

Appeals and enquiries about results

Policy and procedures

Please note that there is a separate appeals policy for ASDAN's Level 3 Extended Project Qualification (EPQ)

Contents

Appeals and enquiries about results policy

Effective from:	September 2023
For the attention of:	Heads of Centre / IQA / IM

Policy owner	Policy approver
Compliance Manager	Qualification Manager

Review history		
Date	Version	Reviewed by
November 2018	Draft created and approved	Head: Quality Assurance and Qualifications
November 2019	Version 1	Compliance Manager
June 2020	Version 2 – ERF	Compliance Manager
March 2021	Version 2.1 – VCRF	Compliance Manager
November 2021	Version 2.2	Compliance Manager
November 2022	Version 2.3 – Inclusion of enquiries prior to an appeal	Compliance Manager
September 2023	Version 3 – effective from and next review dates updated to reflect policy review schedule	Compliance Manager
Next review: August 2025	Reviewed by Compliance Manager and approved by Qualification Manager	

Contents

1	Introduction	4
1.1	Enquiries about results	4
1.2	Definition of an appeal	5
1.3	Grounds for an appeal	5
2	The enquiries about results process	6
3	The appeal process	7
3.1	Stage 1: Learner submits appeal to centre	7
3.2	Stage 2: Centre submits appeal to ASDAN	7
3.2.1	Centre responsibilities	7
3.2.2	Grounds for refusal of an appeal application	8
3.2.3	ASDAN responsibilities	8
3.2.4	Outcomes of a review	8
4	Procedure for lodging an appeal	9
5	General appeal rules	10
6	Associated policies and procedures	11

1 Introduction

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

ASDAN has two separate ways in which a result can be questioned.

- **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.

All appeal decisions will be taken by persons who have appropriate competence and who have no personal interest in the decision being appealed, no previous involvement in any marking, moderation or review of moderation regarding an assessment in respect of a learner to which the appeal relates. The case and evidence presented will be reviewed by, as appropriate, ASDAN's Responsible Officer and Compliance Manager, an auditor, External Moderator or other relevant persons.

The key message for appeals is that schools/centres will only have to check for errors and whether their own processes were followed correctly. Then, if pupils want to take the appeal further, the centres can appeal to ASDAN. This will review both the school's processes and the evidence used to determine a student's result to confirm whether the result was the correct one given.

Dissatisfaction with any other aspect of ASDAN's products or services may be addressed through ASDAN's customer complaints procedure. A copy of ASDAN's complaints, compliments and comments policy is available to download from the ASDAN website: asdan.org.uk/policies-regulations-and-centre-guidance

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.

1.1 Enquiries about results

Centres may request:

- 1 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.
- 2 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.
- 3 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.

1 Introduction

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. Please note that there is a cost to re-moderation.

1.2 Definition of an appeal

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

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

Dissatisfaction with any other aspect of ASDAN's products or services may be addressed through ASDAN's **Customer complaints policy** and procedure, available on the ASDAN website: asdan.org.uk/policies-regulations-and-centre-guidance

1.3 Grounds for an appeal

Should the centre or learner feel that an error has occurred, following the release of the results, where either the centre or ASDAN has not implemented its procedures properly, fairly or consistently, an application for appeal may be submitted.

Centres may appeal on the grounds that:

- 4 An assessment error was made when assessing and moderating the learner's evidence.
- 5 ASDAN used the wrong information provided by the centre when reviewing the evidence of all, some or just one of a centre's candidates, including because the centre erroneously submitted the wrong data.
- 6 A procedural error was made when assessments, internal moderation, external moderation was conducted.
- 7 Agreed reasonable adjustments and approved special considerations were not taken into account when the final decision was made.
- 8 The centre was biased or discriminatory when assessing the learner.

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 or 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

There are two stages in an appeal regarding a moderation outcome, the first being that the learner appeals their result to the centre and the second when the centre appeals the ASDAN result.

2 The enquiries about results process

The following procedures apply for enquiries about results:

- 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 Investigations are made to answer the enquiry, involving consultations with appropriate staff and a response provided in writing within ten working days.
- 4 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 Compliance Manager, who will liaise with the centre and the independent External Quality Assurer on collection and delivery of the portfolios.
- 5 The centre may chose to continue to the Appeal Phase if the outcome of the enquiry does not satisfy the centre.

3 The appeal process

Stage 1: Learner submits appeal to centre

Stage 2: Centre submits appeal to ASDAN

3.1 Stage 1: Learner submits appeal to centre

The learner should appeal directly to the centre by using the centres internal appeal policy. Should the centre determine that an error in marking or procedural error was made and as a result the incorrect information was provided to ASDAN, then the centre is obliged to complete the **Appeal request form** listing details of the errors and a request to review the application.

Please complete all internal investigations to resolve an appeal before submitting a request to ASDAN to review the results of the moderation.

