

Appeals concerning BTEC and Edexcel NVQ Qualifications

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Policy

04/07

Appeals concerning BTEC and Edexcel NVQ Qualifications

Of interest to:

- Curriculum managers
- Exam officers
- Heads of centres
- Heads of departments
- NVQ training and assessment managers
- Programme leaders
- Quality nominees
- Teaching staff
- Training providers

Qualifications:

- BTEC Customised Framework
- BTEC Diploma in Foundation Studies (Art & Design)
- BTEC First Certificate and Diploma
- BTEC Higher National Certificate and Diploma
- BTEC Introductory Certificate and Diploma
- BTEC National Award, Certificate and Diploma
- BTEC Short Courses
- Entry Level Certificate (Life Skills/Skills for Working Life)
- NVQ

Policy on appeals concerning BTEC and Edexcel NVQ qualifications

Edexcel will consider an appeal from a centre only after the centre's own internal appeals procedure has been exhausted.

This policy applies only to BTEC and Edexcel NVQ qualifications.

Edexcel will only consider appeals submitted by the Head of Centre/Principal. The following are situations where an appeal can be made:

- the centre disagrees with the outcome(s) from Edexcel's external quality assurance activities
- a centre questions an approval (centre or qualification approval) or a qualification decision (eg malpractice) made by Edexcel
- a learner considers that a decision continues to disadvantage her/him even after the outcome of the centre's internal appeals procedure.

Edexcel expects most appeals from individual learners to be resolved within the centre. Edexcel will only consider an individual learner's appeal after the centre's internal appeals procedure has been fully utilised. An appeal concerning an individual learner must be made through the learner's centre and submitted by the Head of Centre/Principal.

There are three possible stages at which an appeal can be heard:

- stage 1: Quality Review Panel
- stage 2: Quality Standards Panel
- stage 3: Independent Appeals Panel.

For any appeal case that goes beyond stage 2, the Independent Appeals Panel will conduct this final stage of the appeals process. The outcome of the Independent Appeals Panel is final; there is no further right of appeal beyond this stage.

When the outcome of an appeal questions the validity of other results, Edexcel will take appropriate action to protect the interests of other learners and the integrity of the qualification.

Introduction

Links:

- Centre Guidance on Policies and Related Procedures (www.edexcel.org.uk)
- Enquiries about results and appeals (www.jcq.org.uk)

Policy Review:

Review date 2007

Edexcel's quality assurance, qualification decision or approval outcomes are based on impartial, reliable and valid judgements and Edexcel aims to ensure that the decisions affecting centres and learners are processed fairly. Nevertheless, there may be incidents when Edexcel's decisions are questioned. To allow centres to enquire about or appeal to Edexcel against quality assurance outcomes or other decisions, Edexcel has clear procedures for the appellant to follow. All appeals to Edexcel must be authorised by the Head of Centre/Principal. These procedures are included in this policy statement.

For policy on enquiries and appeals relating to GCSE, AS, GCE, AVCE, GNVQ and Key Skills qualifications, see the JCQ website (www.jcq.org.uk) and the Edexcel website (www.edexcel.org.uk).

Guidance on appeals for BTEC and Edexcel NVQ qualifications

Useful contacts:

For more information on Edexcel qualifications please contact Edexcel Customer Services

Tel: 0870 240 9800

You can also visit the Edexcel website: www.edexcel.org.uk

Centres are required to have a centre policy on appeals concerning BTEC and Edexcel NVQ qualifications, and procedures in place to support the centre policy. It is essential that the policy is communicated to staff and learners.

This appeals policy must be read in conjunction with *Centre Guidance on Policies and Related Procedures* (www.edexcel.org.uk). For appeals made against an Edexcel decision, the appeals procedure will focus on whether Edexcel:

- used procedures that were consistent with the requirements of the regulators
- applied the procedures properly and fairly in arriving at judgements.

In respect of assessment outcomes, the appeals process investigates procedures and is not concerned with making judgements about the learner's work. Appeals do not inevitably involve the re-marking or re-assessment of the learner's work but a review of the learner's work may be ordered if the outcome of the appeal authorises such a decision.

An appeal from an individual learner must first go through the internal appeals procedures of the learner's centre before the appeal is submitted to Edexcel. The learner's Head of Centre/Principal is required to submit the appeal on the behalf of the learner to Edexcel. When reviewing an individual learner appeal, Edexcel will consider whether the procedures followed by the centre were consistent with the centre's appeals policy.

