

LINK19 College



LEARNER APPEALS POLICY

Reviewed Date: Spring 2023

Review Date: Spring 2026

LINK19 College
Learner Appeals Policy

1. Appeals by Learners

This procedure applies specifically to learners who undertake an examination or assessment that is within the control of LINK19 College. It covers appeals against internal assessment decisions, post results services and centre decisions relating to access arrangements and special considerations.

Internal Assessment Decisions

If a learner believes that they have a justified grievance related to an assessment process or decision, the appeals should follow the process set out below:

1.1. Stage 1 – Tutor/Assessor and Learner

The learner should discuss the matter with the tutor who undertook the assessment in the first instance within five working days of receiving their assessment decision.

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

1.1.1. confirmation in writing that the original assessment decision stands; or

1.1.2. a new decision with an explanation of the reason for the change.

The response must be filed either electronically or on paper (as appropriate).

If the learner accepts the tutor's response, then the appeal stops at this point.

If the learner 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.

1.2. Stage 2 –LINK19 College Lead

Following notification that the learner is still unhappy with the assessment decision, the tutor must give the LINK19 College Lead, details below:

LINK19 College Lead
LINK Centre, Block H
North Kent College
Lower Higham Road
Gravesend Kent
DA12 2JJ

Telephone: 01474 555799

or nominated deputy, the following information within two working days of the appeal reaching Stage 2:

- 1.2.1. the original assessment record and learner's evidence, where appropriate; and
- 1.2.2. the written explanation and confirmation of the assessment decision.

The LINK19 College Lead will reconsider the assessment decision, taking the following into account:

- 1.2.3. the learner's reason for appeal;
- 1.2.4. the learner's evidence and associated records;
- 1.2.5. the assessor's reason for the decision; and
- 1.2.6. the opinion of another assessor from the centre.

The LINK19 College Lead, or nominated deputy, must then give the reconsidered decision, in writing, within five working days of receiving the appeal, to both learner and Tutor.

The learner must tell the LINK19 College Lead and confirm in writing if they are still dissatisfied with the reconsidered assessment decision within five working days of receipt of the decision. If so, the appeal moves to Stage 3.

1.3. Stage 3 – Appeals Panel

If the learner 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:

- 1.3.1. the written explanation and confirmation of the assessment decision;
- 1.3.2. the assessment record sheets; and
- 1.3.3. any written comments.

Within ten working days of receiving the appeal, the Quality Nominee will convene a College Appeals Panel to hear the appeal. The Appeals Panel will consist of the Quality Nominee, a subject expert chosen by the Chair (internal or external to the College) and a member of the LINK19 College board.

The learner may speak to the Appeals Panel and may be accompanied by an adviser, and/or make a written submission. The tutor 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 learners may appeal to the Awarding Body once the internal appeals decision has been completed. Furthermore, this can be escalated to the relevant Qualification Regulator.