3.2 Stage 2: Centre submits appeal to ASDAN

ASDAN will undertake a review of the learner's achievement where an outcome could not reasonably have been arrived at given the evidence generated by the Learner, which was considered for the purpose of the moderation. Further the centre's marking of that evidence, the criteria against which Learners' performance is differentiated and any procedures of the awarding organisation in relation to moderation, including in particular where the outcome of a moderation is based on:

- a) an administrative error,
- b) a failure to apply such criteria and procedures to the evidence generated by the learner where that failure did not involve the exercise of academic judgment, or
- c) an unreasonable exercise of academic judgment

3.2.1 Centre responsibilities

Relevant centre staff must be fully aware of the appeal process, senior members of centre staff must be accessible to candidates immediately after the publication of results so that results may be discussed, and decisions made on the submission of reviews of marking. Candidates must be informed of the periods during which centre staff will be available so that they may plan accordingly. Note that ASDAN will only accept an appeal from the centre and not from candidates or their parents.

All requests for candidates must be submitted (and thus supported by the centre) by an authorised member of centre staff. Before submitting a request, centres should complete all internal investigations into the validity of the claim. It is important that the centre must review the learner's evidence and IQA processes to ensure that no marking or procedural error may have occurred prior to external moderation.

Should a centre error have occurred this must be communicated to ASDAN immediately and ASDAN will determine if the error will result in a change.

3 Stages in the process

Once the centre has investigated the request from the candidate and determined that no centre error was made and the candidate would like to appeal the result, the **Candidate consent form** can be processed and forwarded to the ASDAN Compliance Manager for processing, with the completed **Appeal request form**.

These forms are available to download from the ASDAN website: [asdan.org.uk/policies-regulations-and-centre-guidance](https://www.asdan.org.uk/policies-regulations-and-centre-guidance)

All appeal applications must be communicated to ASDAN within 35 days of the results being issued.

3.2.2 Grounds for refusal of an appeal application

Applications for appeals may be refused on the following grounds:

- The centre has not met the procedural requirements for an appeal (within 35 days of the result being issued and after an internal investigation has concluded).
- Specific information and evidence have not been provided to support one of the five grounds for appeal (see 1.2 Grounds for an appeal)

3.2.3 ASDAN responsibilities

The sample used for external moderation will be reviewed and as such the centre can request the moderation feedback report of the candidates that were included in the sample to review decisions taken in relation to the awarding the results of the moderation.

All requests will be acknowledged within 7 calendar days.

Following a review ASDAN will determine whether an error has occurred, whether the error was the centre or ASDAN's, and if so, will change the outcome of the review to the extent necessary to correct the effect of that error.

Reviewers will not re-mark or re-moderate the learner's evidence. They will only act to correct any errors identified in the original moderation.

The reasons for any determination and any such change will be documented. Where ASDAN identifies that a review has been carried out inconsistently, or not according to the regulatory conditions, the effect of the failure will be corrected, or where it cannot be corrected, mitigated as far as possible, and will ensure that the failure does not recur in the future.

3.2.4 Outcomes of a review

There are three possible outcomes of a review:

- No change to the original decision
- Correction to the original decision
- Centre decision to award reinstated

Centres will be provided with a reason for review outcomes of no change or a correction to the moderator's decision. ASDAN will promptly update achieved units/qualification and, where appropriate, results to correct the effect of any error which is identified, provided that this does not have the effect of lowering a learner's achievement.

4 Procedure for lodging an appeal

The head of centre's decision as to whether to proceed with an appeal is subject to the centre's internal appeals arrangements.

The learner should submit the **Candidate consent form** to the centre should they be dissatisfied with the outcome of the centre appeal process.

Applications for appeal are made in writing to the ASDAN Compliance Manager by submitting an **Appeal request form**.

Centres must request an appeal within 35 calendar days of receiving the outcome of the results being issued.

The application must clearly set out both the grounds of appeal and all supporting documentation. It is important that all relevant documentation is included at this point, as there will be limited opportunities to submit additional information later on in the process. ASDAN reserves the right to produce material in rebuttal of any appeal application.

Once received by ASDAN, details are recorded and acknowledgement sent to the centre **within seven calendar days**.

The appeal will check if the centre has properly, fairly and consistently applied the procedures as identified by the centre on the **Appeal request form**.

Based on the evidence supplied and appropriate internal investigations, a decision will be taken to reject or uphold the appeal, and if upheld, appropriate action will be taken to correct the error. **This review will take no longer than 42 calendar days.**

If the centre is not satisfied with the outcome of the appeal, an application for appeal may be made to Ofqual.

5 General appeal rules

- 1 If the outcome of an appeal affects the results of candidates, appropriate action will be taken to protect the interests of those candidates and the integrity of the qualification, including the revocation of certificates and issuing of replacement certificates which accurately reflect the amended result.
- 2 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 awarding organisations that may be affected will be informed.
- 3 ASDAN's policy and procedures for reviews and appeals will be reviewed annually.
- 4 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 regulators, police, other relevant or statutory bodies).

6 Associated policies and procedures

Document name	Responsible person
Malpractice and Maladministration Policy	Compliance Manager
Centre Auditing Policy	Compliance Manager
Certification Policy	Compliance Manager
Customer Complaints Policy	Compliance Manager
Access Arrangement – Special Consideration and Access Policy	Compliance Manager



© ASDAN September 2023 | www.asdan.org.uk
Wainbrook House, Hudds Vale Road, St George, Bristol BS5 7HY
t: 0117 941 1126 | e: info@asdان.org.uk |    @ASDANeducation