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Notebook Assessment Services Ltd. (NAS)

Appeals policy and procedure



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Introduction

This policy outlines the NAS framework for dealing with enquiries about assessment results and appeals. It is aimed at NAS Training Providers, Employers and Apprentices who are delivering or working towards a standard where NAS is providing the End-Point Assessment (EPA).

It is also for use by NAS staff to ensure they deal with all enquires and appeals transparently and consistently.

The Head of NAS is responsible for ensuring that NAS internal staff, contractors, Internal Quality Assurers (IQA) and Independent End Point Assessors (IEPAs) are aware of this policy.

Apprentices, Employers or Training Providers are to be made aware of the procedure prior to booking EPA with Notebook Assessment Services and should be regularly made aware throughout the assessment period.

Formal Enquiries about Results and Appeals will normally be made to the Operations Manager using the Enquiry about Results and Appeals Form available on ACE 360. When applying please ensure that it is clear which service is being requested and that all information is completed as required.

It is important to note that after either stage of the appeals process, an apprentice's results could go up or down and where any stage of an appeal is underway an apprentice will not be able to undergo assessment or be issued with results.

Scope

This policy applies to NAS's EPA service. The employer/training provider must comply with this policy as this is part of your EPA service agreement with NAS.

This policy is for information for NAS internal staff and contractors, Employers, Training Providers and Apprentices.

Policy Scope

An enquiry or an appeal can be submitted by the employer or training provider directly responsible for the apprentices' registration of the EPA when they believe an EPA assessment decision is inaccurate.

There are two stages to an appeal:

- Stage 1 Enquiry about Results
- Stage 2 Appeal
- Independent Review

Stage 1 – Enquiry about Results

Should a Training Provider, Employer or Apprentice believe that there may have been an administrative error in the recording of results, they may request an Enquiry about Results (EAR).

EARs must be submitted to admin@notebook-epa.co.uk within 10 working days of the Apprentice's notification of results. As part of the process, Employers and Training Providers must ensure that they retain all evidence relating to the enquiry submission.

An EAR is an administrative check to ensure that all marks and grades have been recorded and released correctly for an end-point assessment component. It does not involve review or re-assessment of assessment decisions.

EARs are conducted by a NAS colleague who has not been involved in the original marking decision and who does not have a personal interest in the enquiry outcome.

They will, however, be experienced in all applicable processes, procedures, and policies.

Training Providers must have the consent of the apprentice before making an application and must make sure the apprentice understands all the possible outcomes and their signature is taken as consent, without which NAS cannot proceed.

We will acknowledge an EAR application within two working days of receipt and aim to respond within 10 working days of receipt.

Possible outcomes of Stage 1

The possible outcomes of the enquiry will be:

- The result (s) remain unchanged
- The result (s) is amended, which may be a negative or positive change, and our records are revised accordingly

If the enquiry identifies any errors within our procedures, the Operations Manager will:



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- Correct any errors.
- Produce and implement an action plan to mitigate any further issues/ risks.
- Provide feedback or training and development to relevant members of the EPA Delivery Team

If the appellant is still dissatisfied with the results of the end-point assessment because they believe NAS did not apply our policies or procedures consistently and properly, they can submit an appeal. Where an appeal moves to stage 2, any actions identified at the end of stage 1 will not be implemented and may be reviewed after the appeals process.

Stage 2 - Appeal

An appeal can only be made on the basis that NAS did not apply its procedures consistently, or that procedures were not followed properly and fairly. Appeals can be made against the following:

- assessment results*
- a decision relating to reasonable adjustments or special considerations
- the outcome of a maladministration or malpractice investigation, or
- the outcome of a decision to impose a sanction resulting from a maladministration malpractice investigation, or any decision that affects an apprentice, they may submit an appeal against that decision

*Where an appeal is in relation to an assessment decision, an EAR request must be submitted first.

Appeals must be submitted to admin@notebook-epa.co.uk within 10 working days of the Training Provider being notified of the decision or within 10 days of the conclusion of an Enquiry about Results.

We aim to acknowledge all appeal applications within two working days of receipt and aim to respond within 10 working days of receipt.

Any appeal submitted on behalf of an apprentice must have been discussed with the apprentice and written permission evidenced before it is submitted to NAS, as assessment results and grades can go down as well as up because of an appeal.

Employers and Training Providers must ensure that they retain all evidence relating to the appeal submission.

Appeals submitted to NAS will be heard by an Appeals Panel comprised of two members of the Senior Management Team. The panel will draw upon expertise from relevant individuals not involved in the original decision-making.



The Panel members will have appropriate competence, knowledge and skills and be experienced in all applicable processes, procedures, and policies.

Panellists will be asked to confirm at the start of the appeal hearing that they have not had a previous connection with or have any personal interest in the case.

A note taker shall be present at each meeting of the panel to take notes of the meeting but will not be involved in the appeal proceedings.

The Panel will consider whether NAS policies and procedures were correctly followed and whether we applied them properly and fairly in arriving at our judgements. Where appropriate, it may involve the re-assessment of an apprentice's work by an individual not involved in the original marking or quality assurance.

The Panel will also consider any readily available advice on similar matters from our regulators and any readily available EPA precedents.

Possible outcomes of Stage 2

There are two possible outcomes of the appeal:

- The appeal is upheld
- The appeal is not upheld

The appeals process outcome will be provided via email to the key staff named within the EPA services agreement or apprentice describing what was discussed at the panel and explaining the review panel's decision.

If the appeal identifies any errors within our processes and procedures, NAS will:

- Correct any errors
- Implement an internal action plan to mitigate any further issues/ risks
- Provide further training and development as appropriate

The appeals process may identify errors not raised by the appellant and lead to improvement being made even where the appeal is not upheld.

Should it be identified that an adverse effect has occurred or could have occurred our regulator, Ofqual, will be notified.

All enquires and appeals, and their outcomes are reported to the Senior Management Team and NAS's Governing Board. Outcomes will be used to inform our self-assessment activities and will feedback into our EPA development and review processes where necessary.



Where an appellant feels that the EAR or Appeals stages have not satisfied their concerns and that Notebook have not followed their appeals process correctly, they may proceed to the Independent Review Stage. Where an appeal moves to Independent Review, any actions identified at the end of stage 2 will not be implemented and may be reviewed after the appeals process.

Independent Review Stage

The independent review stage will involve an independent and suitably qualified party nominated by Notebook Assessment reviewing the appeals process that has been conducted thus far. This is to determine if the appeals process and conclusion are in line with Notebook's published approach.

The exact approach taken will be discussed and agreed between Notebook, the appellant, and the independent reviewer. No new information can be entered into the process at this stage.

If the independent reviewer concludes that Notebook have not followed their appeals process correctly then they will suggest remedial actions to be taken.

Further Options

If the appellant is not satisfied with the proceeding stages, then they have the option to raise a complaint with Notebook's regulator, Ofqual.

Fees

There is no charge for an EAR application. On receipt of a stage 2 appeal, an invoice will be raised for £150 plus VAT. Independent review fees will be decided on a case-by-case basis. Apprentices will not be charged directly for an enquiry or an appeal under any circumstances. Where an appeal is upheld, the full fee will be refunded.

Policy Review

This policy is reviewed as part of NAS's continuous improvement monitoring through its annual self-assessment arrangements. It may be reviewed earlier should any feedback or concern be brought to the attention of NAS to ensure it remains fit for purpose and the process and its outcomes are deliverable.



Policy version and owner

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Regulatory references

Ofqual General Conditions of Recognition
Section I1: Appeals process
Section I2: Compliance with Ofqual's appeals and complaints process

Contact details

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