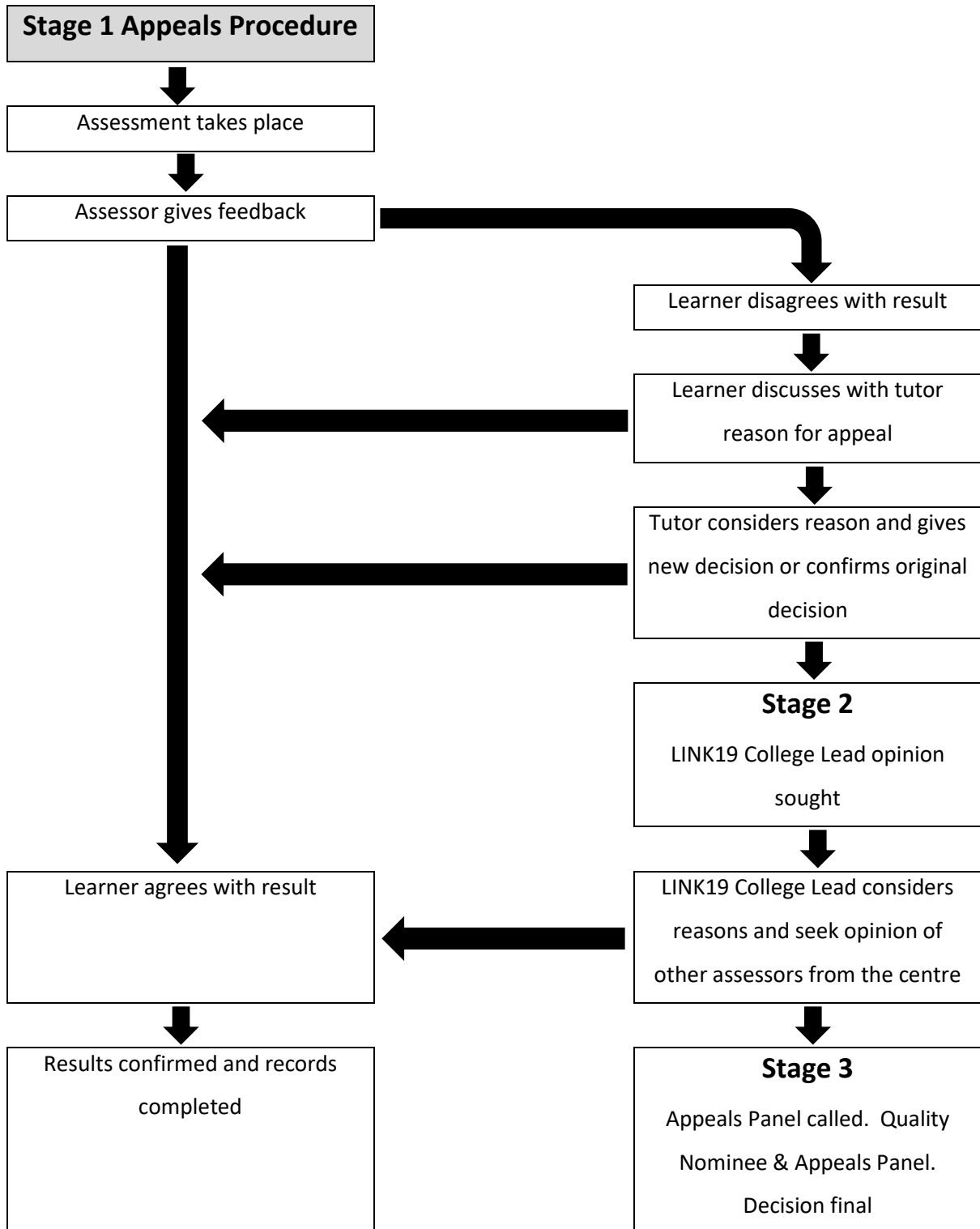
Set out below is a flow chart of the Learner Appeals Process of internal assessment decisions.

The outcome of the review of the centre's marking will be made known to the Head of Centre who will have the final decision if there is any disagreement on the mark to be submitted to the awarding body. A written record of the review will be kept and made available to the awarding body upon request.

The awarding body will be informed if the centre does not accept the outcome of a review.

The moderation process carried out by the awarding bodies may result in a mark change, either upwards or downwards, even after an internal review. The internal review process is in place to ensure consistency of marking within the centre, whereas moderation by the awarding body ensures that centre marking is in line with national standards. The mark submitted to the awarding body is subject to change and should therefore be considered provisional.

Internal Assessment Decisions



LINK19 Assessment Appeals Form

Awarding Body:	
Name of Learner:	Programme Title:
Name of Assessor:	LINK19 College Lead:
Date of Assessment:	Curriculum Area:
Unit and criteria covered by assessment activity:	Awarding Body:
Stage 1	
Stage 1: Assessor's Comments	
Assessment details:	
Final Grade	
Learners reason for appeal:	
Where my appeal is against an internal assessment decision, I wish to request a review of the centre's marking <input type="checkbox"/>	
Learners signature:	Date:
Assessors signature:	Date:
Assessor's decision based on Stage 1 procedure:	
Date letter of appeal received:	Acknowledgement letter sent:
Copy of letter and stage 1 notes sent to:	
LINK19 College Lead:	Date:
Stage 2	
Stage 2: LINK19 College Lead's comments:	
	Date:
Signature:	
Outcome of stage 2 appeal sent to:	
LINK19 College Lead:	Date:
Other assessor:	Date:

