

### **Assessment Appeals Procedure - Apprentice**

Davidson Training aim to give all Apprentices an excellent experience when dealing with us. We welcome your feedback about the service we have delivered and take this forward in a positive manner.

There are many issues that can be dealt with informally however, this policy provides a formal route for dealing with an Assessment decision including the results of examination/online tests decisions with which you disagree.

Davidson Training aims to ensure that all assessments and assessment results are fair, consistent and based on valid judgments. However, it recognises that there may be times when you wish to question a decision. In order to deal with such situations, we have established a process which is designed to:

- Provide a means of reviewing and, where appropriate, revising assessment decisions.
- Be fair to everyone.
- Be readily accessible and easy to use.
- Have realistic target time limits for each stage.
- Keep you and the centre informed of the progress of the inquiry or appeal.

#### **Davidson Training UK Limited aim to ensure that:**

- Making an appeal is as easy as possible.
- The review is conducted in a fair, reasonable and legal manner, ensuring that all relevant information is considered without bias.
- We deal with it as promptly as possible, politely and, when appropriate, confidentially.
- We respond in the right way, for example by giving you an explanation or an apology where we have got things wrong, and letting you know what action we've taken.
- We learn from appeals that been upheld and use them to improve our service.

#### **An enquiry.**

An enquiry is, a lower-level appeal covering assessments conducted by Davidson Training UK Ltd and relates exclusively to a mistake in Assessor/Trainer marking/assessments.

An enquiry cannot be made about a disagreement over a result or when you think the mark should be higher.

This policy relates only to when you have identified an arithmetical error or omission in the marking, so you can ask us to re-check the marks issued. This could involve checking that everything had been marked and that the marks were added up correctly.

Examination results fall into 'An enquiry'.

#### **Examination Results:**

An enquiry about an examination result gives the Apprentice and Davidson Training the opportunity to question the result of an assessment marked by the awarding body, if they believe the marking was inaccurate. It involves someone not involved in the original decision reviewing the assessment decisions and correcting any errors that are identified.

In most cases, Davidson Training will make applications for enquiries on behalf of Apprentices.

However, in exceptional circumstances an Apprentice may also apply directly to the awarding body.

Where the Davidson Training is making the enquiry, they must:

- Get the consent of the candidate before making an application on his/ her behalf.
- Make the candidate aware that his/her grades could be lowered as a result of the Enquiry.

We must request the Enquiry as soon as possible after results are received but no later than 40 working days after the release of results.

- Deadline for applications is 40 working days after the release of results.
- Acknowledgement will be 2 working days after receipt of the application.
- Written outcome will be 32 days of the date of acknowledgement.

The relevant forms are held within Davidson Training IQA Manual.

These are E1 – Centre Form and E2 Candidate Form.

### **Process**

There are two types of Enquiry available depending on the type of examination:

- A clerical check is undertaken for multiple choice question examinations (including evolve tests). The Awarding Body will manually check the candidate's completed answers against the responses held in the system. This will ensure that the candidate's answers have been correctly recorded. The Awarding Body will then check to ensure the correct grade was awarded.
- A review of marking is available for written or practical examinations. The Awarding Body will first complete a clerical check, as described above. An examiner will then re-mark the script.

No special consideration can be applied as part of the Enquiry, even if the candidate experienced a disruption during the exam that was beyond their control.

### **Outcomes**

There are three possible outcomes to an Enquiry:

- The examination result is upgraded (e.g. the grade is changed from Fail to Pass). The Awarding Body will amend its records and send the resulting certificate (if any) to Davidson Training.
- The examination result is confirmed. Where a review of marking has been carried out, the Awarding Body will provide a report on the candidate's performance which will include feedback on any questions where the candidate received less than half the marks available. The examination result is downgraded (e.g. the grade is changed from Pass to Fail).

The Awarding Body will send a notification with details of the outcome to the applicant.

If the examination result is confirmed or downgraded, the notification will include information on how to appeal.

### **How to appeal**

The purpose of an appeal is to identify the correct processes, procedures and policies were followed. The appeal is usually a desk-based process and completed by the awarding body, by people who were not involved in the original decision. They are not usually subject matter experts, but will be experts on all the relevant processes, procedures and policies. The same process is followed for every type of appeal.

The application form must include the reasons for the appeal and details of specific instances where the appellant believes that the Awarding body did not follow the correct procedures in reaching the original decision. Additional supporting documents can be included with the application and must be clearly referenced.

For appeals following an Enquiry, the application form must include details of how the appellant believes that the awarding body did not follow the correct processes, procedures and policy documents during the Enquiry stage.

If the application form does not include the required information it will be returned to the appellant, with details of what information is missing. A deadline will be given for this information to be included. The appellant must respond fully within this deadline or the appeal will not be heard.

- Deadline for applications – 20 working days after the date of notification of the decision.
- Acknowledgement – 2 working days after receipt of completed application.
- Written outcome – 25 working days from the date of acknowledgement.

### ***Restrictions***

Apprentices can only appeal the outcome of an Enquiry about an examination result.

The awarding body will endeavour to resolve enquiries quickly and efficiently.

### ***Process***

A manager (or a committee of managers) not involved in the original decision will review the application, supporting documents and any records relating to the original decision made by the awarding body. All the information (including that provided by the appellant and records kept by the awarding body) will be checked against the relevant procedures and policy documents to confirm the correct procedures have been followed.

### ***Outcome***

After a review of the appeal there are two possible outcomes:

- The appeal is upheld because any one of the correct processes, procedures or policy documents were not followed. The awarding body will send a letter of notification to the appellant which will include proposed remedial action (such as possible clarification of the awarding body's procedures).
- The appeal is rejected because all of the correct processes, procedures and policy documents were followed. The awarding body will send a letter of notification to the appellant which will include information about appealing to the Independent Appeals Board.

## **Assessment Appeals Procedures (other than enquiries)**

### **Scope**

***An Apprentice may appeal against the outcome of an Assessment if they consider that the Assessment has not been carried out correctly. Scope for grounds for appeal may include:***

- Conduct of Assessment.
- Adequacy of the range, nature and comprehensiveness of the evidence required.
- Opportunities available to demonstrate competence.
- Nature and level of guidance offered by the Trainer/Assessor.
- Anything that relates to the way in which the Assessment system has been implemented.
- Administrative shortcomings - for example, inaccuracy in recording your progress or unreasonable delays.
- Inadequate resources - for example, inappropriate or insufficient physical resources, or inexperienced and unqualified staff.
- Shortcomings in the conduct of assessment - for example, non-availability of alternative assessment methods or the use of extraneous criteria by your assessor.
- Lack of equal opportunities - for example, discrimination against your age, gender, race or creed, or other contraventions of Davidson Training equal opportunities policy.
- Results of assessments – decisions made by the Trainer/Assessor.
- Results of assessments – decisions made by the Internal Verifier or Internal Quality Assurance (IQA).
- Results of assessments – decisions made by the External Verifier or External Quality Assurance (EQA) of an Apprentices assessed work.
- Tests Score results in the event of a Fail that you would require re-marking
- An Awarding Body's decision to decline a request for reasonable adjustment, special considerations, or the use of a language other than English, Welsh or Irish.
- Make an Enquiry about an examination result.

### **Out of Scope**

***There are some things that cannot be appealed, essentially:***

- Anything submitted to Davidson Training more than 30 working days after the key date.
- Anything that took place before Davidson Training received the Apprentice's registration or after the Apprentice's registration period has expired.
- Anything involving points of law.
- That is or should be dealt with under an employer's disciplinary or grievance procedure
- Involving another Awarding Organisation.

Davidson Training staff are happy to advise you about these procedures.

Any Apprentice that makes a formal decision to appeal against an assessment decision should not feel that an appeal would in any way jeopardise his/her future assessments.

**An Apprentice wishing to appeal against an Assessment decision should:**

***Stage 1 - Informal Approach***

If you are unhappy with any aspect of your assessment you should in the first instance discuss the matter with your Trainer/Assessor.

This should be done within **five** days of receiving the assessment decision.

If you feel that your assessor has made an unfair judgment or decision about your competence or evidence, you must give clear information about this and relate it to the published standards or the assessment process.

The Trainer/Assessor must consider the reasons and look again at the assessment. He or she must then give the Apprentice a response which must be either:

- I. confirmation in writing that the original assessment decision stands; or
- II. A new decision with an explanation of the reason for the change.

Once the Trainer/Assessor has reviewed the decision they must communicate that decision in writing to the Apprentice within five working days.

The response must be filed either in the IQA Quality file or electronically (as appropriate).

If the Apprentice accepts the Trainer/Assessor response, then the appeal stops at this point.

If the Apprentice is still unhappy with the decision, he/she must tell the tutor within **five** working days of receipt. ***The appeal will move to stage 2***

***Stage 2 - Formal Approach – Written Appeal Notification***

Following notification that the Apprentice is still unhappy with the assessment decision, the Trainer/Assessor must give the IQA the following information within **two** working days of the appeal reaching Stage 2:

- I. the original assessment record and Apprentice's evidence, where appropriate; and
- II. The written explanation and confirmation of the assessment decision.

The Internal Verifier will acknowledge receipt of the appeal in writing within **three** working days and organise for the appeal to be reviewed by an independent panel made up from no less than three suitably qualified Trainer/Assessors. This review will take place within **ten** days of the appeal being received and the Apprentice will be notified in writing of this date.

The assessment decision will be reviewed and the Apprentice notified in writing within **five** working days of the date of the review.

The IQA will reconsider the assessment decision, taking the following into account:

- I. the Apprentice's reason for appeal;
- II. the Apprentice's evidence and associated records;
- III. the Trainer/Assessors reason for the decision; and
- IV. The opinion of another Trainer/Assessor from the centre.

The Lead Internal Verifier must then give the reconsidered decision, in writing, within **five** working days of receiving the appeal, to both Apprentice and Trainer/Assessor.

The Apprentice must tell the IQA and confirm in writing if they are still unhappy with the reconsidered assessment decision within **five** working days of receipt of the decision. If so, ***the appeal moves to Stage 3.***

### ***Stage 3 – Appeals Panel***

If the Apprentice is dissatisfied with the decision after Stage 2, they have the right to go to an Appeals Panel. The staff member who conducted the Stage 2 process must send the following details to the Quality Nominee:

- I. the written explanation and confirmation of the assessment decision
- II. The assessment record sheets and any written comments.

Within ten working days of receiving the appeal, the Quality Nominee will convene an Appeals Panel to hear the appeal. The Appeals Panel will be made up from no less than three suitably qualified Trainer/Assessors. This review will take place within **ten** days of the appeal being received and the Apprentice will be notified in writing of this date.

The assessment decision will be reviewed and the Apprentice notified in writing within **five** working days of the date of the review.

The Apprentice may speak to the Appeals Panel and may be accompanied by an adviser and/or make a written submission. The Trainer/Assessor who made the original decision will be asked to attend the Appeals Panel to answer questions.

The Appeals Panel will then discuss the matter in private and reach a majority decision. All parties will then be informed of the decision. The decision of the Appeals Panel is final, although Apprentices may appeal to the Awarding Body once the internal appeals decision has been completed.

### ***Stage 4***

Where no resolution is achieved, learners can require Davidson Training UK Ltd to submit the work to the Awarding Body who will reassess the work under dispute. This stage of the process will be dealt with in a reasonable period of time, normally 28 days.

### ***Stage 5***

Where a learner is not satisfied, they can further appeal to the Appeals Tribunal of the given Awarding Body.

### ***Stage 6 - External Dispute Resolution - Escalation***

The final appeals route is via the Office of Qualification and Examinations Regulator (Ofqual), at [www.ofqual.gov.uk](http://www.ofqual.gov.uk). They will consider the case and their decision is final.

If you are undertaking non-regulated qualifications you have no further right of appeal against internal assessment decisions. The final decision rests with your centre.

If you have gone through all the stages of Davidson Training UK Ltd internal assessment appeals procedure and remain dissatisfied with the outcome or the way in which we handled your appeal you can appeal to Ofqual if you feel that the centre and/or NVQ (awarding body) has not dealt with your appeal appropriately.

Ofqual cannot overturn assessment decisions or academic judgements but may investigate the effectiveness of the centre and/or NVQ's appeals process and require corrective action.

## Escalation Process

Davidson Training UK Limited have in place an 'Escalation Process' that MUST be followed in the event of a query or complaint with regards to the apprenticeship, including quality.

### STEP 1 - SUBMISSION

Query, complaint, dispute sent directly to Davidson Training UK Limited.  
We will respond within 2 business days.

### STEP 2 - ACKNOWLEDGEMENT

Davidson Training UK Limited send written acknowledgement to the escalating party within 2 business days from the receipt of the escalation case.  
This will include a resolution date within 30 days of receipt of the escalation request

### STEP 3 - RESOLUTION

Davidson Training UK Limited reviews and resolves escalated case within 30 calendar days from receipt of the case from the escalating party.

### STEP 4 - COMMUNICATION

Davidson Training UK Limited notifies Apprentice and/or Employer within 10 business days of the resolution and the next steps.  
The Trainer will review any outstanding items or questions from the escalation party and closes the case as appropriate.

### **Query/Complaints Escalation Process**

Our query/complaints process is designed to encourage the fast and efficient resolution of your issue at the first point of contact. While we will always aim to provide you with excellent customer service, we recognise that you may wish to express dissatisfaction with our products, services, staff or procedures.

During the course of your complaint, we will aim to tailor any proposed resolutions to provide a fair and reasonable outcome to all parties involved. Once accepted, we will aim to deliver our mutually agreed resolution to you within 30 business days, or will expedite where the complaint is urgent.

Please follow the steps below to raise and escalate your query/complaint. In the event that you require assistance with this, our staff at each stage of the process will be more than happy to assist. If you believe your query/complaint is urgent, please see the following section of this page.

#### ***Step 1: First contact***

To begin any complaint, please contact Davidson Training UK Limited through any of the means listed on our contact page in your introductory pack. Calling us is recommended for the swiftest response; email (or postal mail) should be used as a last resort if you have no access to a working phone service.

Alternatively, you may email [sarahcollins@davidsontraining.com](mailto:sarahcollins@davidsontraining.com) and your complaint will be passed to the correct person.

First contacts will be addressed by the Training Operations Manager who is empowered to resolve complex issues and first level complaints and make fair and reasonable decisions. You will receive acknowledgement of your query/complaint within 2 business days if you make your complaint via email or in writing. Please note that query/complaint sent via postal mail are subject to the delivery timeframes of the postal service. For query/complaint lodged in person or via the telephone, acknowledgement can be provided immediately.

#### ***Step 2: Escalating your complaint***

If the Training Operations Manager is not able to resolve a query/complaint, they can escalate it to the Managing Director. In order to ensure that we're able to address your query/complaint effectively, you'll need to provide us with:

A preferred telephone number and/or email address or that you can be reached on during the day

If the Training Operations Manager is unable to resolve a query/complaint to your satisfaction, you can request that they escalate your query/complaint further to the Managing Director. They will review your query/complaint and contact you within 2 business days and attempt to resolve the matter.

We aim to resolve all query/complaints within 5 business days from the date lodged.

Complex query/complaints will be resolved within 30 business days. We will contact you directly to advise and discuss a new timeframe in the event that a resolution may fall outside these timeframes.

### **Step 3: Further options**

You will find the majority of matters can be handled by Davidson Training UK Limited's internal processes and we do ask that you first allow us the opportunity to exhaust all avenues in resolving your query/complaint. However, if you are not satisfied with our handling of your query/complaint and you have escalated this within Davidson Training UK Limited. Should further escalation be required, the Employer should contact the Department for Education via the Apprenticeship Helpline can be contacted on Call 08000 150 400 or send an email to [nationalhelpdesk@findapprenticeship.service.gov.uk](mailto:nationalhelpdesk@findapprenticeship.service.gov.uk).

### ***Getting Updates***

You can check on the progress of your query/complaint at any time by calling us on 01375 480088 and quoting the complaint details.

We will advise you either verbally (via telephone) or in writing (via email) of the outcome of your complaint. If you prefer a specific method of contact, please advise us when lodging your complaint.

### ***Urgent Complaints***

If you feel your query/complaint is urgent, please tell us as soon as possible via telephone. We will refer your query/complaint and provide a response to your complaint within one business day. Urgent query/complaint differ from regular query/complaint in that they are referred to senior management significantly earlier, and are treated with higher priority than normal query/complaint. We aim to resolve all urgent query/complaint within 2 business days. We will contact you directly to advise and discuss a new timeframe in the event that a resolution may fall outside these timeframes. Need this information in another language? Please contact us and we shall provide.