



**ETC Awards Limited**

EPA Appeals Policy

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## Introduction

This document sets out our appeals policy and is aimed at all End Point Assessment (EPA) customers including those who we may come into contact with as potential customers or customers of our formal customers. It also sets out the process you should follow when submitting appeals to us and the process we will follow when responding to appeals. It is used by our staff to ensure they deal with all appeals in a consistent manner

The intended audience for this policy is:

- ETA staff
- All staff in ETA Centres
- Providers
- Learners
- Employers
- Qualification Regulators

## Review arrangements

ETA will review the policy annually as part of its self-evaluation arrangements, and revise it as and when necessary in response to provider, employer and apprentice feedback. In addition, the External Quality Assurance Organisation / Regulator may require us to change our Appeals Policy to comply with their requirements, or issue good practice guidance which leads us to make amendment

## Our Responsibility

All ETA staff involved in the end point assessment must be aware of the contents of this policy.

End Point Assessment Organisations must have their own internal appeals process available to learners, training providers or employers should they wish to appeal against a decision made following an assessment. If an individual wishes to appeal against a decision taken by the organisation, they must follow this process when bringing the matter to the attention of ETA.

## Provider / Employer responsibility

It is the provider / employer's responsibility to ensure that all staff involved in the management of ETA's EPA are fully aware of the contents of this policy.

It is also the responsibility of the provider / employer to ensure that the apprentice is aware that there is an Appeals Policy available, should there be a need to appeal the results of an EPA.

## What this Policy Covers

This Policy covers:

- Appeals relating to an assessment result or decision.
- Appeals relating to ETA's decision to decline the request for reasonable adjustment or give special considerations.
- Appeal relating to the decision by ETA to take action against them following an investigation into malpractice or maladministration.

**NB:** Appeals can only be made on the basis of ETA not having applied its procedures consistently and fairly or not having followed them correctly

## Before you appeal

Learners who wish to appeal about their assessment results or about a related decision should either be supported by their training provider or employer. It is expected that learners will only appeal directly to us in exceptional circumstances. Training providers or employers that appeal on behalf of their learners must ensure that they have obtained the written permission of the candidate(s) concerned as grades/results can go down as well as up as a result of an investigation. You should request written permission from the apprentice and provide this as part of your supporting information.

## Raising an Appeal

Following a decision made by ETA and notified to the learner, the Provider, Employer (and apprentices where appropriate) has 7 days to raise an appeal. All evidence relating to the assessment must be retained and available for examination.

All appeals should include the following information:

- Training provider/employer details including contact name and address
- Date(s) the training provider, employer or learner received notification of ETA's decision
- Full nature of the appeal (including supporting documents)
- The learner's name and registration number (if appropriate)
- Title and number of the qualification, or Standard No. (if appropriate)
- Contents and outcome of any investigation carried out by the training provider/employer.

Receipt will be acknowledged within 3 working days.

Appeal details must be completed and submitted by email to [epa@eta-gms.com](mailto:epa@eta-gms.com) with 'Appeal' in the subject header. Please ensure any supporting information is submitted at the same time.

## Informal Review

The Head of End Point Assessment will review the appeal and evidence impartially, to establish whether there is sufficient evidence available to resolve the appeal. If it is deemed appropriate due to the Head of End Point assessment having a potential conflict of interest, an independent consultant who is not an employee of ETA will be appointed.

The initial review will consist of ensuring the appeal documentation is complete and ETA processes have been followed prior to the formal review taking place.

This initial review will be completed within 7 working days after which ETA will advise of the outcome, which will be either to:

- Revise the original decision due to the evidence or rationale that has been provided within the appeal
- Uphold the original decision and therefore confirm that the appeal will proceed to the Formal Review stage

**NB:** It is possible for the learner to withdraw the appeal at this stage and if they wish to do so, they must advise ETA within 3 working days as ETA will look to instigate the Formal Review immediately following advising one of the decisions above.

## Formal Review

A full investigation of the situation will be undertaken, and all relevant documentation and evidence will be reviewed in order to inform the final decision which will be advised within 21 days of the informal review being completed. On occasions it may be necessary to extend the period of time due to availability and in the case of a visit, travel arrangements being made. If this is the case, updates on the timescale anticipated will be provided on a regular basis.

The final decision will always be made by the Responsible Officer in conjunction with an Independent Reviewer. This will be someone who is not in the employ of or contracted to ETA in any capacity and has no actual or perceived conflict of interest. They will be someone with the relevant competence to make the decision in relation to the appeal although in some cases it may be necessary for them to seek specific technical advice and support in making that decision.

All of the evidence available in regard to the appeal will be reviewed to ensure that ETA has applied its procedures fairly and consistently. In order to do this, it may be necessary for the reviewer to:

- undertake a training provider/employer visit
- request further information from either or both parties
- have a discussion with any individual relevant to the appeal

This decision will be final and will be communicated with a full rationale as to the final decision.

## Taking an appeal further

Should it be felt that there is still a case for appeal, the matter should be raised as a complaint with the relevant External Quality Assurance Organisation or regulator (Ofqual). These organisations will have a formal procedure in place to handle complaints.

## Successful appeals and issues raised by the Regulator

Where an appeal has been successful, or where a review following notification from a regulator indicates a failure in our processes ETA undertakes to take any appropriate action which could include:

- Reviewing and amending policies and procedures to ensure the failure does not occur again
- Mitigating the effect of the failure as far as possible
- Identifying any other learners who may have been affected and take appropriate corrective action
- Co-operating with the regulators as required by them and agree any appropriate action

## Fees

In all cases, if an appeal is upheld, the fee will be refunded, however it is necessary for the fee to be paid prior to it progressing to Formal Review stage.

**NB:** If the fee is not paid within 7 days of the outcome of the Informal Review, the appeal will automatically be closed.

Appeal type	Fee (£)
Assessment decision	65
Reasonable Adjustment or Special Considerations	100
Action taken following a malpractice or maladministration investigation	150