



Your Learning Voice CIC

Appeals Policy

1 Purpose

This policy forms part of NCEF's quality assurance arrangement allowing you to outline your views or grievances in relation to a decision or action Your Learning Voice CIC has taken.

1.1 Scope

This policy relates to all awarding and end point assessment operation within and across NCFE.

1.2 Responsibilities/Duties

A designated centre contact with permission from the head of centre is responsible for adhering to this policy, to be read alongside the JCQ appeals booklet. Support is available from NCFE where required to submit appeals. Contact details can be found with the policy.

1.3 Definitions

Word/acronym	Definition
EPA	End point assessment
EPRS	Exam procedure review service
JCQ	Joint council for qualifications

2 Process

Overview of appeals

The purpose of an appeal is to ascertain if we have applied the correct processes, procedures, and policies in a fair and consistent way.

2.1 Appeals exclusions and restrictions

This appeals procedure will not comprise:

- A reassessment of external assessments

- A review of assessment decisions
- A review of the content of external quality assurance visit reports
- An external quality assurance visit
- A change to a decision/sanction imposed.
- A change to the centre's approval status

2.2 Appeal acceptance criteria

This list below details what types of appeal we'll accept:

- Outcome of an enquiry about results and an assessment decision.
- Outcome of an application for reasonable adjustments or a special consideration.
- Outcome of a maladministration or malpractice investigation
- Outcome of a decision to impose a sanction resulting from a malpractice or maladministration investigation.
- Outcome of a review of an appeal (stage 1) decision
- Termination of product and centre approval status for maladministration or malpractice, or termination for breach of the centre agreement.

2.3 Who can submit an appeal?

Your Learning Voice CIC should submit an appeal on behalf of a learner or a group. Any other party who wants to be part of a case must inform us by writing which must include who and what your credentials are and Your Learning Voice CIC's interests in it.

3. Stages of an appeal

There are two stages of an appeal, which we make available; these are:

3.1 Stage 1 – Preliminary Review

The first stage of a staff from NCFE will be appointed to handle this case. The staff have expertise with processes, procedures and policies. It takes 30 working days. Your request must be written and if your application does not include sufficient information or evidence, we'll inform you in writing and include a final deadline for the submission.

3.2 Stage 2 – Appeal Hearing

The independent appeal committee must be minimum of two people to handle the case. A member from Your Learning Voice CIC and a member from NCFE staff who wasn't part of the first stage 1. It takes 15 working days.

3.3 Fees

A fee to cover the administrative costs at each stage of the appeal will be charged in line with Your Learning Voice CIC fees.

3.4 Stage 1 – Preliminary Stage

3.4.1 Appeal acceptance

The decision on whether to accept the application for an appeal is based on:

- When the appeal submitted falls within our acceptance criteria
- If there is sufficient evidence that our relevant processes, procedures, and policies have not been consistently and fairly applied.
- If any other documents have first been completed
- If learners or centre maladministration or malpractice has occurred in relation to the process or appeal
- The timescale of the application. If we reject an application, the reason will be provided with 5 working days.

3.4.2 Timescales following the acceptance of an appeal application.

We aim to action and resolve review of an appeal within 20 days of acceptance. Please remember in some cases, where the independent is not available within a time frame, the application may take longer than the twenty working days. We will update Your Learning Voice CIC of the timescale and the reason.

3.4.3 Appeal Review

- Any readily available awarding organisation precedents
- Any readily available regulators advice on similar matters
- If we've properly and fairly applied our relevant policies

3.4.4 Appeal Outcome

An appeal outcome letter will be sent via email to your designated centre of the 5 working days if decision making is made. Note it can either be upheld or rejected.

3.4.5 Appeal Upheld

If the stage 1 review found that we had not correctly applied our processes or procedures, an appeal outcome letter via email which will include remedial action to be completed.

3.4.6 Appeal Rejected

If all policies, processes were applied correctly in a fair way, we'll send you an appeal outcome letter via email which include information on how to submit an appeal.

3.5 Appeal hearing

An independence appeals committee will be established to ensure there is additional level of independence.

3.5.1 Submitting an appeal to the independent appeals committee.

You have the right to submit the appeal to independence committee following the completion of the stage 1 appeals. Your request must be written if your application does not include sufficient information or evidence. We'll inform you in writing and include a final deadline for submission.

3.5.2 Appeal acceptance

The decision to whether accept the application for an appeal is based on.

- If the stage 1 appeal is completed
- If the timescale of the application is in accordance with section 2.2
- If you have supplied evidence that our relevant processes, procedures, and policies.
- If the appeal submitted falls within the acceptance criteria

If stage 2 application is rejected, the reason is provided in writing within 5 working days. The same way it is accepted, you will receive it in the next 5 working days.

3.5.3 Appeal hearing

The purpose of the independent appeals committee meeting is to consider your appeal application and support evidence from both parties to determine reasonable doubt. The appeal committee will consider all evidence the stage 1 appeal. They will aim to make unanimous decision when determining the outcome of the appeal.

3.5.4 During the appeal hearing

The independence appeal committee may require representation from both parties to attend the appeal hearing either in person or via telephone. This will enable the members of the committee to question representatives from both parties.

In an appeal related to malpractice, the committee will consider on the balance of probabilities, whether there is sufficient evidence to support the findings of malpractice and how appropriate the original penalty or sanction was in the light of the JQC malpractice regulations, awarding body precedents and any additional information provided by the appellant or awarding organisation.

Last Modified on the 01/01/2025

Next Review date: 01/01/2026