

ASDAN Appeals Policy for Vocational and Technical Qualifications

Effective from March 2021

For the attention of: Head of Centre,
Internal Quality Assurer and Internal Moderator

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Policy owner: Compliance Manager	Current policy date: March 2021
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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.

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/or 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, which 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.

1.1 Definition of an appeal

An appeal is a process through which the Centre may be challenged on the outcome of an external moderation or EQA Review (in the case of a teacher assessed grade – TAG), or where appropriate, other procedural decision affecting a centre or individual candidate outcome.

1.2 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.

In the context of the Summer 2021 Awarding, the learner may appeal the following:

1. An assessment error was made by using incorrect information when assessing and moderating the learner's evidence.
2. 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.
3. A procedural error was made when assessments, internal moderation, external moderation or an EQA Review was conducted.
4. Agreed reasonable adjustments and approved special considerations were not taken into account when the final decision was made.
5. The centre was biased or discriminatory when assessing the learner.

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

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2. Stages in the process

Stage 1: Learner submits appeal to Centre

Stage 2: Centre submits appeal to ASDAN

2.1 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 ASDAN 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/EQA Review.

2.2 Stage 2: Centre submits appeal to Centre

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 or EQA review. 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 judgment¹

2.2.1 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/EQA Review.

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.

¹¹ An academic judgement is what is involved when assessing or moderating. It is possible for different moderators reasonably to reach different judgements. Unreasonableness in academic judgement occurs where the result given is one that no reasonable moderator could properly have awarded.

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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 of stage 2: Centre submits appeal to ASDAN with the completed **Appeal Request Form**. See *addendum 1 and 2*.

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

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 2.2 Grounds for an appeal

2.2.2 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/EQA review.

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/moderate the learner's evidence. They will only act to correct any errors identified in the original moderation/review.

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.

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.

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3. Procedure for lodging an appeal

1. 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 an application form to the center should they be dissatisfied with the outcome of the centre appeal process.
2. 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.
3. Once received by ASDAN details are recorded and acknowledgement sent to the centre within seven calendar days.
4. 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.
5. If the centre is not satisfied with the outcome of the Appeal, an application for appeal may be made to Ofqual.

4. 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 AOs who 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 to our Regulators and / or the Police or other relevant and / or Statutory Bodies.

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Addendum 1: candidate consent form

Candidate consent form and application for an appeal: summer 2021

Information for candidates

The following information explains what may happen following an appeal.

If your school or centre submits a request for an appeal of the original moderation/EQA Review decision after your result has been issued, there are three possible outcomes:

- Your original achievement is lowered, so your final award may be lower than the original award you received.
- Your original achievement is confirmed as correct, so there is no change to your result.
- Your original achievement is improved, so your final result may be higher than the original result you received.

In order to proceed with the appeal, you must sign the form below. This tells the head of your school or centre that you have understood what the outcome might be, and that you give your consent to the appeal being submitted.

Candidate consent form

Centre number:	Centre name:
Candidate number:	Candidate name:
Qualification title:	Qualification level:

Details of the appeal:

I give my consent to the head of my school or centre to submit an appeal for the qualification listed above. In giving consent I understand that the final result awarded to me following the appeal, may be lower than, higher than, or the same as the result which was originally awarded.

Signed (candidate):

Date:

This form should be retained on the centre's files for at least six months following the outcome of the appeal.

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Addendum 2: Appeal request form

1. Details of the applicant – please complete in all cases

Centre name:	
ASDAN Centre Number:	
Address:	
Postcode:	
Name and position of the person submitting the appeal (please print):	
Telephone number:	Email:

2. Details of the candidates applying

Candidate name	Candidate number	Date of certificate

3. Details to support the appeal – please provide supporting information

List the category of the appeal: A – E

<p>A: The centre made an error in marking/procedural without consistently, properly and fairly in arriving at judgements, or applied procedures which are consistent with regulatory requirements and requests a review of the original decision.</p> <p>Please list the specific details of which procedure has not been properly applied, that is being provided to support the appeal.</p>
<p>B: The centre considers that ASDAN has not applied its procedures consistently, properly and fairly in arriving at judgements, or applied procedures which are consistent with regulatory requirements.</p>

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Please list the specific details of which procedure has not been properly applied, that is being provided to support the appeal.

C: The centre considers that ASDAN has made a marking or moderation error.

Please list specific information and evidence that is being provided to support the appeal, using the candidate's work and mark scheme to demonstrate where you believe the marking/moderation error(s) has been made:

D: ASDAN has not considered requests for access or special considerations appropriately.

Please list specific information and evidence that is being provided to support the appeal, using the details provided to ASDAN prior to the external moderation on reasonable adjustments/requests for access/special consideration.

E: The centre feels that the result issued was biased or discriminatory following an investigation into malpractice or maladministration.

Please list the specific details of how the candidate/centre was treated discriminatory or with bias, that is being provided to support the appeal.

Please ensure that this appeal is only sent to the Compliance Manager after the finalisation of the Centre Appeal Process has concluded.

Complete this form with supporting evidence and send it to: compliance@asdan.org.uk within 35 days of the result being issued.