

## **Learner Appeals and Complaints against Assessment Decisions Policy**

Learners have the right to appeal against an assessment decision made by staff and suppliers of cycle training activities at the Be Confident Group (BCG). The procedure outlined within this policy must be followed by any learner in order for an appeal to be considered.

The BCG Group Head of Training, Michael Corden is responsible for ensuring that this policy is published, implemented and accessible to all personnel, suppliers, learners and any relevant third parties. The BCG Group Training Managers will also ensure that all personnel and suppliers have read and understood this policy and that any amendments to the policy are communicated to relevant parties. The training managers will ensure that policy is available to learners.

Learners will be made aware of this policy at the start of their course/programme. A paper copy of the policy will be provided along with a soft copy in the participant pack at the start of the course. The policy will be available to all suppliers and staff delivering instructor training courses on Cycle Confident Online Management System (CCOMS) events pages

Learners wishing to appeal against an assessment decision must do so within 14 days of the original decision. We advise learners to keep copies of all documents relating to the appeal. The following procedure should be followed by learners wishing to submit an appeal.



**David Showell**  
**Director**

**Date: Dec 2018**

**Review Date: Dec 2019**

## **Appeals Procedure**

The appeals procedure may be used by Centres or candidates.

- Centres can appeal against decisions or action points made by an external verifier.
- Candidates may appeal where they disagree with an assessment decision, or consider the assessment process was unfair, or wish to query an assessment.
- It is the policy that appeals against assessment decisions will be treated both fairly and openly and in line with the BCG equal opportunities policy.
- BCG acknowledges the right of any candidate who has applied for training and or assessment to challenge the outcomes of their assessment if they consider that it has not been carried out correctly.
- All candidates /trainees will be made aware of the right to access the BCG complaints procedure in our trading terms, and at induction.

## **Complaints Procedure**

Complaints may be made about any aspect of the service provided by the BCG Training Centre, and its representatives, and can be made by Centres, Instructors, Assessors, or candidates.

If in the view of the Centre, the complaint is purely an internal matter the correspondence will be copied to the relevant parties for comment and the action taken to resolve the matter. A log of complaints is made to make sure that appropriate action is taken.

## **Responsibilities for Appeals and Complaints**

1. BCG will make all Candidates aware of their right to appeal against decisions made by Assessors. BCG will make the Complaints and Appeals Form available to all Candidates upon Request and pages 11/12 of this document.
2. All complaints and appeals must be made in writing within 14 working days of the assessment or the incident
3. BCG will aim to resolve all complaints and appeals in house initially in accordance with this policy. This does not preclude Candidates from taking their complaint or appeal to the awarding body (City and Guilds or 1<sup>st</sup>4Sport) if they are dissatisfied with the in house outcome. This may be via BCG or direct to the awarding body. In either case the Quality Assurance Coordinator must be contacted and will request that the complaint or appeal be confirmed in writing.
4. Only written complaints and appeals will be processed in accordance with this procedure. Copies of the awarding body's appeals procedure are available from BCG or from the Awarding Body website: City and Guilds website [www.cityandguilds.com](http://www.cityandguilds.com) or 1st4sport website [www.1st4sportqualifications.com](http://www.1st4sportqualifications.com).

5. BCG will log and monitor progress of the complaint/ appeal.
6. The Quality Assurance Coordinator (QAC) (Michael Corden), will acknowledge receipt within 10 working days and if necessary will (within 15 working days of receipt) appoint an appropriate investigating officer. The Centre is responsible for payment of the investigating Officer.
7. The Quality Assurance Coordinator will contact the petitioner with the result and where necessary is responsible for negotiating resolution of complaints and appeals with the petitioner and for signing off Complaints and Appeals Progress Log.

### **Candidate Appeals and Complaints Summary**

If you wish to APPEAL against any decision made by the Assessor or query a written test result, please read the summary below.

Or if you wish to MAKE A COMPLAINT about any aspect of the service provided by the Centre, and or its representatives, please discuss your concerns with the Assessor or Contact (quality assurance) at the BCG Training Centre.

Your Complaint/Appeal must now be lodged in writing. Please complete the Learner Complaints and Appeals Form (see page 11/12) (please retain a copy for your own records) and return to :

Quality Assurance Office  
Cycle Confident  
Unit LH.LG.04, Lincoln House  
1-3 Brixton Road  
London  
SW9 6DE

If you are still not satisfied with the outcome of your complaint or appeal you have a second line of recourse to the relevant Awarding Body depending on the training course you have attended.

### **City and Guilds –**

**Level 1 Certificate in Cycle Mechanics (see pages 4-9)**

**Level 2 Certificate in Cycle Mechanics (see pages 4-9)**

**1<sup>st</sup>4Sport -**

**1<sup>st</sup>4Sport Level 2 Award in Instructing Cycle Training (see page 10)**

You may request from BCG or from the appropriate awarding body direct a copy of their complaints and appeals procedure.

## **Appeal Submission Procedure City and Guilds**

All appeals and complaints must be in writing.

It is important that details of all supporting evidence are submitted

### **Stage 1**

An appeal or grievance may be resolved, in the first instance, a written complaint must be submitted to the centre QAC within 20 working days after you have received your assessment result or within 20 working days of any incident formally complained about by you in writing.

The centre QAC then reviews the examination, assessment result or the complaint and seeks to resolve the matter as soon as possible, within 10 working days.

### **Stage 2**

If the matter remains unresolved it shall be referred to the centre appeals – sub committee which shall attempt to resolve the matter within the further period of five working days. The appeal sub-committee will consist of the internal verifier a qualified solicitor and the external verifier (if appropriate).

### **Stage 3**

If Either the centre QAC or the centre appeals sub-committee agrees with your grounds of appeal fill in a review form and send it to City & Guilds on your behalf providing that the matter is an appeal against your examination or assessment. On the other hand, if your grounds of appeal is in relation to other types of grievances or complaints and the matter remains unresolved after being reviewed by the centre QAC or the centre appeals sub-committee then a formal complaint should be sent by you in writing to the City & Guilds customer relations department (who will try & resolve the matter) at the following address:  
Customer relations

City & Guilds  
1 Giltspur Street  
London  
EC1A 9DD

### **Stage 4**

(Regarding appeals against examination & assessment decisions)

However, if you want to write to City & Guilds directly, you need to fill in a review form yourself. You can get this from your centre or City Guilds customer relations department. You should send the filled in form and fee to City & Guilds within 60 working days of when you receive your result.

City & Guilds will tell you or your centre about their decision. This will be after City & Guilds have:

Carried out an administrative check of your work within 10 working days of receiving your request to look at your case, or

Reassessed your work within 20 working days of receiving your request to look at your case. City & Guilds will tell your centre the date when they will make a decision.

If City & Guilds decide to change the result, then they will:

- Refund your fee
- Change the result, and
- Send you a new certificate free of charge.

#### Stage 5

The appeals process

#### **City & Guilds appeal board**

If you are not happy with the result of the review, you or your centre should ask us to send your appeal to our appeals board (the board).

Or, if you are not happy with City & Guilds response to a complaint you have made about an assessment that was been carried out by your centre, you may also appeal to the board.

In either case, the board will then look at our decision. City & Guilds will send you form C&GAB with the results of the review or outcome of your complaint. This will tell you where to send your request for an appeal. After you receive the review result, you have to send your filled-in form to the clerk of the board, within 10 working days.

Send it together with the fee to:

The clerk of the group appeals board

City & Guilds  
1 giltspur street  
London  
EC1A 9DD  
Phone: 020 7294 2605  
Fax: 020 7294 2415

The clerk will give all the documents about your appeal to the board within 30 working days of receiving your form.

The board will look at the information and decide whether all procedures have been correctly followed. They may want to speak to you, your centre and the examiners or staff.

This part of the process will lead to one of two results:

- The board will agree with the review decision (if they do, they will tell you why).
- Or, the board will decide that the correct procedures have not been followed and will tell City & Guilds that we must change the result of your examination or assessment.

The board will give you decision within five working days making it.

If the board's decision is in your favour, City & Guilds will:

Refund your fees

Change your results, and

Send you a new certificate free of charge, or

Let you and your centre know our decision about your assessment.

The board will keep all documents about your appeal for at least six months. During that period, they can send you copies of those papers if you ask for them, but they will charge you a fee to cover the cost of the copying.

## Stage 6

### The Appeal Tribunal

If you are not happy with the result of the board's decision, you can ask the appeals tribunal (the tribunal) to review the decision. City & Guilds will send you a form AT with the decision of the board. This will tell you where to send your appeal. You must send this form to the clerk of the board within 15 working days of the date on the form.