Conditions of appeals

Edexcel will only consider an appeal if the following conditions have been met:

- the appeal is submitted to Edexcel in writing by the Head of Centre/Principal and includes the grounds for appeal and any supporting document
- an appeal is submitted to Edexcel once the centre's own internal appeals procedures have been exhausted
- the individual learner remains dissatisfied at the outcome of the centre's internal appeals procedures and wants to pursue the appeal further with Edexcel. In such case the appeal must be submitted to Edexcel in writing by the Head of Centre/Principal and include the grounds for appeal and any supporting documents
- the appeal is submitted to Edexcel within 14 calendar days of the receipt, by the appellant, of the Edexcel decision under question
- a centre notifies Edexcel within 14 calendar days (of the receipt, by the appellant, of the Edexcel or centre decision under question) that an appellant has lodged an appeal with the centre's internal appeals process.

During an appeal, the centre must retain all evidence relating to the appeal case. If the appeal involves the work of a learner(s), the centre must retain the work of the complete cohort. Edexcel will keep all documentation regarding an appeal for a minimum of 18 months. Centres must also keep documentation relating to a centre appeal or an appeal to Edexcel for a minimum of 18 months.

Stage 1: Quality Review Panel

Stage 1 of the appeals procedure involves a review of the appeal, by the Quality Review Panel. The Quality Review Panel will make enquiries based on the nature of the appeal and on this evidence decide if any further work relating to the appeal should be authorised. For the majority of cases, the appeal can be resolved at this stage.

Edexcel will communicate the outcome of the hearing to the Head of Centre/Principal within 7 calendar days of the hearing. A report of the hearing will be sent to the appellant within 28 calendar days of the hearing.

In cases where the appellant remains dissatisfied after notification of the outcome of stage 1, the appellant may progress to stage 2. To progress to stage 2, the Head of Centre/Principal must submit a written request to Edexcel within 14 calendar days of receipt of the outcome of stage 1 or any further work resulting from stage 1, whichever is the later.

Stage 2: Quality Standards Panel

Stage 2 of the appeals procedure involves a hearing by the Quality Standards Panel. The Panel will include in the decision making at least one independent member, who has had no previous involvement with the case.

Stage 2 of the appeals procedure permits the appellants to present their case to the Quality Standards Panel. Further detail on the procedures can be found in *Centre Guidance on Policies and Related Procedures*.

The Panel will consider an appeal for stage 2 provided that:

- the appeal is submitted in writing by the Head of Centre/Principal
- the appeal is submitted within the time limit of 14 calendar days of receipt of the outcome of stage 1 or any further work resulting from stage 1, whichever is the later
- Edexcel's stage 1 appeal process has been exhausted.

Edexcel will communicate the outcome of the hearing to the Head of Centre/Principal within 7 calendar days of the hearing. A report of the hearing will be sent to the appellant within 28 calendar days of the hearing.

Stage 3: Independent Appeals Panel

In the event of stages 1 and 2 being exhausted without a satisfactory resolution, stage 3 of the appeals procedure can be invoked. In stage 3 the case will be put before an Independent Appeals Panel. The chair of the Panel will consider an appeal for stage 3 provided that:

- the appeal is submitted in writing by the Head of Centre/Principal
- the appeal is submitted within the time limit of within 21 calendar days of receipt of the outcome of stage 2 or any further work resulting from stage 2, whichever is the later
- Edexcel's stage 2 appeal process has been exhausted.

The chair of the Independent Appeals Panel will decide if there is an appeal case to be heard. The appellant will be notified within 14 calendar days if the case has been accepted or not. If it has been accepted the Independent Appeals Panel will be arranged and the case will be heard.

Stage 3 is the final step in the appeals process. At stage 3 a final decision will be made regarding the outcome of the initial appeal. The Independent Appeals Panel will communicate the outcome of the hearing to both parties within 7 calendar days of the hearing. A report of the hearing will be sent to both parties within 28 calendar days of the hearing.

Fees

For details on fees for appealing, please refer to the document *Centre Guidance on Policies and Related Procedures*.

If Edexcel decides to uphold an appeal the fee will be returned to the appellant.

If a centre appeals on behalf of more than one appellant and Edexcel upholds all the appeals, the whole of the hearing fee will be returned to the appellants.

If a centre appeals on behalf of more than one appellant and Edexcel upholds only some of the appeals, a part of the fees proportionate to the appeals upheld will be returned to the appellants.

Edexcel reserves the right not to enter into discussions on the repayment of any expenses incurred by the appellant due to the appeal hearing.

Extended Review

Where the outcome of an appeal questions the validity of other results at the centre, Edexcel will take action to protect the interests of other learners and the integrity of the qualification. This may include further review of learners' work. This extended review by Edexcel may, if necessary, be undertaken without consulting the centre or obtaining the learners' consent.

References to third-party material made in this document are made in good faith. Edexcel does not endorse, approve or accept responsibility for the content of materials, which may be subject to change, or any opinions expressed therein. (Material may include textbooks, journals, magazines and other publications and websites.)

Prepared by Samina Khan

Authorised by Steve Besley

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