



## Appeals Policy

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## Introduction

This policy is aimed at our centres, including their learners, who are either delivering, have enrolled on or have taken a regulated qualification, endorsed course or unit approved by OCN NI. It sets out the process you should follow when submitting appeals to us and the process we will follow when responding to enquiries and appeals. It is also for use by our staff to ensure they deal with all appeals in a consistent manner.

## The Centre's Responsibility

It is important that your staff involved in the management, assessment and quality assurance of our qualifications and your learners are aware of the contents of the policy.

In addition, you must have internal appeal arrangements, which learners can access if they wish to appeal against a decision taken by your centre. If an individual wish to appeal against a decision taken by a centre they must first go through the centre's appeals process before bringing the matter to OCN NI.

## Review Arrangements

OCN NI will review the policy as part of our self-evaluation arrangements and revise it as and when necessary, any feedback requests centres and learners will be taken into consideration and good practice guidance issued by the regulatory authorities.

If you would like to feedback. please contact us at [compliance@ocnni.org.uk](mailto:compliance@ocnni.org.uk)

## Lessons learned

OCN NI is committed to improving its approach to centres, learners, and quality improvement in line with the regulatory requirements awarding organisations are bound by.

## Fees

OCN NI charge the centre £50, or the learner a fee of £30, to cover the administrative costs involved in dealing with appeals. This will be refunded should the appeal be successful.

## Areas covered by the Policy

This policy covers:

- Appeals from learners and/or centres in relation to an assessment decision on the basis that we did not apply procedures consistently or that procedures were not followed properly and fairly
- Appeals from centres in relation to an OCN NI decision concerning a centre's application to offer a regulated qualification, endorsed course or unit approved by OCN NI.

- Appeals from centres concerning the contents of a centre monitoring report
- Appeals from centres and/or learners relating to an OCN NI decision to decline a centre's request to make reasonable adjustments or give special considerations
- Appeals from centres or learners in relation to the application by OCN NI of a sanction/action on a centre resulting from a verification visit or an investigation into malpractice or maladministration or a decision to amend a learner/set of learners' results following a malpractice or malpractice investigation
- Appeals from centres relating to a decision made by OCN NI following an investigation into a complaint about a centre (e.g., the application of sanctions)
- Appeals if you believe we have not applied our procedures consistently or that procedures were not followed properly, consistently, and fairly.

## Process for raising an Appeal

Centre and Learners have 4 weeks from the date we notified you of the decision you are appealing against in which to register an appeal against our decision. This includes assessment results, so please advise your learners and staff to retain their course evidence until they receive their results.

If you appeal on behalf of your learners, you must ensure that you have obtained the written permission of the learner(s) concerned, as grades/results can go down as well as up because of an investigation.

Learners who wish to appeal about their assessment results or about a related decision should either be supported by their centre or have exhausted their centre's own appeals process before appealing to OCN NI. In the latter case, learners must provide us with evidence that they have first appealed to their centre. It is expected that learners will only appeal directly to us in exceptional circumstances.

When submitting an appeal, please do so by emailing [compliance@ocnni.org.uk](mailto:compliance@ocnni.org.uk), ensuring relevant supporting information such as the following are provided:

- learner's name and OCN NI learner registration number
- date(s) you or the learner received notification of the decision
- Run ID, Qualification title and code
- Nature of service affected (if appropriate)
- full nature of the appeal and reason why you believe the decision was not appropriate
- contents and outcome of any investigation carried out by the centre relating to the issue.

## Situations brought to our attention by the Regulatory Authorities

Where the regulators notify us of failures that have been discovered in the assessment process of another awarding organisation, we will review if a similar failure could affect our own assessment processes and arrangements.

## Initial Review of the Appeal details

We will acknowledge receipt of an appeal within 5 days and aim to respond fully to the initial review of the appeal within 25 days. Please note that in some cases the review processes may take longer, for example, if a centre visit is required. In such instances, we will contact all parties concerned to inform them of the likely revised timescale.

The first stage will be for us to undertake an initial, informal assessment of all potential appeals to ensure the application is complete and to ascertain if the issue can be resolved before it goes to a formal appeal. In all instances, we will ensure that the person carrying out this initial check will not have a personal interest in the decision being appealed.

Following the initial review of the potential appeal we will write to the appellant with details of our decision to either:

1. amend our original decision considering the new rationale/evidence put forward and which has now been reviewed
2. to confirm we stand by our original decision and the rationale for this decision and request that you confirm, within 15 days, whether you now accept this decision or if you wish would proceed to our formal appeals process, which will be carried out by an independent party.

## Seeking an Independent Review

If you decided to proceed to the independent appeal stage, we will arrange for an independent review to be carried out.

This will be carried out by someone who is not an employee of ours, an assessor working for us, or anyone otherwise connected to our organisation. They will also be someone with the relevant competence to decide in relation to the appeal and will have not a personal interest in the decision being appealed.

The independent reviewer will review all the evidence collated in the initial review stage and consider whether we have applied our procedures fairly, appropriately and consistently in line with our appeals policy.

The independent review process may involve:

- a discussion with the appellant or the learner and OCN NI personnel
- a request for further information from the appellant, the learner or OCN NI personnel
- a centre visit by authorised OCN NI personnel.

The independent reviewer's decision is final in relation to how OCN NI will consider such appeals and we will let you know the outcome of the review within 25 days of receipt of the appeal. If the centre/learner is still unhappy with the outcome at this stage, they are entitled to raise the matter with the relevant qualifications regulator (CCEA Regulation/Ofqual).

## **Successful Appeals and/or issues brought to our attention by CCEA Regulation/Ofqual**

In situations where an appeal has been successful, or where an investigation following notification from CCEA Regulation/Ofqual indicates a failure in our processes, OCN NI will give due consideration to the outcome and will take appropriate action such as:

- amend the record of the centre concerned
- identify any other learners who have been affected
- correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure (e.g., amend the results for the learner(s) affected following an appropriate investigation)
- review our associated processes and policies to ensure that the 'failure' does not occur again or mitigate the situation as far as possible if the failure that occurred cannot be corrected.

We will also cooperate with any follow-up investigations required by the qualifications regulators and if appropriate agree any remedial action with them.

### **Contact us**

If you have any queries about the contents of the policy, please contact the Compliance and Audit Team on 028 9046 3990 or email them at [compliance@ocnni.org.uk](mailto:compliance@ocnni.org.uk)