Appeals relating to centre decisions not to support a clerical re-check, a review of marking, a review of moderation or an appeal

Candidates are made aware of the arrangements for post-results services prior to the issue of results. Candidates are also informed of the periods during which senior teachers and Head of Centre will be available/accessible immediately after the publication of results so that results may be discussed, and decisions made on the submission of reviews of marking.

Enquiries about Results (EARs)

- EARs may be requested by centre staff or the candidate (Candidate's parent/carer) following the release of the results. A request for a re-mark or clerical check requires the written consent of the candidate, a request for a re-moderation of internally assessed work may be submitted without the consent of the group of candidates.
- The cost of EARs will be paid for by LINK19 College if the college requests it or if a candidate's request is agreed by the LINK19 College Lead.
- The candidate and their parent/carer must be informed that the EARs can result in marks/grades being raised, lowered or remaining the same. Written consent is therefore essential before an EAR is made.
- All decisions on whether to make an application for an EAR will be made by the Head of Centre.
- If a candidate or their parent/carer wishes to request an EAR, then they should first approach their subject teacher to see if they think that this is appropriate and should seriously consider the advice given.
 - If the LINK19 College Lead agrees to the EAR going ahead, the college will pay the cost of the EAR.
 - If the LINK19 College Lead does not agree to the EAR going ahead then the candidate's parent/carer must meet the full cost of the EAR.
 - In both cases, **written consent will be required before proceeding with the EAR.**
 - If the candidate or their parent/carer is unwilling to pay for the EAR, then they need to follow the appeals process for EARs. This process is only adopted when all other means of reaching an agreement have been attempted.
- All processing of EARs will be the responsibility of the Exams Officer following the JCQ guidance.
- Once the Exams Officer hears back from the Awarding Body, the outcome of the result will be made available to the candidate and their parent/carer.

Enquiries about Results – Appeals

Procedure to be followed where a candidate or parent/carer disagrees with LINK19 College's decision not to support an Enquiry about Results (EAR) and the candidate (and their parent/carer) refuse to pay the EAR fee.

- The candidate or parent/carer must make the appeal in writing to the LINK19 College Lead. Appeals should normally be made by **1st September** for examinations in the summer series, as awarding bodies have their own deadlines for the receipt of EAR requests.
- The enquiry will normally be led by the LINK19 College Lead, together with a member of the LINK19 board of directors (who was not involved in previous decisions) and the Exams Officer.
- The candidate and their parent/carer will be informed of the outcome of the appeal, in writing.
- If it is decided that the EAR will go ahead, then the college will pay and the EAR will be processed in the normal way by the Exams Officer. Written consent will be required from the candidate or their parent/carer.

If the centre or a candidate (or his/her parent/carer) has a concern and believes a result may not be accurate, post-results services may be considered.

The JCQ post-results services currently available are detailed below.

Reviews of Results (RoRs):

- Service 1 (Clerical re-check)
This is the only service that can be requested for objective tests (multiple choice tests)
- Service 2 (Review of marking)
- Priority Service 2 (Review of marking)
This service is only available for externally assessed components of GCE A-level specifications (an individual awarding body may also offer this priority service for other qualifications)
- Service 3 (Review of moderation)
This service is not available to an individual candidate

Access to Scripts (ATS):

- Copies of scripts to support reviews of marking
- Copies of scripts to support teaching and learning

Where a concern is expressed that a particular result may not be accurate, the centre will look at the marks awarded for each component part of the qualification alongside any mark schemes, relevant result reports, grade boundary information etc. when made available by the awarding body to determine if the centre supports any concerns.

