

	Training Centre - Appeals Procedure	Reference: VPOL-TC-006
		Version: 1.2
		Issue Date: 02-07-2024
	Document Owner: Head of Learning & Development	Review Date: 30-11-2025

1. Aim

- 1.1 This policy applies to any qualifications or training courses provided by the Via Training Centre and covers the appeal procedure where an amicable agreement cannot be reached between the Learner or Apprentice and the assessment team.
- 1.2 Appeals can only be made to the Training Centre where it has the power to change a decision, for example:
 - Following the outcome of an assessment
 - Regarding reasonable adjustments and special consideration
 - Where there is a disagreement with the action points recorded by the internal verifier
- 1.3 Where a learner's or Apprentices appeal relates to the result of a test that is set and marked by an Awarding Body, the appeal must be made direct to the Awarding Body using their own appeal procedure.
- 1.4 An appeal made with regards to internal assessment must be made to the Via Training Centre.

2. Grounds

- 2.1 The learner or apprentice needs to be able to show that either there has been a procedural error or that there is new evidence concerning mitigating circumstances that was not made available to the examiners and that it could not have been produced at an earlier stage.
- 2.2 Appeals will not be considered against the academic judgement of the examiners or in respect of the quality of teaching or supervision prior to the examination unless the learner or apprentice could not reasonably have been expected to have made this a subject of a complaint before the examination.
- 2.3 Your appeal must be in writing, dated and set out why you are appealing the decision.

3. Internal Procedure

- 3.1 The learner or apprentice will be required to submit the appeal in writing within 10 working days of the decision that they wish to appeal. The written appeal must contain the grounds on which they are appealing.
- 3.2 Where a course is accredited by an awarding body, learners or apprentices must be made aware of the Approved Lead Trainer for the relevant awarding body.
- 3.3 The Head of Learning and Development will obtain the written comments of the Training Centre and the written submissions of the learner or apprentice. They will ensure that copies of both are supplied to the learner or apprentice, with an invitation to submit any response to those comments within 20 working days.
- 3.4 Where the appeal is complex, or unable to be resolved without further discussion, a

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hearing may be necessary.

- 3.5 Where there is a hearing, the learner or apprentice and the Awarding Body will be informed of the date, time, and place of the hearing in writing and with 5 working days' notice. The panel will usually be made up of the Head of Learning and Development, the assessor, the internal verifier, and a technically competent third-party member. If the learner or apprentice wishes to bring an advisor, the learner or apprentice must provide their name and an indication of whether they are legally qualified to the Head of Learning and Development at least one full working day prior to the hearing.
- 3.6 The learner or apprentice must notify the Training Centre at least three working days before the hearing, of any witnesses they wish to call.
- 3.7 If the learner or apprentice objects to any member of the appeal panel, the reasons for the objection must be provided in writing to the Head of Learning and Development at least one full working day prior to the hearing. The Training Centre Manager and Awarding Body will determine whether that member should be excluded from the case or not.
- 3.8 If the learner or apprentice fails to attend the hearing, the panel may, if it is satisfied that due notice has been given, proceed in the learner/apprentice's absence with the material available to it, or may adjourn to a later date.
- 3.9 After the meeting of the appeals panel, the Head of Learning and Development will notify the learner or apprentice and the Awarding Body of the decision in writing within 5 working days.
- 3.10 Where an academic appeal has not been resolved to a learner/apprentice's satisfaction, they should make an application for a review directly to the Awarding Body.
- 3.11 The Learner/apprentice should be aware that were making an academic appeal for a non-regulated qualification e.g., NRSWA Streetworks, the assessment decision made by an appeals panel is final.
- 3.12 For that of regulated qualifications e.g., First aid or NVQ's, you have the right to escalate the appeal to first to the awarding body and after that, the regulator e.g., SQA accreditation or Ofqual.
- 3.13 Where an appeal is made directly to an awarding body, there may be an associated charge to cover the cost.

4. External Procedure (SQA)

- 4.1 For the awarding body of SQA, if you have gone through all the stages of the Via Training Centre's internal appeals procedure and remain dissatisfied with the outcome or the way in which your appeal has been handled, you can then take the following actions:

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- Appeal to SQA (awarding body)

4.2 If after appealing to the SQA awarding body and you remain dissatisfied, you have the final right to escalate the appeal to:

- SQA Accreditation or Ofqual, as appropriate, if you feel the centre and/or SQA the awarding body has not dealt with your appeal appropriately.

4.3 It is important to remember that SQA Accreditation/Ofqual cannot overturn assessment decisions or academic judgements however, they may investigate into the overall effectiveness of the centre and/or SQA's appeals process and require corrective action if they deem it is necessary.

5. Review and Revision

5.1 The Via East Midlands Training Centre will ensure that this policy and associated documents and the contents remain accurate and valid in light of changing best practice and statutory requirements.

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