

Learner appeals policy and procedure

This document sets out the procedure for learners to appeal against a decision or action taken by YMCA Awards, particularly relating to external quality assurance of a centre's assessment decisions. An appeal differs from a complaint because it is a specific request to reconsider or challenge a decision or action taken by YMCA Awards. If a learner, or someone acting on their behalf, wishes to make a complaint alongside an appeal please also read YMCA Awards Complaints Policy. If you are unsure whether you wish to make a complaint or an appeal you can contact us to explain your situation. Such queries should be submitted to the Head of Centre Support by emailing awards.feedback@ymca.co.uk

Please note that this policy applies to decisions or actions taken by YMCA Awards not by the centre where a learner has taken an assessment; below we explain what we mean by this.

Background

YMCA Awards aims to protect the interests of learners at all times by requiring approved centres to assess learners against the agreed and published criteria (see individual qualifications specifications for these criteria – available on our website).

We also require that assessment decisions must be made by assessors who are trained, and have gained or are in the process of working towards an approved and recognised assessor qualification. We provide more information on the qualifications we require assessors to hold in each qualification specification.

It is recognised that, in exceptional circumstances a learner may wish to appeal against recommendations or decisions that YMCA Awards makes in relation to an external assessment or external verification of an internal assessment.

Learners are advised to contact their centre in the first instance if they wish to appeal a YMCA Awards decision. If you are a learner and you are not satisfied with a decision that your centre has made relating to assessment you should make use of your centre's own internal appeals procedure. Once a centre's appeal procedure has been exhausted, if a learner remains unsatisfied with the outcome, the learner may contact us to make a complaint regarding the centre's conduct in making the original decision, in responding to the appeal or both. In this situation, the learner should make use of YMCA Awards' Complaints Procedure.

Please note, any appeal made by a learner relating to external assessment decisions should be made to YMCA Awards within 20 working days of the decision being made available to the learner (for example within 20 days of the publication of an external assessment result or refusal of a request for reasonable adjustment). This is to ensure that YMCA Awards can act in the most timely and efficient manner, and whilst the optimum amount of information and evidence is available. It may not be possible for us to process an appeal made after this time unless there are exceptional circumstances.

The following sections summarise the key points of this policy and the action that may be taken.

Areas for appeal

YMCA Awards appeals policy enables learners to make a formal appeal against a recommendation or assessment decision relating to:

- the mark or grade awarded for an external assessment
- the YMCA Awards external quality assurers' decision on any element of assessment that differs to the assessor's or internal quality assurer's decision (for example, if an internal assessment has been marked by the centre assessor as achieved but the external quality assurer disagrees with this judgement)
- an application for a Reasonable Adjustment or Special Consideration submitted to YMCA Awards for approval
- YMCA Awards' final, overall assessment decision for a unit or qualification.

Grounds for appeal

The following is a list of examples and is not comprehensive:

- there was an error in the external assessment materials
- a reasonable adjustment was refused without reason or a decision to limit a requested reasonable adjustment proved to be inappropriate or insufficient
- the learner requested Special Consideration but this does not seem to have been applied
- there were medical or other extenuating circumstances which affected the learner's performance in an external assessment and were not previously supplied to YMCA Awards through a request for special consideration (appropriate written evidence will be requested by YMCA Awards)
- the external quality assurer was not supplied with all the relevant assessment evidence or made a decision to over-rule the assessor's decision without providing an explanation
- there was inappropriate or irregular conduct on the part of the assessor, which YMCA Awards may have been aware of and had not dealt with, and which resulted in an incorrect assessment decision.

Appeals procedures

Stage one:

Learners should contact their centre to request information on appealing a decision, outcome or result. If the outcome or result relates to decision made by the centre the learner should use the centre's appeal procedure.

Stage two:

If the outcome or result relates to a decision made by YMCA Awards, the centre should contact the YMCA Awards Head of Quality and Assessment by emailing awards.feedback@ymca.co.uk and marking the subject of the email "Appeal enquiry." The centre can expect a reply within three working days.

Stage three:

Following communication with the Head of Quality and Assessment if the centre wishes to make a formal appeal this should be submitted to the Head of Quality and Assessment, ideally within five working days of the most recent communication with the Head of Quality and Assessment so that any investigation can take place as soon as possible. The Head of Quality and Assessment can offer advice regarding whether an appeal is an appropriate course of action if the centre is unsure but will not make this decision on a centre, or learner's behalf and this advice does not affect a centre, or learner's right to submit an appeal at any time.

Please note: *Submission of a formal appeal to YMCA Awards incurs a fee (published on our website in our fees documentation). The current fee will be stated clearly during Stage 2 communication between the centre and the Head of Quality and Assessment. The fee will be refunded if the appeal is upheld. In addition, if the appeal is upheld, costs associated with remedying the decision or outcome are likely to be absorbed by YMCA Awards.*

Formal appeals will be investigated and centres can expect an outcome, in writing, within 20 working days of submitting the appeal.

Stage four:

In the event that the outcome of an appeal is disputed by the centre or learner, stage 4 of the appeals procedure can be invoked:

- in stage 4 the case will be put before an independent reviewer
- the appeal must be submitted within 20 working days of receipt of the outcome of stage 3
- the independent reviewer will check that YMCA Awards has followed correct procedures with regards to the appeals process, and if appropriate they will make recommendations back to the appeals panel
- the independent reviewer will inform all parties of the outcome of the review and a report of the investigation will be sent to all relevant parties.

Stage 4 is the final stage of the appeal process where a final decision will be made regarding the outcome of the initial appeal.

Learner appeals - Further guidance for centres

Centre appeals procedures should inform learners of both the centre and YMCA Awards appeals procedures. This information should be given to learners as part of their induction and should be

kept up to date and fit for purpose. If a centre has any concerns or queries regarding their own appeals policy and procedure they should contact their YMCA Awards external quality assurer in the first instance or a YMCA Awards Quality Assurance Manager using the contact information below.

Review arrangements

YMCA Awards review this policy and its associated procedures annually as part of self-evaluation arrangements and revise it when necessary in response to customer or regulatory feedback. If you would like to comment on the process described in this document please contact us via the details provided below.

Understanding this policy

All enquiries relating to the appeals policy and procedures should be addressed to:

Head of Quality and Assessment
YMCA Awards
112 Great Russell Street
London
WC1B 3NQ

Telephone: +44 (0)20 3994 9500

Email: awards.feedback@ymca.co.uk