidates and/or centres in relation to an assessment decision made by GA ('external assessment')
- candidates and/or centres in relation to a GA decision regarding a reasonable adjustment or special consideration
- candidates and/or centres relating to decisions and/or sanctions and any action(s) taken following an investigation into malpractice or maladministration or undeclared conflict of interest
- centres in relation to any decisions taken by GA in relation to the centre's non-compliance with the Criteria for Centre Approval, Re-Approval, Criteria for Qualification Approval or individual qualification requirements.

3. Definitions

An appeal is a request for a review of a decision. An appeal differs from a complaint, which is considered under the GA Comments, Compliments and Complaints Policy. A complaint is defined as a formal expression of dissatisfaction made by a candidate, centre or member of the public.

Wherever **GA** is referenced in this policy this defines Gatehouse Awards Ltd in the UK.

Wherever a **GA Representative(s)** is referenced in this policy, this defines a GA-nominated organisation which operates in a specific territory on behalf of GA.

Wherever a **centre** is referenced in this policy, this defines the organisation responsible for conducting the direct delivery of GA qualifications (including any satellite centres).

Wherever a **candidate** is referenced in this policy, this defines an individual learner registered for a GA qualification.

4. Authority and Responsibility

It is the responsibility of the Head of Centre to ensure that all relevant staff are aware of this Policy. Centres are accountable for ensuring that all appeals from candidates are dealt with in accordance with this policy.

Any candidate or group of candidates intending to submit an appeal of any type should initially follow the centre's internal appeals process. The centre must ensure that candidates are given access to the centre's internal Appeals Policy. The centre policy must reference the escalation process to this Appeals procedure.

Please note, no appeals against internal centre decisions will be accepted by GA or a GA Representative without evidence that the internal appeals process has been exhausted.

Wherever a centre model is operated, if a candidate or group of candidates is appealing against a decision which has been taken by GA, they should ask the centre to make the appeal on their behalf.

In instances where the centre model does not apply, a candidate or group of candidates may appeal directly to GA and/or the GA Representative.

In territories where a GA Representative operates, an appeal must be submitted in writing, via email, to the relevant GA Representative in the first instance. The GA Representative will act as the in-country liaison between GA and the appellant.

Where an appeal is received in a language other than English, the GA Representative is responsible for ensuring that accurate information regarding the content of the appeal is provided to GA.

Any third party, acting on behalf of a candidate or group of candidates (for example, an employer or school not holding approved centre status with GA), may also submit an appeal to GA, provided that the *Appeal Authorisation Form* has been submitted (Appendix 2). The form must be signed by the candidate in accordance with the General Data Protection Regulations (GDPR) and other relevant privacy legislation and regulations.

5. Commitment to Fair Dealing

It is GA's policy to make every effort to resolve any appeal quickly, efficiently and fairly. We will carry out a review of the procedure at least every two years and revise it, if necessary, in response to centre and candidate feedback or requests from, or good guidance issued by, the regulatory authorities, including a need to align with any appeals processes established by the regulatory authorities.

6. Fees for Appeals

GA operates a two stage Appeal process (see Section 8 below) with different fees applied for each stage and which are appropriate to the level of administration and cost incurred by GA at that stage, relating to the nature and type of appeal.

All fees are refundable if the overall appeal is upheld.

All fees are per appeal and are required to be paid in full and must be paid at the time of submitting the appeal, regardless of the type of appeal.

Fees for appeals must be made in GBP. GA is not responsible for any additional charges applied for currency conversion fees, banking fees or any other fees which an individual may incur in making the appeal payment.

Fees should be paid via Paypal to accounts@gatehouseawards.org and the payment reference MUST include the Candidate Reference Number.

If an appellant does not have a Paypal account, please indicate on the Appeal form that an invoice from GA is required.

Appeal	Fee (UK only)*
External Assessment Appeals	
Appeal against external assessment decision: Stage 1 (re-marking/re-moderation)	£100 (per examination component)
Appeal against external assessment decision: Stage 2 (independent review)	£350
Internal Assessment Appeals	
Appeal against internal assessment decision: Stage 1 (additional external moderation)	£350 (requiring a centre visit) £100 (per examination component for externally set examinations)
Appeal against internal assessment decision: Stage 2 (independent review)	£350
Non-Academic Appeals	
Non-academic appeal against a decision made in relation to a centre (e.g. against a sanction): Stage 1 (re-evaluation)	£350
Non-academic appeal against a decision made in relation to a centre (e.g. against a sanction): Stage 2 (independent review)	£350
Non-academic appeal against a decision made in relation to an individual candidate (e.g. reasonable adjustment decision or decision to disqualify): Stage 1 (re-evaluation)	£100 per candidate**
Non-academic appeal against a decision made in relation to an individual candidate (e.g. decision to disqualify): Stage 2 (independent review)	£350 per candidate**

*Fees for centres and candidates outside the UK may vary. Please contact GA or the local GA Representative office in your country for further information about pricing and fees for appeals.