You must send it with the fee to:

The clerk of the appeals tribunal

City & Guilds

1 Giltspur Street

London

EC1A 9DD

Phone: 020 7294 2605

Fax:020 7294 2415

You can bring a friend to the appeal hearing or ask a legal, union or professional representative to go for you.

City & Guilds will give you the result of the appeal within five working days of the hearing.

If the appeal is allowed, City & Guilds will:

- Change your result
- Send you a new certificate free of charge, and
- Refund your hearing fee, or
- Let you and your centre know our decision about your assessment.

You can get a copy of the City & Guilds group review, appeals and complaints against assessments – policy and processes document, together with the fees we charge, from:

Customer relations  
1 Giltspur Street  
London  
EC1A 9DD  
Phone: 020 7294 2800  
Fax: 020 7294 2405  
E-mail: [enquiry@city-and-guilds.co.uk](mailto:enquiry@city-and-guilds.co.uk)

#### INSTANCE IN, WHICH THE EXTERNAL VERIFIER'S INTERVENTION WOULD BE NEEDED

At any point at all where a second opinion is sought. To sit on the centre appeals sub-committee (if appropriate)

#### THE APPEALS PROCESS – C&G

If a candidate considers that they have grounds for appeal they should:

1. Contact their Assessor expressing their concerns and the reasons why they wish to appeal. The candidate is entitled to be accompanied by a supporter at this meeting. This meeting should be recorded and the minutes signed and dated by the candidate and Assessor
2. If the concerns cannot be resolved at this meeting and the candidate still considers they have a legitimate case for appeal, the Internal Verifier must be notified in writing enclosing a copy of the minutes of the meeting
3. The Internal Verifier shall organise a meeting with the candidate and Assessor within 14 days of receiving the notification of appeal. The Lead Verifier / Centre Coordinator shall inform the Quality Assurance Co-ordinator that they (Lead Verifier / Centre Co-ordinator & Internal Verifier) are dealing with an appeal. The candidate is entitled to be accompanied by a supporter. The meeting shall be recorded and the minutes signed by all parties

4. If the appeal cannot be resolved at this meeting, the Lead Verifier / Centre Coordinator shall refer the case to the Quality Assurance Co-ordinator.

5. The Quality Assurance Co-ordinator shall organise a meeting within 21 days of receiving the notification of appeal. The appeal will be considered after receiving written/verbal evidence from the candidate, workplace assessor and Internal Verifier (it may be appropriate for the Lead Verifier / Centre Co-ordinator to also be involved). The candidate is entitled to bring a supporter to this meeting

6. If the appeal is upheld:

- (i) The Assessor shall be invited to reconsider the original assessment process
- (ii) Provision shall be made for the candidate to be assessed again by another Assessor.

If, once the Assessment Appeals procedure has been completed, the candidate continues to be dissatisfied, they have the right to contact the Awarding Body directly.

## **GENERAL COMPLAINTS PROCEDURE FOR CANDIDATES**

If candidates are dissatisfied with any aspect of service provided by BCG including the implementation of the Equal Opportunities Policy, please contact your Assessor. If the complaint cannot be resolved immediately, your assessor will follow BCG's Complaints Procedure. This entitles the complainant to an initial response within five working days from the assessors line manager.

### **Appeals policy for NVQ programmes**

It is our responsibility as a centre that all candidates are aware of the appeals procedure, all learners should have access to a responsive appeals procedure system; this is a key feature to this type of assessment.

- Assessment of the required evidence on an NVQ programme is a continuous process with assessors giving constructive feedback at the time of the assessments. At the time of the assessment feedback, records of the agreed outcome should be kept within the department and dated and signed by the assessor.
- It is important for the assessment team to consider appeals and to improve, where appropriate the assessment system.
- The consideration of appeals that are made will help the internal verifier to monitor the assessment process and improve it where appropriate. This process will contribute to the standardisation of assessment.
- Assessment of the learners' evidence on an NVQ programme is a continuous process with assessors giving constructive feedback at the time of the assessments. At the time of the assessment feedback, records of the agreed outcome should be kept within the department and dated and signed by the assessor.
- If the learner disagrees with an assessment, the learner will be expected to explain the basis of the disagreement to the assessor at the time of the feedback session; the assessor must be able to highlight clearly to the learner the criterion that has not been met. This type of 'negotiation' does not constitute a formal appeal
- If, after such a feedback session, the disagreement has not been resolved, both the assessor and learner should request advice promptly from the Internal Verifier (IV)



- The internal verifier (IV) samples decisions at regular intervals and advises on reliability. The IV may sample closely any disputed evidence as part of the process of testing the reliability, which is part of the continuous sampling process

### **Formal Appeals Procedure**

If, after the informal discussion with the IV, the candidate wishes to make an appeal, the learner must ask the IV in writing for a re-assessment. This must be done within 5 working days of receiving the original assessment result and addressed to the Team Lead IV/Head of Training.