For written components that contributed to the final result, the centre will:

1. Where a place at college is at risk, consider supporting a request for a Priority Service 2 review of marking
2. In all other instances, consider accessing the script by:

- a) *(where the service is made available by the awarding body)* requesting a priority copy of the candidate's script to support a review of marking by the awarding body deadline or
 - b) *(where the option is made available by the awarding body)* viewing the candidate's marked script online to consider if requesting a review of marking is appropriate
- 3. Collect informed written consent/permission from the candidate to access his/her script**
 4. On access to the script, consider if it is felt that the agreed mark scheme has been applied correctly in the original marking and if the centre considers there are any errors in the marking
 5. Support a request for the appropriate RoR service (clerical re-check or review of marking) if any error is identified
 6. Collect informed written consent from the candidate to request the RoR service before the request is submitted
 7. Where relevant, advise an affected candidate to inform any third party (such as a college) that a review of marking has been submitted to an awarding body

Written candidate consent (informed consent via candidate email is acceptable) is required in all cases before a request for a RoR service 1 or 2 (including priority service 2) is submitted to the awarding body. Consent is required to confirm the candidate understands that the final subject grade and/or mark awarded following a clerical re-check or a review of marking, and any subsequent appeal, may be lower than, higher than, or the same as the result which was originally awarded. Candidate consent must only be collected after the publication of results.

For any moderated components that contributed to the final result, the centre will:

- Confirm that a review of moderation cannot be undertaken on the work of an individual candidate or the work of candidates not in the original sample submitted for moderation
- Consult the moderator's report/feedback to identify any issues raised
- Determine if the centre's internally assessed marks have been accepted without change by the awarding body – if this is the case, a RoR service 3 (Review of moderation) will not be available
- Determine if there are any grounds to submit a request for a review of moderation for the work of all candidates in the original sample

Where a candidate disagrees with a centre decision not to support a clerical re-check, a review of marking or a review of moderation, the centre will:

- For a review of marking (RoR priority service 2), advise the candidate he/she may request the review by providing informed written consent (and the required fee) for this service to the centre by an agreed date set by the centre.
- For a review of marking (RoR service 1 or 2), first advise the candidate to access a copy of his/her script to support a review of marking by providing written permission for the centre to access the script (and any required fee for this service) for the centre to submit this request
- After accessing the script to consider the marking, inform the candidate that if a request for a review of marking (RoR service 1 or 2) is required, this must be submitted by the deadline

set by the centre by providing informed written consent (and the required fee for this service) for the centre to submit this request

- Inform the candidate that a review of moderation (RoR service 3) cannot be requested for the work of an individual candidate or the work of a candidate not in the original sample

If the candidate (or his/her parent/carer) believes there are grounds to appeal against the centre's decision not to support a review of results, an internal appeal can be submitted by completing the internal appeals form at least 7 calendar days prior to the internal deadline for submitting a request for a review of results.

The appellant will be informed of the outcome of his/her appeal before the internal deadline for submitting a RoR.

Following the RoR outcome, an external appeals process is available if the Head of Centre remains dissatisfied with the outcome and believes there are grounds for appeal. The JCQ publications **Post-Results Services** and **JCQ Appeals Booklet** (A guide to the awarding bodies' appeals processes) will be consulted to determine the acceptable grounds for a preliminary appeal.

Where the Head of Centre is satisfied after receiving the RoR outcome, but the candidate (or his/her parent/carer) believes there are grounds for a preliminary appeal to the awarding body, a further internal appeal may be made to the Head of Centre. Following this, the Head of Centre's decision as to whether to proceed with a preliminary appeal will be based upon the acceptable grounds as detailed in the **JCQ Appeals Booklet**. Candidates or parents/carers are not permitted to make direct representations to an awarding body.

The internal appeals form should be completed and submitted to the centre within **7** calendar days of the notification of the outcome of the RoR. Subject to the Head of Centre's decision, this will allow the centre to process the preliminary appeal and submit to the awarding body within the required **30 calendar days** of the awarding body issuing the outcome of the review of results process. Awarding body fees which may be charged for the preliminary appeal must be paid to the centre by the appellant before the preliminary appeal is submitted to the awarding body (fees are available from the exams officer). If the appeal is upheld by the awarding body, this fee will be refunded by the awarding body and repaid to the appellant by the centre.