**Where an appeal is received on behalf of a group of candidates, fees may vary depending on the number of individual candidates.

Fees for appeals in territories where a GA Representative is appointed should be paid directly to the Representative organisation unless otherwise indicated.

7. General Procedure for Raising an Appeal

Whilst there are slightly differing procedures depending on the nature of the appeal, there are some basic principles which must be adhered to:

- All applicable fees must be paid at the time of raising an appeal at the relevant level
- All evidence supporting an appeal must be provided at the time the appeal is submitted
- Appeals must be made by an appropriate centre staff member, by the candidate directly, or their representative if they require representation (e.g. if they are under the age of 18 or deemed a 'vulnerable adult')
- Appeals made by a third party must be submitted with the *Appeal Authorisation Form* below (Appendix 2)
- All appeals must be made in writing, via email (please request a 'Read Receipt'), to compliance@gatehouseawards.org within 20 working days of the initial decision being received
- Appellants must adhere to the timescales laid down in this policy unless prior agreement has been provided, in writing, by GA

The appeal must state which of the following categories it falls under:

- an External Assessment Appeal
- an Internal Assessment Appeal
- a Non-Academic Appeal in relation to a centre
- a Non-Academic Appeal in relation to an individual candidate

Appendix 1 of this document provides the Appeal Form appellants must complete and submit.

The appeal must include all relevant information pertaining to the reasons for the appeal which may include, but not be limited to:

- any errors or omissions you feel GA has made in its process or procedures
- evidence or information not provided when an assessment was first submitted or results claimed (together with a reason as to why it was not provided earlier)
- mitigating circumstances which you feel should be taken into consideration

GA or a GA Representative will not refuse to accept any reasonable appeal made within the set timescales. For the avoidance of doubt, decisions which may be appealed against are normally issued via email, (with a Request for a 'Read Receipt'), but are considered as received by the other party on the **first business day following issue**, unless a notification has been received by GA that the email has not been delivered.

8. Stages of an Appeal

GA operates a two-stage appeals process, regardless of the reason for the appeal, including access to an independent review for all appellants.

8.1 Stage 1: Review with a Report

GA will assign an appropriate person, the Reviewer, to review the process that has been carried out, ensuring that the procedures up to that point have been followed correctly, fairly and fully, and that they are consistent with the regulatory criteria.

A Reviewer is an individual who is suitably experienced to undertake the Stage 1 Review, i.e. a Moderator or External Quality Assurer, who has not been previously involved with any decision(s) that has resulted in the appeal.

The Reviewer will reach a decision usually **within 20 working days of the appeal being received, including all the relevant information and the applicable fee.** However, should the Reviewer require more time, the appellant will be informed of this and given a new timescale. When the Reviewer has completed their review and come to a decision, they will provide a written report, including the rationale for the decision.

There are two possible outcomes:

- Appeal upheld: because the correct processes, procedures and/or policy documents were not followed.

**NOTE: in regard to an appeal which is upheld in respect of an external assessment decision, the overall result and the results of other candidates may be affected (see section 9).*

- Appeal rejected: rejection of the grounds for appeal with clearly stated reasons.

If the appeal is upheld, GA will also be responsible for ensuring that any relevant feedback is provided to the member of staff involved in the original decision making.

If the appeal is rejected, the appellant is informed that they may, **within 20 working days of receipt of decision**, ask for the appeal to be referred to Stage 2.

8.2 Stage 2: Independent Review with a Report

Whilst the majority of appeals are normally resolved at Stage 1, if an appellant is not satisfied with the outcome of Stage 1, they have the right to have the case escalated to Stage 2.

Stage 2 involves an independent review of the decision and information and evidence received as part of the appeal.

An Independent Reviewer is an individual who is suitably experienced to undertake the Stage 2 Review and has not been previously involved with the original decision, the Stage 1 Review, or is not employed by or connected with GA.

The Independent Reviewer will be provided with access to all relevant information and documentation regarding the appeal case, including all correspondence between GA and the appellant. When the Independent Reviewer has completed their review and come to a decision, they will provide a written report, including the rationale for the decision to GA.

The Stage 2 Independent Reviewer's decision is final, and the appellant will be informed of the outcome of the review **within 30 working days of the Appeal being received, including all the relevant information and the applicable fee.** If the Centre and/or candidate(s) remain dissatisfied with the outcome they are entitled to raise the matter with the relevant regulatory authority (applies to regulated qualifications only - see Section 11).

There are two possible outcomes:

- Appeal upheld: the overall result may be adjusted (or an offer of re-assessment made if this would be appropriate) and the results of other Candidates may be affected (see section 9)
- Appeal rejected: rejection of the grounds for appeal with clearly stated reasons.

If the Appeal is upheld, GA will also be responsible for ensuring that any relevant feedback is provided to the member of staff involved in the original decision making.

GA will not accept an appeal against any decision that has previously been appealed in line with this policy or an appeal against the outcome of a Stage 2 appeal.

9. Impact on Results Following an Upheld Assessment Decision Appeal

In any case where an appeal against an assessment decision is upheld (at any stage of the process), or where an investigation following the identification of an incident, or as a result of notification from the Regulator, indicates a failure in the assessment processes of GA, the Assessment Manager will be responsible for ensuring an internal investigation is carried out. The investigation will determine whether the decision to overturn the original decision as a result of the appeal process has had a wider ranging adverse effect, and if so, how it can be mitigated. This investigation will consider whether any other candidate has been affected by the failure and what steps need to be taken to correct the failure and ensure that the failure does not recur in the future.

10. Notifications to the Regulator (Ofqual)

Where GA has administered the appeals process and has identified any adverse effect or incident which could lead to further adverse effects such as a failure in the assessment process, the Responsible Officer for GA will promptly notify the Regulator, Ofqual, as per Condition B3.

Where this has indicated failures by a specific centre which implies an issue of potential malpractice, GA will implement the *Malpractice and Maladministration Policy*.

11. Right of Escalation to Ofqual (applicable to Ofqual-regulated qualifications only)

Should an appellant be dissatisfied with the final outcome of an appeal, they may then further escalate the appeal and ask Ofqual to review the case. Ofqual can be contacted in writing at the following address: Ofqual, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH.

Document Specification:	
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Links to Ofqual GCR:	I – Appeals and Certificates
Other relevant documents:	<ul style="list-style-type: none"> Gatehouse Awards Candidate Access Policy and Procedures Gatehouse Awards Centre Handbook Gatehouse Awards Comments, Compliments and Complaints Policy Gatehouse Awards Conflict of Interest Policy Gatehouse Awards Governing Body Terms of Reference Gatehouse Awards Malpractice and Maladministration Policy Gatehouse Awards Sanctions Policy Gatehouse Awards Centre Assessment Standards Scrutiny (CASS)

Appendix 1 - Stage 1 & 2 Appeal Form

All fields are mandatory for completion; any incomplete form will be returned. Please complete one form per appeal along with any supporting documentation and the appropriate fee.

Appeal Stage 1 Appeal Stage 2 (Please tick the appropriate box)

Centre or Organisation Name and / or Number			
Details of person(s) submitting the appeal. If you are a third party appealing on behalf the candidate(s), please state this at the side of your name, and ensure Appeal Authorisation Form is signed by the candidate(s) and submitted with the appeal.			
Name:			
Email Address:			
Gatehouse Awards Qualification Title: (if applicable)			
Type of Appeal (please tick the appropriate box):			
External Assessment Decision(s)	<input type="checkbox"/>	Non-Academic Decision(s) (centre)	<input type="checkbox"/>
Internal Assessment Decision(s)	<input type="checkbox"/>	Non-Academic Decision (individual candidate)	<input type="checkbox"/>
Candidate(s) affected by the appeal (if applicable):			
Please provide full details of why the appeal is being submitted (<i>please continue on a separate sheet if necessary</i>):			
Details of supporting evidence provided (if applicable): <i>*NOTE: please ensure all supporting evidence is submitted along with the appeal</i>			
I confirm I have paid the correct appeal fee via Paypal to accounts@gatehouseawards.org quoting my GA Candidate Number	<input type="checkbox"/>	I require an invoice sending by email in order to pay the appeal fee	<input type="checkbox"/>

DECLARATION: I am satisfied that the information provided is accurate and fully supports the appeal request.

Signed:		Date:	
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Appendix 2 – Appeal Authorisation Form

This form **must be** signed by the candidate¹ where a representative is appealing on their behalf. Submit this form with the relevant appeal form.

Note: if you are an Approved Centre or a candidate submitting a direct Appeal, this form is not applicable.

To whom it may concern

I authorise the following representative to submit this appeal on my behalf:

Representative Name	
Signature	
Organisation name (if applicable)	
Relationship to Candidate	

Candidate Name	
Candidate Signature	
Date	