Learners can appeal against the following;

- The assessment plan – the learner can appeal if they do not agree with the suggested methods, location, time and criteria
- The assessment – the learner has the right to appeal if they feel that the assessment differed from what was agreed on the assessment plan or they feel that they did not receive a fair assessment.
- The assessment decision – the learner can appeal if they feel the assessor's judgment was unfair.

The IV on receipt of the formal appeal from the learner will

- Try to seek a solution negotiated between the relevant assessor and learner
- If it is not possible to reach an agreement then a date will be set for an IV appeals panel to meet

The IV team will then normally meet within 10 working days of the receipt of the appeal by the lead IV/Head of training, with re-assessment, if deemed necessary taking place within 5 working days of the appeals meeting.

The IV team should ensure that full original details in writing are obtained from both the assessor originally involved and the learner.

The outcome of the appeal may be as follows;

- Confirmation of the original decision
- A re-assessment by an independent assessor
- A judgement that adequate evidence of competence has been shown;
- An opportunity to re-submit for assessment within a revised agreed timescale.

If the candidate is still not satisfied with the decision at this stage and this procedure has been

exhausted, then the candidate can contact the awarding body.

The awarding should only be contacted when this procedure is FULLY exhausted.

## Appeal Submission Procedure 1<sup>st</sup>4Sport

Learner is dissatisfied with an assessment decision. An appeal directly to the relevant assessor should be made in the first instance. The assessor should explain the rationale behind the assessment decision to the learner.

If Learner is dissatisfied with the assessor's rationale

Learner completes the 'Learner Complaints and Appeals Form' and submits this to the Quality Assurance Coordinator along with any supporting evidence. This should be submitted within 14 days of the original decision.

The Quality Assurance Coordinator must acknowledge receipt of the appeal within 10 working days and must outline the actions to be taken.

The Quality Assurance Coordinator will investigate and evaluate the submitted evidence. Outcomes should be communicated to all relevant parties within 20 working days.

If Learner is dissatisfied with the outcomes of the appeal

Learner can escalate their appeal to the 1st4sport Qualifications Compliance and Risk Team by submitting evidence to:  
i<sup>management</sup>@1st4sportqualifications.com

The appeal will be handled according to the 1st4sport Qualifications Position Statement – Learner Appeals against Recognised Centre Decisions which can be found on the 1st4sport Qualifications website under About Us/Policies and Procedures:  
[www.1st4sportqualifications.com](http://www.1st4sportqualifications.com)

### Learner Complaints and Appeals Form

Learners must complete this form and submit it to the Quality Assurance Coordinator within 14 days of the assessment decision.

Learner's name	
Learner registration number	
Address	
Email address	
Contact number	
Date of training/assessment	
Date appeal submitted	
Name of assessor who delivered training/completed assessment	

Describe the reasons for your appeal as fully as possible. Please include **copies** of any associated documents (e.g. learner evidence, record of achievement, observation checklists, feedback from the assessor etc.). Learners should retain a copy of this form.

Type of training/assessment and details of original assessment decision	
Reason for the complaint/appeal	
Learner signature	Date

To be completed by the Quality Assurance Coordinator

Date of Complaint/Appeal Investigation			
Investigation Details			
Outcome (tick one only)			
Uphold original assessment decision			<input type="checkbox"/>
Offer the learner an opportunity for a reassessment (free of charge)			<input type="checkbox"/>
Overturn original assessment decision			<input type="checkbox"/>
Other actions relating to outcomes (give details)			
Designated Appeals Officer signature		Date	
Learner signature <sup>1</sup>		Date	

<sup>1</sup> Signing this form does not necessarily indicate agreement with the decision but is an acknowledgement of receipt of the outcomes.