



# Learner Appeals Policy and Procedure

## November 2023

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V2.0	15/02/2021	Version release	Martin Parnham Head of Learning and Delivery
V3.0	17/05/2022	Annual review	Martin Parnham Head of Learning and Delivery
V4.0	19/11/2023	Reference to Head of Programmes and Chief Executive Officer	Martin Parnham Head of Programmes

Document Approval		
Job Role	Name	Date approved
Commercial Director	Lisa O'Reilly	15/02/2021
Commercial Director	Lisa O'Reilly	17/05/2022
Chief Executive Officer	Lisa O'Reilly	19/11/2023

<b>Date of Next Review</b>	November 2024
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## **The TESS Group Policy**

TESS Group (TESS) hopes and expects that learners will be satisfied with their training, assessment and internal quality assurance experience; however, we recognise that there may be circumstances when learners may not be satisfied with a specific experience or academic outcome. In such circumstances, learners should be able to appeal knowing it will be fairly investigated. To this end, the Appeals Policy and Procedure has been designed to be as fair and straightforward as possible. This will ensure TESS maintains the highest levels of academic and service standards.

The purpose of this document is to set out TESS policy and procedures for learners wishing to appeal an assessment decision or similar .

There are three stages in the appeals procedure and each stage must be exhausted before proceeding to the next one. Learners are advised to keep their own copies of all the documents.

Should a learner have cause to make a complaint about something other than teaching, assessing, marking and internal quality assurance, they should refer to the TESS Group Complaints Policy and Procedure, which can be accessed via our website.

Learners are made aware of this Appeals Policy and Procedure during their induction.

### **Scope**

This policy covers all learners and all training and assessment offered by TESS.

### **Aims of Policy**

Ensure all learners understand their right to appeal a decision, how to submit an appeal and provide learners with a clear route to appeal against:

- An assessment decision made by one of our Trainers or Skills Coaches
- An Internal Quality Assurance (IQA) outcome
- A decision made by the External Quality Assurer on behalf of the Awarding Organisation (AO)
- Provide learners with clear routes to appeal against a decision made by an End Point Assessor on behalf of an End Point Assessment Organisation (EPAO)

### **Appeals**

The main reasons for an appeal are likely to be:

- Learners do not understand why they are not yet regarded as competent, due to lack of, or unclear feedback from the Trainer or Skills Coach
- Learners believe they are competent, and that the Trainer or Skills Coach has misjudged them or has failed to utilise some vital evidence
- Learners disagree with marking outcomes
- Learners disagree with feedback and actions following internal quality assurance

The learner has the right to appeal the assessment decision at any time whilst on programme with TES. In the first instance, we encourage learners to adopt the approach of it being an enquiry by talking to their Trainer or Skills Coach about their thoughts and concerns that might result in an appeal being raised. This is their opportunity to make it clear how they feel they have managed to prove competence in an area that has not been agreed. We believe that this open discussion will often resolve the problem without having to embark on the full appeals procedure. However, if the learner is still dissatisfied, they should follow the following formal appeals procedure.

### **Stage 1: Trainer / Skills Coach**

If learners receive a decision they are unsatisfied with, they have the right to appeal directly to the Trainer or Skills Coach who carried out the assessment. The appeal must be in writing, sent via email and clearly indicate:

- the points of disagreement
- the evidence in the portfolio, assignment, or other source that the learner believes meets the requirements for claiming competence

The appeal should be submitted within one month of when the issue arose.

The Trainer or Skills Coach will confirm receipt of the appeal within 5 working days and will communicate the outcome of their further review or assessment within 10 working days (15 working days from the date the stage 1 appeal was received).

### **Stage 2: Internal Quality Assurer**

Learners who are not satisfied with the outcome of their Stage 1 appeal can next appeal to the TESS IQA. This appeal must be in writing and sent by email (the Trainer or Skills Coach will provide the learner with the correct email address) but need not repeat the detail provided at Stage 1 as all the documentation used at Stage 1 will be passed to the IQA. Learners should consider the feedback and response from Stage 1 and include anything relevant relating to this in their communication to the IQA.

The IQA will confirm receipt of the appeal within 5 working days and will further communicate the outcome of their review within 10 working days (15 working days from the date the Stage 2 appeal was sent).

### **Stage 3: Head of Programmes**

Learners who are not satisfied with the outcome of their Stage 2 appeal can next appeal to the TESS Head of Programmes. This appeal must be in writing and sent by email (the IQA will provide the learner with the correct email address) but need not repeat the detail provided at Stage 1 and 2 as all the documentation previously used will be passed to the Head of Programmes. Learners should consider the feedback and response from Stage 1 and 2 and include anything relevant relating to this in their communication to the Head of Programmes. The Head of Programmes will confirm receipt of the appeal within 5 working days and will further communicate the outcome of their review within 10 working days (15 working days from the date the Stage 3 appeal was sent).

## **Stage 4: External Escalation**

Learners who are not satisfied with the outcome of their Stage 3 appeal and who have exhausted the TESS appeals procedure may proceed to Stage 4. This appeal must be in writing to the relevant AO / EPAO and must be accompanied by copies of all documentation from Stages 1, 2 and 3. There must also be evidence that the learner has exhausted the TESS internal appeals procedures.

We will provide learners with the relevant contact details for the AO / EPAO. It is expected that learners will only appeal directly to the AO / EPAO in exceptional circumstances.

Please note, some AO's / EPAO's have fees associated at different stages of their appeals process.

If the learner still remains dissatisfied with the outcome of their appeal, then they can escalate this to the qualifications regulator at the Office of Qualifications and Examinations Regulation (Ofqual).

### **The Outcome of the Appeal**

The learner will be dealt with in complete confidence of all involved and must embody the principles of:

- Fairness
- Equality
- Independence
- Equal opportunities
- Anti-discrimination (any form)
- Accommodation of adjusted learning needs

Should the outcome of the appeal identify an underperformance in any of the delivery team, a supportive development plan must be introduced to develop their skills and understanding for future delivery.

### **Record Keeping Procedures**

Appeals are required to be recorded in a written format for the purpose of the review stages of this policy and procedures. These will be kept within the Google Drive with any outcomes stored alongside this. Access is only granted under GDPR guidelines and with those who require the access as per the policy.

### **Feedback**

We offer a number of ways for learners to provide feedback, this includes:

- A survey monkey link available after every session
- Feedback forms provided at the midpoint and endpoint of programme
- Exit reviews include a section for providing feedback



**Lisa O'Reilly**  
**Chief Executive Officer**