Appeals regarding centre decisions relating to access arrangements and special consideration

Access arrangements and reasonable adjustments

In accordance with the regulations, LINK19 College

- recognises its duty to explore and provide access to suitable courses, through the access arrangements process submit applications for reasonable adjustments and make reasonable adjustments to the service the centre provides to disabled candidates.
- complies with its responsibilities in identifying, determining and implementing appropriate access arrangements and reasonable adjustments

Failure to comply with the regulations have the potential to constitute malpractice which may impact on a candidate's result(s).

Examples of failure to comply include:

- putting in place access arrangements/adjustments that are not approved
- failing to consider putting in place access arrangements (which may be a failure to comply with the duty to make reasonable adjustments)
- permitting access arrangements/adjustments within the centre which are not supported by appropriate evidence
- charging a fee for providing reasonable adjustments to disabled candidates AARA (Importance of these regulations)

Special consideration

Where LINK19 College can provide signed evidence to support an application, it will apply for special consideration at the time of the assessment for a candidate who has temporarily experienced illness, injury or some other event outside of their control when the issue or event has had, or is reasonably likely to have had, a material effect on the candidate's ability to take an assessment or demonstrate his or her normal level of attainment in an assessment.

Centre decisions relating to access arrangements, reasonable adjustments and special consideration

This may include LINK19 Colleges' decision not to make/apply for a specific reasonable adjustment or to apply for special consideration, in circumstances where a candidate does not meet the criteria for, or there is no evidence/insufficient evidence to support the implementation of an access arrangement/reasonable adjustment or the application of special consideration.

Where LINK19 College makes a decision in relation to the access arrangement(s), reasonable adjustment(s) or special consideration that apply for a candidate or candidates:

- If a candidate who is the subject of the relevant decision (or the candidate's parent/carer) disagrees with the decision made and reasonably believes that the centre has not complied with its responsibilities or followed due procedures, a written request setting out the grounds for appeal should be submitted
- An **internal appeals form** should be completed and submitted within 15 calendar days of the decision being made known to the appellant.

To determine the outcome of the appeal, the Head of Centre will consult the respective JCQ publication to confirm the centre has complied with the principles and regulations governing access arrangements and/or special consideration and followed due procedures.

The appellant will be informed of the outcome of the appeal within 7 calendar days of the appeal being received and logged by the centre.

If the appeal is upheld, LINK19 College will proceed to implement the necessary arrangements/submit the necessary application.

LINK19 College Internal Appeals Form

Please tick box to indicate the nature of your appeal and complete all white boxes* on the form below

- Appeal against the centre's decision not to support a clerical re-check, a review of marking, a review of moderation or an appeal
- Appeal against the centre's decision relating to access arrangements or special consideration

For appeals against an internal assessment decision and/or request for a review of marking, please use specific 'Assessment Appeals Form'.

**Where the nature of the appeal does not relate directly to an awarding body's specific qualification, indicate N/A in awarding body specific detail boxes*

This form must be signed, dated and returned to the Exams Officer on behalf of the Head of Centre to the timescale indicated in the relevant appeals procedure

FOR CENTRE USE ONLY	
Date received	
Reference No.	

Name of appellant		Candidate name (if different to appellant)	
Awarding body		Exam paper code	
Qualification type Subject		Exam paper title	

Please state the grounds for your appeal below:

If necessary, continue on an additional page if this form is being completed electronically or overleaf if hard copy being completed

Appellant signature:

Date of signature:

Single Equalities Scheme Impact Assessment

This policy has been developed to ensure that there is no negative or adverse impact on any individual or group in terms of disability, race, belief, gender, sexual orientation or age. All opportunities for potential positive impact on individuals, groups and the community are embedded within the ethos, vision and values of the college.

LINK19 College is committed to achieving Best Value in all decisions made. We use the principles of Best Value as they apply to securing continuous improvement in this college.

Reviewed Date: Spring 2023

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APPROVED by LINK19 Board of Directors

Signed by LINK19 College Lead: